

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 JOSEPH ANDERSON,

10 Respondent.

Case No. 2021-383

FILED

AUG 23 2022

REAL ESTATE COMMISSION
BY 

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 RESPONDENT JOSEPH ANDERSON
14 (“RESPONDENT”) of an administrative hearing before the STATE OF NEVADA REAL ESTATE
15 COMMISSION (“Commission”). The hearing will be held pursuant to Chapters 233B and Chapter 645
16 of the Nevada Revised Statutes (“NRS”) and Chapter 645 of the Nevada Administrative Code (“NAC”).
17 The purpose of the hearing is to consider the allegations stated below and to determine if the
18 RESPONDENT should be subject to an administrative penalty as set forth in NRS 645.235 and/or NRS
19 622.400, and the discipline to be imposed, if violations of law are proven.

20 **JURISDICTION**

21 RESPONDENT, at the time of the alleged violation, was licensed by the Division as a
22 Salesperson. RESPONDENT is, therefore, subject to the jurisdiction of the Division and the Commission,
23 and the provisions of NRS chapter 645 and NAC chapter 645.

24 **FACTUAL ALLEGATIONS**

- 25 1. RESPONDENT was licensed with the Division as a salesperson under license S.0078640,
26 said license being issued on May 5, 2008. (NRED0003)
- 27 2. RESPONDENT’S license expired on June 30, 2021. (NRED0003)
- 28 3. RESPONDENT was associated with the brokerage CUSHMAN & WAKEFIELD from
November 22, 2019, through March 21, 2021. (NRED0003)

1 4. Ms. Christina Roush, the COMPLAINANT herein, holds an active broker's license with
2 the Division, and at the time of the alleged violation was a broker with CUSHMAN & WAKEFIELD.
3 (NRED0020-21)

4 5. CUSHMAN & WAKEFIELD represented "Tivoli Village" as the exclusive listing agent.
5 (NRED0021).

6 6. CUSHMAN & WAKEFIELD also represented a tenant of "Tivoli Village," the retail store
7 "Matriarch R+D." (NRED0021).

8 7. On April 5, 2021, COMPLAINANT submitted a complaint to the Division regarding
9 RESPONDANT's actions. (NRED0020-21).

10 8. COMPLAINANT alleged that RESPONDENT shoplifted merchandise from the store
11 "Matriarch R+D." The store owner sent an email to CUSHMAN & WAKEFIELD with a video clip of
12 RESPONDENT placing the merchandise under his sweatshirt. (NRED0021).

13 9. COMPLAINANT alleged that she had a conversation the following day, March 8, 2021,
14 with RESPONDENT wherein he confessed to stealing the merchandise and he resigned from, and was
15 subsequently terminated from, CUSHMAN & WAKEFIELD. (NRED0021).

16 10. On April 12, 2021, the Division sent RESPONDENT, via both email and U.S. postal
17 service, a letter notifying RESPONDENT of the complaint and requesting a response to the allegations
18 by April 22, 2021.

19 11. On November 5, 2021, albeit late, RESPONDENT provided an email response to the
20 Division's request stating "No contest here. Mrs. Roush's statement is accurate." (NRED0023).

21 **VIOLATIONS OF LAW**

22 RESPONDENT has committed the following violations of law:

23 12. RESPONDENT violated NRS 645.633(1)(i) as he as he engaged in conduct which
24 constitutes deceitful, fraudulent, or dishonest dealings when he shoplifted merchandise from his
25 brokerage's client.

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1 **DISCIPLINE AUTHORIZED**

2 13. Pursuant to NRS 645.630 and NRS 645.633, the Commission is empowered to impose an
3 administrative fine per violation against RESPONDENT that may not exceed \$10,000, and further to
4 suspend, revoke or place conditions on the license of RESPONDENT.

5 14. Additionally, under NRS 622.400, 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 15. Therefore, the Division requests that the Commission take such disciplinary action as it
9 deems appropriate under the circumstances.

10 **NOTICE OF HEARING**

11 **PLEASE TAKE NOTICE**, that a disciplinary hearing has been set to consider the
12 Administrative Complaint against the above-named Respondent in accordance with Chapters 233B and
13 645 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, 4th Floor – Nevada Room, Las Vegas, Nevada 89102.**
19 **The meeting will continue on each day thereafter commencing at 9:00 a.m. through September 29,**
20 **2022, at the Nevada State Business Center, 3300 West Sahara Avenue, 4th Floor – Nevada Room,**
21 **Las Vegas, Nevada 89102, until the business of the Commission is concluded.**

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

1 **complaint were true. If you have any questions, please call Shareece Bates Administration Section**
2 **Manager at (702) 486-4036.**

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

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

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

18 The purpose of the hearing is to determine if the Respondent has violated NRS 645 and/or NAC
19 645 and if the allegations contained herein are substantially proven by the evidence presented and

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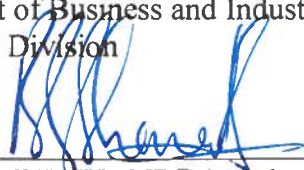
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1 to further determine what administrative penalty is to be assessed against the RESPONDENT, if any,
2 pursuant to NRS 645.235, 645.633 and or 645.630.

3 DATED this 22 day of August, 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/ *Matthew Feeley*

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