

1 BEFORE THE REAL ESTATE COMMISSION

FILED

2 STATE OF NEVADA

JUN 13 2022

3 SHARATH CHANDRA, Administrator,
4 REAL ESTATE DIVISION, DEPARTMENT
5 OF BUSINESS & INDUSTRY,
6 STATE OF NEVADA,

Case No. 2018-1606

REAL ESTATE COMMISSION

BY Sulekha Pattle

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Petitioner,

vs.

GREGORY NAVONE,

Respondent.

FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER

This matter came on for hearing before the Real Estate Commission, Department of Business and Industry, State of Nevada (the "Commission"), during a regular agenda on June 7, 2022, at the Nevada State Business Center, 3300 W. Sahara Avenue, Fourth Floor, Tahoe Room, Las Vegas, Nevada 89102, video conferenced to Nevada Division of Insurance, 1818 E. College Parkway, Suite 103, Carson City, Nevada 89706 (the "Hearing"). The RESPONDENT, GREGORY NAVONE (hereinafter, "RESPONDENT" or "NAVONE") appeared. Michelle D. Briggs, Esq., Chief Deputy Attorney General, appeared on behalf of the Real Estate Division of the Department of Business and Industry, State of Nevada (the "Division").

Commissioner David Tina recused himself from the Hearing as he was involved in the GLVAR hearing regarding the same matter. RESPONDENT did not object to the admission of the Division's documents and the documents were admitted. The Division stipulated to admit RESPONDENT'S document which was the GLVAR decision from May 2019 produced to the Division the day before the Hearing. The Division presented testimony from Investigator Ann Angell. RESPONDENT testified for himself and presented testimony from his office assistant.

After hearing testimony and reviewing the documents presented in this matter and for good cause appearing, the Commission now enters its Findings of Fact, Conclusions of Law, and Order as follows:

FINDINGS OF FACT

The Commission, by unanimous vote, based upon the evidence presented during the hearing, finds

1 that by a preponderance of the evidence in the record the following facts have been proven.

2 1. RESPONDENT acted as agent and broker at Las Vegas Raiders Realty and Investments,
3 LLC, when he entered into an agreement, in October of 2018, with Robert Grasso (“the Seller”) to sell a
4 property located at 324 Goldstar Street, Las Vegas, Nevada 89102 (“the Property”) as part of a divorce
5 settlement.

6 2. The Complainant, Kaveh Ghafouria, license number B.0030453.LLC, entered into an
7 Exclusive Authorization and Right to Sell, Exchange, or Lease Brokerage Listing Arrangement with the
8 Seller of the Property on June 11, 2018 for a six month term, expiring on December 10, 2018.

9 3. The Complainant’s designated licensee for this listing on the agreement was Bennett
10 Cohen, license number S.0169047.LLC.

11 4. The Complainant’s brokerage listed the Property with the Greater Las Vegas Association
12 of Realtors’ Multiple Listing Service on June 11, 2018.

13 5. The Complainant received an Early Termination of Listing Agreement dated October 31,
14 2018, prepared by RESPONDENT.

15 6. In November of 2018, the Division received a Complaint accusing RESPONDENT of
16 soliciting the Seller to cancel his listing agreement with Complainant.

17 7. On November 21, 2018, the Division notified RESPONDENT that a Complaint had been
18 filed against him, and he was directed to provide a completed Affidavit and complete copy of the broker’s
19 transaction file for the Property.

20 8. On December 12, 2018, the Division received a sworn declaration from RESPONDENT
21 along with attached documents, but RESPONDENT failed to provide a copy of his self-labeled “Exhibit
22 A,” which is letter from the Seller stating that RESPONDENT did not solicit the listing in dispute.

23 9. In compliance with his agreement with the Seller, Complainant removed his listing of the
24 Property on December 11, 2018.

25 10. On January 15, 2019, RESPONDENT listed the Property with the Greater Las Vegas
26 Association of Realtors’ Multiple Listing Service.

27 11. The Property was sold on February 6, 2019.

28 12. On April 10, 2019, the Division contacted the RESPONDENT, and requested

1 RESPONDENT provide a completed affidavit and a complete copy of the broker's transaction file for
2 the Property, but Respondent failed to provide any further information such as the purchase agreement
3 for the Property.

4 13. On April 29, 2019, after receiving no further information from RESPONDENT, the
5 Division found that RESPONDENT violated NRS 645.630(1)(l) and NRS 645.633(1)(h) pursuant to
6 NAC 645.605(11)(a) and issued an administrative fine in the amount of \$1,000.00.

7 14. On May 22, 2019, RESPONDENT appealed the imposition of the fine.

8 15. RESPONDENT stated that he did not solicit the Seller, and the Seller approached him.

9 16. RESPONDENT provided a Motion drafted by the Seller's attorney, and signed by
10 opposing Counsel representing Seller's wife, which explained that Complainant failed to follow through
11 on an agreed upon sales strategy by taking three weeks to advertise the Property, failing to schedule an
12 open house for six weeks, and recommending erratic price reductions, and therefore requested the Court
13 to appoint RESPONDENT as realtor to aggressively market the Property and maximize the return.

14 17. Subsequently, a Stipulation and Order was signed by a district court judge as part of the
15 seller's pending divorce, on November 20, 2018, that appointed RESPONDENT as seller's agent for the
16 Property.

17 CONCLUSIONS OF LAW

18 Based on the foregoing findings of fact, the Commission concludes by unanimous vote that
19 RESPONDENT committed the following violations of law.

20 18. RESPONDENT violated NRS 645.633(1)(h) pursuant to NAC 645.605(11)(a) as he acted
21 with gross negligence or incompetence when he impeded the Division's investigation by failing to timely
22 comply with the Division's request to provide documents specifically the requested affidavit and the
23 broker's transaction file, including the purchase agreement for the Property.

24 ORDER

25 The Commission, being fully apprised in the premises, and good cause appearing to the
26 Commission, by unanimous vote, ORDERS as follows:

27 1. RESPONDENT shall pay an administrative fine to the Division in the total amount of
28 \$2,795.80 – which includes a fine of \$1,000 for the violations of law and \$1,795.80 representing the total

1 amount due for the Division's attorney's fees and costs – no later than 30 days from the effective date of
2 this Order.

3 2. Within 60 days of the effective date of this Order, RESPONDENT shall complete no less
4 than 6 hours of continuing education concerning broker management which shall be live, in-person
5 courses approved by the Division and shall not count toward RESPONDENT'S continuing education
6 requirements for licensing.

7 3. If RESPONDENT fails to comply with the terms of this Order, either with regard to the
8 payment of the administrative fine or the hours of continuing education, RESPONDENT shall be in
9 default of this Order. In the event of default, RESPONDENT'S license shall be immediately suspended
10 until the administrative fine is paid in full and the hours are completed.

11 4. The Division may institute debt collection proceedings for failure to timely pay the total
12 fine, including action to reduce this Order to a judgment. Further, if collection goes through the State of
13 Nevada, then RESPONDENT shall also pay the costs associated with collection.

14 5. The Commission retains jurisdiction for correcting any errors that may have occurred in
15 the drafting and issuance of this document.

16 6. This Order shall become effective on the 13th day of July, 2022.

17 DATED: June 13, 2022.

18 REAL ESTATE COMMISSION
19 STATE OF NEVADA

20 By: 
21 President, Nevada Real Estate Commission

22 Submitted by:
23 AARON D. FORD
24 Attorney General

25 By: /s/ Michelle Briggs _____
26 Michelle D. Briggs, Esq.
27 Chief Deputy Attorney General
28 555 E. Washington Avenue, Suite 3900
Las Vegas, Nevada 89101
(702) 486-3420
Attorneys for Nevada Real Estate Division

STEVE SISOLAK
Governor

STATE OF NEVADA
REAL ESTATE COMMISSION

DARRELL PLUMMER
President
SPIRIDON "SPIROS" FILIOS
Vice-President
LEE GURR
Secretary

Terry Reynolds
Director



DATE: 6/13/2022

RESPONDENT: Gregory Navone

CASE#: 2018-1606

HEARING DATE: 6/7/2022

STATEMENT OF HEARING FEES AND COSTS PURSUANT TO NRS 622.400(2)

Administrative Costs: \$ 100.00

Investigative Costs: \$ 405.00

Commission Costs: \$ 197.46

Attorney Fees: \$ 1,003.34

Witness Costs: \$ -

Court Reporter Costs: \$ 90.00

Other Services (Describe service below): \$ -

TOTAL AMOUNT DUE: \$ 1,795.80 *This does not include any fines or restitution ordered by the Commission