

FILED

MAY 04 2022

REAL ESTATE COMMISSION
BY *Evelyn Patten*

BEFORE THE REAL ESTATE COMMISSION
STATE OF NEVADA

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

Case No. 2018-613

Petitioner,

vs.

RAYMIN VAF AEI,

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 RAYMIN VAF AEI ("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 645.633 and/or NRS 645.630 and/or NRS 622.400, and the discipline to be imposed, if violations of law are proven.

JURISDICTION

RESPONDENT, at all relevant times mentioned in this Complaint, held himself out and acted as a person licensed as a Salesperson under license number S.0169037, 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's license became inactive on January 26, 2018, after he was fired from Berkshire Hathaway.
2. Even though RESPONDENT was no longer permitted to work from the premises of Berkshire Hathaway, RESPONDENT continued to use their offices after hours.

1 3. Around the same time, RESPONDENT asked Brandon Roberts, a fellow realtor and
2 Complainant hereto (the “Complainant”), for a commercial purchase agreement form, allegedly to study
3 for a class RESPONDENT was taking.

4 4. In reality, instead of using that form for such purpose, RESPONDENT used that form to
5 attempt to conjure up the sale of a commercial property with a fictitious buyer.

6 5. At the time of this attempted transaction, RESPONDENT did not have an active real estate
7 license nor was he qualified to undertake such a transaction.

8 6. In particular, on or about April 3, 2018, RESPONDENT represented to Pat Rzenowiecky
9 (the “Seller”), the owner of a commercial property at 212, 222, and 236 West Utah Avenue, Las Vegas
10 Nevada (collectively, the “Property”), that Complainant had found a buyer willing to pay five million
11 dollars (\$5,000,000.00) in cash for the Property.

12 7. In reality, Complainant never spoke to and did not have any such alleged buyer.

13 8. At that time, RESPONDENT told Seller she will be responsible for commission, which
14 could be “upwards of fifteen percent” (15%), instead of the standard five to six percent (5-6%).

15 9. Stunningly, RESPONDENT also told Seller that she would be responsible for such
16 commission to RESPONDENT, as her agent, regardless of whether the deal went through or not.

17 10. RESPONDENT also told Seller that she would receive two hundred and thirty thousand
18 dollars (\$230,000.00) in earnest money.¹

19 11. In reality, the commercial purchase agreement that RESPONDENT prepared lists zero
20 dollars (\$0.00) in earnest funds.

21 12. RESPONDENT also represented to Seller that Seller would receive a fifteen percent
22 (15%) discount for title and escrow services from First American Title.

23 13. In reality, Seller was able to confirm with First American Title that there were no such
24 discounts promised by that entity whatsoever.

25 14. Once RESPONDENT provided Seller with a copy of the purported purchase agreement,
26 the agreement read “Draft” on several pages and was partially incomplete.

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¹ This amount was subsequently changed to one hundred dollars (\$100.00).

1 **State Business Center, 3300 West Sahara Avenue, 4th Floor – Tahoe Room, Las**
2 **Vegas, Nevada 89102**

3 **STACKED CALENDAR: Your hearing is one of several hearings scheduled at**
4 **the same time as part of a regular meeting of the Commission that is expected to**
5 **last from June 7, 2022, through June 9, 2022, or earlier if the business of the**
6 **Commission is concluded. Thus, your hearing may be continued until later in**
7 **the day or from day to day. It is your responsibility to be present when your case**
8 **is called. If you are not present when your hearing is called, a default may be**
9 **entered against you and the Commission may decide the case as if all allegations**
10 **in the complaint were true. If you have any questions please call Evelyn Pattee,**
11 **Commission Coordinator (702) 486-4074.**

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

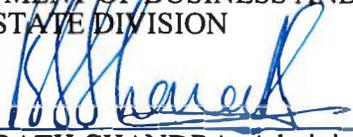
18 As the Respondent, you are specifically informed that you have the right to appear and be heard
19 in your defense, either personally or through your counsel of choice. At the hearing, the Division has the
20 burden of proving the allegations in the complaint and will call witnesses and present evidence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

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

1 The purpose of the hearing is to determine if the Respondent has violated NRS 645 and/or NAC
2 645 and if the allegations contained herein are substantially proven by the evidence presented and
3 to further determine what administrative penalty is to be assessed against the RESPONDENT, if any,
4 pursuant to NRS 645.235, 645.633 and or 645.630.

5 DATED: May 3, 2022.

6 STATE OF NEVADA
7 DEPARTMENT OF BUSINESS AND INDUSTRY
8 REAL ESTATE DIVISION

9 By: 
10 SHARATH CHANDRA, Administrator
11 3300 West Sahara Avenue, Suite 350
12 Las Vegas, Nevada 89102

13 AARON D. FORD
14 Attorney General

15 By: /s/ Louis V. Csoka
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