

1 BEFORE THE REAL ESTATE COMMISSION
2 STATE OF NEVADA

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

7 Petitioner,

8 vs.

9 TAMMY HINH,

10 Respondent.

Case No. 2021-417

FILED

NOV 09 2022

REAL ESTATE COMMISSION

BY Kelley Valadez

11 **COMPLAINT AND NOTICE OF HEARING**

12 The REAL ESTATE DIVISION OF THE DEPARTMENT OF BUSINESS AND INDUSTRY
13 OF THE STATE OF NEVADA ("Division") hereby notifies TAMMY HINH ("RESPONDENT"), of an
14 administrative hearing before the STATE OF NEVADA REAL ESTATE COMMISSION
15 ("Commission"). The hearing will be held pursuant to Chapters 233B and Chapter 645 of the Nevada
16 Revised Statutes ("NRS") and Chapter 645 of the Nevada Administrative Code ("NAC"). The purpose
17 of the hearing is to consider the allegations stated below and to determine if RESPONDENT should be
18 subject to an administrative penalty as set forth in NRS 645.633 and/or NRS 645.630 and/or NRS
19 622.400, and the discipline to be imposed, if violations of law are proven.

20 **JURISDICTION**

21 1. At all relevant times, RESPONDENT was licensed by the Division as a salesperson
22 (S.0181303) and held a property management permit (PM.0166953) issued by the Division and is
23 therefore subject to the jurisdiction of the Division and the Commission, and the provisions of NRS
24 chapter 645 and NAC chapter 645.

25 **FACTUAL ALLEGATIONS**

26 2. At all relevant times, RESPONDENT was licensed by the Division as a salesperson
27 (S.0181303) and held a property manager permit (PM.0166953) from the Division, both of which are in
28 "expired" status. **Bates Nos. NRED0003, NRED0008-0009.**

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1 3. At all times relevant, the RESPONDENT provided property management services through
2 her broker Tiffany Hsia Chau (“Respondent’s broker” or “Chau”), with Vegas Pro Realty, LLC, located
3 at 6276 Spring Mountain Road, Unit 100, Las Vegas, Nevada 89146 (“VPR.”) **Bates No. NRED0004.**

4 4. On or about November 6, 2020, Respondent’s broker submitted a real estate termination
5 form to the Real Estate Division (“the Division”). **Bates Nos. NRED0005-0007.**

6 5. In the Real Estate Termination Form, the Respondent’s broker notified the Division that
7 she was terminating the RESPONDENT’s employment with VPR due to lack of communication with the
8 broker’s office.

9 6. On or about November 6, 2020, the Respondent’s broker sent a notification letter to the
10 RESPONDENT informing her that her salesperson license and property management permit were turned
11 in to the Division and that her employment with VPR was terminated as of November 6, 2020. **Bates**
12 **Nos. NRED0005-0007.**

13 7. The RESPONDENT’s salesperson’s license (S.0181303) expired on March 31, 2022.

14 8. The RESPONDENT’s property management permit (PM. 0166953) expired on March 31,
15 2022.

16 9. On or about April 18, 2021, the Division received a complaint by Kai-Yu Chiang
17 (“Complainant” or “Chiang”) against the RESPONDENT. **Bates Nos. NRED0025-0026.**

18 10. The Complainant stated that, he and his wife Weiqing Chiang were the owners of 2889
19 Wheelwright Drive in Las Vegas, Nevada 89121. (“the property”) **Bates Nos. NRED0025-0026.**

20 11. The Complainant purchased the property as an investment in March of 2018. **Bates Nos.**
21 **NRED0025-0026.**

22 12. At that time, the property was managed by Cornerstone Management. **Bates Nos.**
23 **NRED0025-0026.**

24 13. Since the property was built in the 1980s, it required a lot of repairs, and Cornerstone
25 Management asked the Complainant to find a contractor to do the repairs and any upgrades on the
26 property. **Bates Nos. NRED0025-0026.**

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1 14. Complainant previously knew the RESPONDENT, as she had managed other properties
2 for the Complainant when she worked for her prior brokerage Hot Point Realty. **Bates Nos. NRED0025-**
3 **0026.**

4 15. In June 2019, the Association allowed each owner to manage his or her property.

5 16. RESPONDENT told the Complainant that she could help them with the management of
6 their property. **Bates Nos. NRED0025-0026.**

7 17. RESPONDENT also notified the Complainant that her new brokerage was VPR. **Bates**
8 **Nos. NRED0025-0026.**

9 18. On or about June 4, 2019, the Complainant, and RESPONDENT executed a Residential
10 Property Management Agreement (“the Agreement”) for the property. **Bates Nos. NRED0027-0043.**

11 19. The duration of the Agreement was from June 4, 2019, to June 3, 2020. **Bates Nos.**
12 **NRED0027-0043.**

13 20. Pursuant to the Agreement, the RESPONDENT was to collect 6% of the monthly gross
14 collected rents as her monthly management fee. **Bates Nos. NRED0027-0043.**

15 21. If the RESPONDENT procured a tenant for whom a lease was signed, she was to collect
16 \$500.00. **Bates Nos. NRED0027-0043.**

17 22. Pursuant to the Agreement, the RESPONDENT was responsible for collecting all rents,
18 charges and other amount receivable on Owner’s account in connection with the management and
19 operation of the property. **Bates Nos. NRED0027-0043.**

20 23. Such funds were to be deposited in the Trust Account maintained by the Respondent’s
21 broker for the property. **Bates Nos. NRED0027-0043.**

22 24. Pursuant to Exhibit A in the Agreement, the minimum rent for the property was \$825.00
23 and the maximum rent was \$900.00. **Bates Nos. NRED0027-0043.**

24 25. Since October 2020, the Complainant has not received the rental statement and the rent
25 for the property. **Bates Nos. NRED0027-0043.**

26 26. The Complainant has tried to contact the RESPONDENT on numerous occasions,
27 however the RESPONDENT has refused to communicate with the Complainant. **Bates Nos.**
28 **NRED0027-0043.**

1 27. Complainant also contacted the Respondent's broker, who informed the Complainant that
2 the RESPONDENT's employment with VPR was terminated and that the rental income for the property
3 was never deposited into the Trust Account. **Bates Nos. NRED0027-0043.**

4 28. Complainant stated that the RESPONDENT owed him \$6,500.00 in rental income for the
5 months of October and November 2020. **Bates Nos. NRED0027-0043.**

6 29. In December of 2020, the Complainant changed property management companies to AHP
7 Realty. **Bates Nos. NRED0027-0043.**

8 30. On or about April 22, 2021, the Division notified the Complainant that his complaint about
9 the RESPONDENT was received and that an investigation of the RESPONDENT was opened. **Bates**
10 **No. NRED0010.**

11 31. On or about April 22, 2021, the Division properly notified the RESPONDENT that it was
12 opening an investigation against her based on the complaint received, and requested a response to the
13 allegations in the complaint. **Bates No. NRED0012.**

14 32. The Division gave the RESPONDENT until May 7, 2021, to respond to the complaint.
15 **Bates No. NRED0012.**

16 33. The RESPONDENT failed to respond.

17 34. On or about April 22, 2021, the Division properly notified the RESPONDENT's
18 brokerage that it had opened an investigation against the RESPONDENT and requested that the
19 brokerage provide the complete brokerage file for the property at 2889 Wheelwright Drive in Las Vegas,
20 Nevada 89121. **Bates No. NRED0011.**

21 35. The Division gave the Respondent's broker until May 7, 2021, to respond. **Bates No.**
22 **NRED0011.**

23 36. The Respondent's broker failed to respond.

24 37. On or about June 8, 2021, the Division sent a second request to the RESPONDENT
25 regarding the allegations in the complaint. **Bates Nos. NRED0013-0015**

26 38. The Division gave the RESPONDENT until June 21, 2021, to respond to the allegations.
27 **Bates Nos. NRED0013-0015.**

28 39. The RESPONDENT again failed to respond.

1 **STACKED CALENDAR: Your hearing is one of several hearings scheduled at the same**
2 **time as part of a regular meeting of the Commission that is expected to last from December 13,**
3 **2022, through December 15, 2022, or earlier if the business of the Commission is concluded. Thus,**
4 **your hearing may be continued until later in the day or from day to day. It is your responsibility**
5 **to be present when your case is called. If you are not present when your hearing is called, a default**
6 **may be entered against you and the Commission may decide the case as if all allegations in the**
7 **complaint were true. If you have any questions please call Kelly Valadez, Commission Coordinator**
8 **(702) 486-4606.**

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

14 As the RESPONDENT, you are specifically informed that you have the right to appear and be
15 heard in your defense, either personally or through your counsel of choice. At the hearing, the Division
16 has the burden of proving the allegations in the complaint and will call witnesses and present evidence
17 against you. You have the right to respond and to present relevant evidence and argument on all issues
18 involved.

19 You have the right to call and examine witnesses, introduce exhibits, and cross-examine opposing
20 witnesses on any matter relevant to the issues involved.

21 You have the right to request that the Commission issue subpoenas to compel witnesses to testify
22 and/or evidence to be offered on your behalf. In making the request, you may be required to demonstrate
23 the relevance of the witness’ testimony and/or evidence. Other important rights you have are listed in
24 NRS 645.680 through 645.990, NRS Chapter 233B, and NAC 645.810 through 645.920.

25 The purpose of the hearing is to determine if the Respondent has violated NRS 645 and/or NAC
26 645 and if the allegations contained herein are substantially proven by the evidence presented and

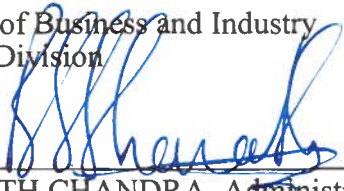
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1 to further determine what administrative penalty is to be assessed against the RESPONDENT, if any,
2 pursuant to NRS 645.235, 645.633 and or 645.630.

3 DATED this 8 day of November, 2022.

4 State of Nevada
5 Department of Business and Industry
6 Real Estate Division

7 By: 
8 SHARATH CHANDRA, Administrator
9 3300 West Sahara Avenue, Suite 350
10 Las Vegas, Nevada 89102

11 AARON D. FORD
12 Attorney General

13 By: / s / Virginia T. Tomova
14 VIRGINIA T. TOMOVA (Bar. No. 12504)
15 Deputy Attorney General
16 555 E. Washington Avenue, Suite 3900
17 Las Vegas, Nevada 89101
18 (702) 486-7629
19 Attorneys for Real Estate Division
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21
22
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