

BEFORE THE REAL ESTATE COMMISSION
STATE OF NEVADA

FILED

NOV 12 2021

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

Case No. 2018-1606

REAL ESTATE COMMISSION
BY *Evelyn Talley*

Petitioner,

vs.

GREGORY NAVONE,

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 RESPONDENT GREGORY NAVONE ("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 the RESPONDENT should be subject to an administrative penalty as set forth in 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 under license number B.0024121.LLC and is currently licensed as a under B.1000580.INDV 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 acted as agent and broker at Las Vegas Raiders Realty and Investments, LLC, when he entered into an agreement, in October of 2018, with Robert Grasso ("the Seller") to sell a property located at 324 Goldstar Street, Las Vegas, Nevada 89102 ("the Property") as part of a divorce settlement.

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

4 3. The Complainant's designated licensee for this listing on the agreement was Bennett
5 Cohen, license number S.0169047.LLC.

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

8 5. The Complainant received an Early Termination of Listing Agreement dated October 31,
9 2018, prepared by RESPONDENT.

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

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

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

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

20 10. On January 15, 2019, RESPONDENT listed the Property with the Greater Las Vegas
21 Association of Realtors' Multiple Listing Service.

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

23 12. On April 10, 2019, the Division contacted the RESPONDENT, and requested
24 RESPONDENT provide a completed affidavit and a complete copy of the broker's transaction file for
25 the Property, but Respondent failed to provide any further information such as the purchase agreement
26 for the Property.

27 13. On April 29, 2019, after receiving no further information from RESPONDENT, the
28 Division found that RESPONDENT violated NRS 645.630(1)(l) and NRS 645.633(1)(h) pursuant to

1 NAC 645.605(11)(a) and issued an administrative fine in the amount of \$1,000.00.

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

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

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

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

12 VIOLATIONS OF LAW

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

17 DISCIPLINE AUTHORIZED

18 Pursuant to NRS 645.630, the Commission is empowered to impose an administrative fine up to
19 \$10,000 per violation and suspend, revoke or place conditions on your license if warranted.

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

23 Therefore, the Division requests that the Commission take such disciplinary action as it deems
24 appropriate under the circumstances.

25 NOTICE OF HEARING

26 **PLEASE TAKE NOTICE**, that a disciplinary hearing has been set to consider the
27 Administrative Complaint against the above-named Respondent in accordance with Chapters 233B and
28 645 of the Nevada Revised Statutes and Chapter 645 of the Nevada Administrative Code.

1 **THE HEARING WILL TAKE PLACE** on December 14, 2021 commencing at
2 **9:00 a.m.**, or as soon thereafter as the Commission is able to hear the matter, and
3 each day thereafter commencing at 9:00 a.m. through December 16, 2021 or
4 earlier if the business of the Commission is concluded. The Commission meeting
5 will be held on December 14, 2021, at the Nevada State Business Center, 3300 West
6 Sahara Avenue, 4th Floor – Nevada Room, Las Vegas, Nevada 89102. The meeting
7 will continue on December 15, 2021 at the Nevada State Business Center, 3300
8 West Sahara Avenue, 4th Floor – Nevada Room, Las Vegas, Nevada 89102,
9 commencing at 9:00 a.m., and on December 16, 2021, should business not be
10 concluded, starting at 9:00 a.m. at the Nevada State Business Center, 3300 West
11 Sahara Avenue, 4th Floor – Tahoe Room, Las Vegas, Nevada 89102

12 **STACKED CALENDAR:** Your hearing is one of several hearings scheduled
13 at the same time as part of a regular meeting of the Commission that is expected
14 to last from December 14, 2021, through December 16, 2021, or earlier if the
15 business of the Commission is concluded. Thus, your hearing may be continued
16 until later in the day or from day to day. It is your responsibility to be present
17 when your case is called. If you are not present when your hearing is called, a
18 default may be entered against you and the Commission may decide the case as
19 if all allegations in the complaint were true. If you have any questions please
20 call Evelyn Pattee, Commission Coordinator (702) 486-4074.

21 **YOUR RIGHTS AT THE HEARING:** except as mentioned below, the hearing is an open meeting
22 under Nevada’s open meeting law and may be attended by the public. After the evidence and arguments,
23 the commission may conduct a closed meeting to discuss your alleged misconduct or professional
24 competence. A verbatim record will be made by a certified court reporter. You are entitled to a copy of
25 the transcript of the open and closed portions of the meeting, although you must pay for the transcription.

26 As the Respondent, you are specifically informed that you have the right to appear and be heard
27 in your defense, either personally or through your counsel of choice. At the hearing, the Division has the
28 burden of proving the allegations in the complaint and will call witnesses and present evidence against

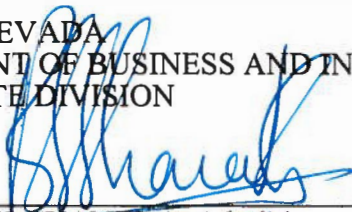
1 you. You have the right to respond and to present relevant evidence and argument on all issues involved.
2 You have the right to call and examine witnesses, introduce exhibits, and cross-examine opposing
3 witnesses on any matter relevant to the issues involved.

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

8 The purpose of the hearing is to determine if the Respondent has violated NRS 645 and/or NAC
9 645 and if the allegations contained herein are substantially proven by the evidence presented and to
10 further determine what administrative penalty is to be assessed against the RESPONDENT, if any,
11 pursuant to NRS 645.235, 645.633 and or 645.630.

12 DATED this 10 day of November, 2021.

13 STATE OF NEVADA
14 DEPARTMENT OF BUSINESS AND INDUSTRY
15 REAL ESTATE DIVISION

16 By: 
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