

BEFORE THE REAL ESTATE COMMISSION

STATE OF NEVADA

SHARATH CHANDRA, Administrator,  
REAL ESTATE DIVISION, DEPARTMENT  
OF BUSINESS & INDUSTRY,  
STATE OF NEVADA,

Case No. 2021-1228

Petitioner,

**FILED**

vs.

AUG 16 2022

GEORGE L. ANDERSON III,

REAL ESTATE COMMISSION  
BY 

Respondent.

**COMPLAINT AND NOTICE OF HEARING**

The REAL ESTATE DIVISION OF THE DEPARTMENT OF BUSINESS AND INDUSTRY OF THE STATE OF NEVADA ("Division") hereby notifies GEORGE L. ANDERSON III ("ANDERSON" AND/OR "RESPONDENT"), of an administrative hearing before the STATE OF NEVADA REAL ESTATE COMMISSION ("Commission"). The hearing will be held pursuant to Chapters 233B and Chapter 645 of the Nevada Revised Statutes ("NRS") and Chapter 645 of the Nevada Administrative Code ("NAC"). The purpose of the hearing is to consider the allegations stated below and to determine if RESPONDENT should be subject to an administrative penalty as set forth in NRS 645.633 and/or NRS 645.630 and/or NRS 622.400, and the discipline to be imposed, if violations of law are proven.

**JURISDICTION**

RESPONDENT was at all relevant times mentioned in this Complaint, licensed as a broker with the Division and also held a property management permit from the Division and is therefore subject to the jurisdiction of the Division and the Commission, and the provisions of NRS chapter 645 and NAC chapter 645.

**FACTUAL ALLEGATIONS**

1. RESPONDENT is licensed by the Division as a broker with the Division under licenses B.1001398.LLC and B.1001399.INDV. [Ex. A, Bates No. NRED 4].

1           2. RESPONDENT also held property management permits from the Division; however, said  
2 property management permits were revoked by the Commission's order effective August 5, 2021. [Ex.  
3 B, Bates No. NRED 7].

4           3. At all relevant times, RESPONDENT was a manager and broker for Addicted Realty LLC, a  
5 Nevada limited liability company ("Addicted Realty"). [Ex. A, Ex. C].

6           4. Kenneth Calder ("Calder") is also listed as a manager of Addicted Realty according to the  
7 Nevada Secretary of State's website. [Ex. C, Bates No. NRED 10-11].

8           5. Calder is also licensed as a broker with the Division and also holds a property management  
9 permit. [Ex. A, Bates No. NRED 2].

10          6. Addicted Realty is a real estate brokerage and also provides property management services.

11          7. On or around December 21, 2021, one of Addicted Realty's property management clients  
12 ("Complainant") signed a complaint that was then submitted to the Division, stating that she owned  
13 property located at 75 N. Valle Verde, Unit 412 in Henderson Nevada ("Property"). [Ex. D, Bates No.  
14 NRED 13-14].

15          8. The Complainant stated that she had hired Addicted Realty to manage the Property. [Ex. D,  
16 Bates No. NRED 14].

17          9. The Complainant further stated that Addicted Realty sent monthly payments to her late with  
18 no monthly statements, and that even though she had requested them, they were never provided. [Ex. D,  
19 Bates No. NRED 14].

20          10.     The Complainant further stated that the rental payments made to her by Addicted Realty  
21 were for varying amounts. [Ex. D, Bates No. NRED 14].

22          11.     The Complainant stated that in October of 2021, she gave written notice to Addicted  
23 Realty that she was terminating her property management agreement with them and was hiring Las Vegas  
24 Turnkey Rentals ("TurnKey") to manage the Property beginning on November 1, 2021. [Ex. D, Bates  
25 No. NRED 14].

26          12.     The Complainant stated that Addicted Realty failed to transfer the security deposit to Las  
27 Vegas Turnkey Rentals within the legal timeframe, and as of the date of filing her complaint with the  
28 Division, had made no attempt to transfer it to TurnKey. [Ex. D, Bates No. NRED 14].

1           13.     On or around January 4, 2022, RESPONDENT was properly notified by the Division that  
2 it had opened an investigation and requested that RESPONDENT provide the complete broker's  
3 transaction file for the Property, and requested that he provide a sworn affidavit/declaration regarding his  
4 knowledge of all matters set forth in complainant's complaint ("Requested Documents"). [Ex. F, Bates  
5 No. NRED 21].

6           14.     On January 4, 2022, RESPONDENT emailed the Division's investigator and stated,  
7 "While we put together a response... here is the cancelled check for the security deposit transmittal sent  
8 in a timely manner. The check cleared on 11/30/21." [Ex. E, Bates No. NRED 18].

9           15.     The check attached to the email was dated 11/22/21 and was from Addicted Realty to  
10 TurnKey for \$1,750.00. [Ex. M, Bates No. NRED 418].

11           16.     On April 12, 2022, the Division's investigator emailed the Complainant and asked if she  
12 had received the 1099 documents from Addicted Realty, the completed security deposit and transmittal,  
13 and the owner's statements. [Ex. H, Bates No. NRED 29].

14           17.     The Complainant stated that she had never received the 1099 documents for the Property  
15 for 2019, 2020, or 2021 from Addicted Realty. [Ex. H, Bates No. NRED 28].

16           18.     The Complainant responded that she had never received owner's statement from Addicted  
17 Realty for 2019, 2020, and 2021, despite requesting them and an explanation of why different amounts  
18 were paid to her each month. [Ex. H, Bates No. NRED 28].

19           19.     The Complainant further stated that she had received a partial security deposit back from  
20 Addicted Realty but not the full amount, despite TurnKey's broker having made several attempts to have  
21 it transferred from Addicted Realty to TurnKey. [Ex. H, Bates No. NRED 28].

22           20.     The Complainant further stated that she sold the Property in February of 2022, and that  
23 she had to pay the remaining portion of the security deposit [that Addicted Realty failed to transfer] to  
24 the new owners/property management company. [Ex. H, Bates No. NRED 28].

25           21.     TurnKey's broker also responded to the Divisions investigation. [Ex. H, Bates No. NRED  
26 27].

27           22.     TurnKey's broker stated that he made multiple attempts to collect funds held on account  
28 from Addicted Realty. [Ex. H, Bates No. NRED 27].

1 23. TurnKey's broker stated that TurnKey received \$1,750.00 thirty days after management  
2 of the Property was transitioned to TurnKey, that the \$300.00 cleaning fee was never transferred from  
3 Addicted Realty to TurnKey, that the original lease, application, and backup keys for the Property were  
4 not turned over to TurnKey until more than three weeks after TurnKey took over management. [Ex. H,  
5 Bates No. NRED 27].

6 24. TurnKey's broker further stated that at the sale of the Property in 2022, the Complainant  
7 incurred damages in the amount of \$300.00 to fulfill the transfer of the deposited tenant funds to the new  
8 buyer, made under the original lease agreement entered between the tenant and the Complainant through  
9 Addicted Realty. [Ex. H, Bates No. NRED 27].

10 25. After not receiving any response from RESPONDENT to its initial letter, on or around  
11 April 12, 2022, the Division sent a follow-up letter to RESPONDENT again requesting the Requested  
12 Documents. [Ex G, Bates No. NRED 23-24].

13 26. The Division never received any further response from RESPONDENT.

14 27. On or around May 6, 2022, the Division properly notified RESPONDENT that it was  
15 bringing a disciplinary action against him by filing a complaint for hearing before the Nevada Real Estate  
16 Commission. [Ex. O, Bates No. NRED 421-422].

17 28. Although RESPONDENT transferred a portion of the security deposit to TurnKey in the  
18 amount of \$1,750.00, RESPONDENT failed to transfer the \$300.00 cleaning deposit to TurnKey, and  
19 thus failed to timely transfer the entirety of the tenant deposits to TurnKey.

#### 20 VIOLATIONS OF LAW

21 29. RESPONDENT violated NRS 645.630(1)(f) by failing, within a reasonable time, to account  
22 for or remit money in his possession belonging to others, by failing to timely transfer the entirety of the  
23 tenant deposits for the Property to TurnKey.

24 30. RESPONDENT violated NRS 645.633(1)(h) pursuant to NAC 645.605(11)(a) and NAC  
25 645.605(11)(b) by impeding or attempting to impede the Division's investigation by failing to provide  
26 the Division with the Requested Documents.

1 **DISCIPLINE AUTHORIZED**

2 1. Pursuant to NRS 645.630 and NRS 645.633, the Commission is empowered to impose an  
3 administrative fine of up to \$10,000 per violation against RESPONDENT and further to suspend, revoke  
4 or place conditions on the license of RESPONDENT.

5 2. Additionally, under NRS Chapter 622, the Commission is authorized to impose costs of the  
6 proceeding upon RESPONDENT, including investigative costs and attorney's fees, if the Commission  
7 otherwise imposes discipline on RESPONDENT.

8 3. Therefore, the Division requests that the Commission take such disciplinary action as it deems  
9 appropriate under the circumstances.

10 **NOTICE OF HEARING**

11 **PLEASE TAKE NOTICE**, that a disciplinary hearing has been set to consider this  
12 Administrative Complaint against the above-named RESPONDENTS in accordance with Chapters 233B  
13 and 645 of the Nevada Revised Statutes and Chapter 645 of the Nevada Administrative Code.

14 **THE HEARING WILL TAKE PLACE on September 27, 2022, commencing at 9:00 a.m.,**  
15 **or as soon thereafter as the Commission is able to hear the matter, and each day thereafter**  
16 **commencing at 9:00 a.m. through September 29, 2022, or earlier if the business of the Commission**  
17 **is concluded. The Commission meeting will be held on September 27, 2022, at the Nevada State**  
18 **Business Center, 3300 West Sahara Avenue, 4<sup>th</sup> Floor – Nevada Room, Las Vegas, Nevada 89102.**  
19 **The meeting will continue on September 28, 2022, at the Nevada State Business Center, 3300 West**  
20 **Sahara Avenue, 4<sup>th</sup> Floor – Nevada Room, Las Vegas, Nevada 89102, commencing at 9:00 a.m.,**  
21 **and on September 29, 2022, should business not be concluded, starting at 9:00 a.m. at the Nevada**  
22 **State Business Center, 3300 West Sahara Avenue, 4<sup>th</sup> Floor – Nevada Room, Las Vegas, Nevada**  
23 **89102.**

24 **STACKED CALENDAR: Your hearing is one of several hearings scheduled at the same**  
25 **time as part of a regular meeting of the Commission that is expected to last from September 27,**  
26 **2022 through September 29, 2022, or earlier if the business of the Commission is concluded. Thus,**  
27 **your hearing may be continued until later in the day or from day to day. It is your responsibility**  
28 **to be present when your case is called. If you are not present when your hearing is called, a default**

1 may be entered against you and the Commission may decide the case as if all allegations in the  
2 complaint were true. If you have any questions please call Shareece Bates, Administration Section  
3 Manager at (702) 486-4036.

4 **YOUR RIGHTS AT THE HEARING:** except as mentioned below, the hearing is an open  
5 meeting under Nevada's open meeting law and may be attended by the public. After the evidence and  
6 arguments, the commission may conduct a closed meeting to discuss your alleged misconduct or  
7 professional competence. You are entitled to a copy of the transcript of the open and closed portions of  
8 the meeting, although you must pay for the transcription.

9 As the Respondent, you are specifically informed that you have the right to appear and be heard  
10 in your defense, either personally or through your counsel of choice. At the hearing, the Division has the  
11 burden of proving the allegations in the complaint and will call witnesses and present evidence against  
12 you. You have the right to respond and to present relevant evidence and argument on all issues involved.  
13 You have the right to call and examine witnesses, introduce exhibits, and cross-examine opposing  
14 witnesses on any matter relevant to the issues involved.

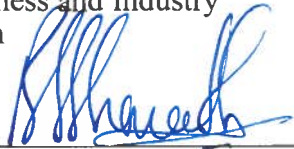
15 You have the right to request that the Commission issue subpoenas to compel witnesses to testify  
16 and/or evidence to be offered on your behalf. In making the request, you may be required to demonstrate  
17 the relevance of the witness' testimony and/or evidence. Other important rights you have are listed in  
18 NRS 645.680 through 645.990, NRS Chapter 233B, and NAC 645.810 through 645.875.

19 The purpose of the hearing is to determine if the Respondent has violated NRS 645 and/or NAC  
20 645 and if the allegations contained herein are substantially proven by the evidence presented and  
21 to further determine what administrative penalty is to be assessed against the RESPONDENT, if any,  
22 pursuant to NRS 645.235, 645.633 and or 645.630.

23 DATED this 9 day of August, 2022.  
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State of Nevada  
Department of Business and Industry  
Real Estate Division

By:   
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