

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 MARSHALL CARRASCO,
10 (B.1000579.INDV)

11 Respondent.

Case No. 2022-120

FILED

AUG 31 2023

REAL ESTATE COMMISSION

BY Kelly Valadez

12 **FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER**

13 This matter came on for hearing before the Real Estate Commission, Department of Business and
14 Industry, State of Nevada (the "Commission"), during a regular agenda set for a three-day stack
15 commencing August 22, 2023 (the "Hearing"). RESPONDENT Marshall Carrasco ("RESPONDENT")
16 did not appear in person, through counsel, or otherwise. Christal Park Keegan, Esq., Deputy Attorney
17 General with the Nevada Attorney General's Office, appeared on behalf of the Real Estate Division of
18 the Department of Business and Industry, State of Nevada (the "Division").

19 The Division's counsel advised the Commission that RESPONDENT was aware of his attendance
20 at the hearing, and that his hearing was scheduled for the May 2-4, 2023 hearings, but the RESPONDENT
21 requested a continuance, which the Commission granted. The Division sent the RESPONDENT Meeting
22 Re-Notices no later than thirty (30) days prior to the August 22-24, 2023 hearings. The RESPONDENT
23 asked for a second continuance, which the Commission denied. The RESPONDENT submitted his
24 request for a second continuance again, which remained denied by the Commission.

25 Therefore, the Division proceeded with a default pursuant to NAC 645.860. The Division's
26 Commission Coordinator testified regarding proper notice to the RESPONDENT. The Commission
27 found proof of service of the Complaint and Notice of Hearing, Notice of Complaint and Obligation to
28 Respond, and Notice of Documents with documents numbered NRED 000001 – 000454 was made.

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1 After hearing testimony presented in this matter and for good cause appearing, the Commission
2 now enters its Findings of Fact, Conclusions of Law and Order against RESPONDENT as follows:

3 **JURISDICTION**

4 RESPONDENT, at all relevant times mentioned in this Complaint, was actively licensed as a
5 Broker under license number B.1000579.INDV. RESPONDENT is, therefore, subject to the jurisdiction
6 of the Division and the Commission, and the provisions of NRS chapter 645 and NAC chapter 645.

7 **FINDINGS OF FACT**

8 At all times relevant to this Complaint, RESPONDENT was the broker for his agent, licensee
9 Tyler Scott Richardson (S.0183650). *NRED 000004, NRED 000014.*

10 RESPONDENT failed to supervise his agent, Mr. Richardson, during periods of expired licensed
11 status between January 31, 2021, to February 2, 2022. *NRED 000040 – 000041, NRED 000031 – 000032,*
12 *NRED 000004, NRED 000017 – 000030, NRED 000169 – 000171, NRED 000409 – 000420,*
13 *NRED 000423 – 000426, NRED 000446, and NRED 000450 – 000452.*

14 RESPONDENT'S agent represented buyers in the transaction for the purchase of real property
15 located at 7115 Banbury Court, Reno, Nevada 89523 ("Property #1"). *NRED 000025.*

16 On June 22, 2021, the Property #1 sale closed. *NRED 000418 – 000420.*

17 On or about June 23, 2021, sales commissions for Property #1 were disbursed to
18 RESPONDENT'S brokerage in the total amount of \$23,375.00. *NRED 000420*

19 At all times relevant to the Property #1 transaction, RESPONDENT'S agent did not hold a valid
20 real estate license. *NRED 000004.*

21 RESPONDENT'S agent represented buyers in the transaction for the purchase of real property
22 located at 135 Blair Place, Reno, Nevada 89509 ("Property #2"). *NRED 000025.*

23 On July 21, 2021, the Property #2 sale closed. *NRED 000409 – 000410.*

24 On or about July 22, 2021, sales commissions for Property #2 were disbursed to
25 RESPONDENT'S brokerage in the total amount of \$21,747.50. *NRED 000409.*

26 At all times relevant to the Property #2 transaction, RESPONDENT'S agent did not hold a valid
27 real estate license. *NRED 000004.*

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1 RESPONDENT's agent represented buyers in the transaction for the purchase of real property
2 located at 900 South Meadows Parkway, Reno, Nevada 89521 ("Property #3"). *NRED 000018.*

3 On July 21, 2021, the Property #3 sale closed. *NRED 000414 – 000415.*

4 On or about July 26, 2021, sales commissions for Property #3 were disbursed to
5 RESPONDENT'S brokerage in the total amount of \$8,125.00. *NRED 000414.*

6 At all times relevant to Property #3 transaction, RESPONDENT'S agent did not hold a valid real
7 estate license. *NRED 000004.*

8 RESPONDENT'S agent represented buyers in the transaction for the purchase of real property
9 located at 4301 Numaga Pass, Carson City, Nevada 89703 ("Property #4"). *NRED 000018.*

10 On July 30, 2021, the Property #4 sale closed. *NRED 000446.*

11 1. Sales commissions for Property #4 were disbursed to RESPONDENT'S brokerage in the
12 total amount of \$27,279.69. *NRED 000446.*

13 At all times relevant to Property #4 transaction, RESPONDENT'S agent did not hold a valid real
14 estate license. *NRED 000004.*

15 RESPONDENT's agent represented Complainants in the transaction for the purchase of real
16 property located at 992 Bench Road, Fallon, Nevada 89406 ("Property #5"). *NRED 000018.*

17 On August 30, 2021, the Property #5 sale closed. *NRED 000305 – 000311.*

18 Sales commissions for Property #5 were disbursed to RESPONDENT'S brokerage in the total
19 amount of \$17,737.50. *NRED 000306.*

20 At all times relevant to Property #5 transaction, RESPONDENT'S agent did not hold a valid real
21 estate license. *NRED 000004.*

22 RESPONDENT'S agent represented buyers in the transaction for the purchase of real property
23 located at 204 Agate Drive, Carson City, Nevada 89706 ("Property #6"). *NRED 000018.*

24 On September 15, 2021, the Property #6 sale closed. *NRED 000412 – 000413.*

25 Sales commissions for Property #6 were disbursed to RESPONDENT'S brokerage in the total
26 amount of \$9,551.25. *NRED 000411.*

27 At all times relevant to Property #6 transaction, RESPONDENT'S agent did not hold a valid real
28 estate license. *NRED 000004.*

RESPONDENT'S agent represented buyers in the transaction for the purchase of real property located at 5304 Bentgrass Drive, Stagecoach, Nevada 89429 ("Property #7"). *NRED 000018*.

On December 10, 2021, the Property #7 sale closed. *NRED 000423 – 000424.*

Sales commissions for Property #7 were disbursed to RESPONDENT'S brokerage in the total amount of \$27,775.00. NRED 000424.

At all times relevant to Property #7 transaction, RESPONDENT'S agent did not hold a valid real estate license. *NRED 000004.*

It was not until December 16, 2021, that RESPONDENT allegedly came to know that Mr. Richardson's real estate license had not been renewed. *NRED 000429 – 000430.*

Such knowledge is alleged to have come by and through RESPONDENT'S licensee, Brylle Ireland's (S.189837), "piqued" interest to check the renewal status of his coworkers. *NRED* 000425 - 000426.

Yet, RESPONDENT'S agent still made \$75,775.45 in sales commissions during his periods of expired license status from February 2021 to February 2022. *NRED 000450 – 000452.*

Even further, RESPONDENT admitted he paid his agent \$23,279.49 towards the seven (7) transactions in which his agent acted as a real estate salesperson without a valid license. *NRED 000453.*

Finally, on February 2, 2022, RESPONDENT'S real estate salesperson license was renewed.

NRED 000004.

In a certified mailed letter dated May 16, 2022, the Division notified the RESPONDENT that it had sufficient evidence to commence disciplinary action against him, and as such, now comes herewith. *NRED 000015, and NRED 000031– 000034.*

CONCLUSIONS OF LAW

Whereas the Commission found that the Division proved by a preponderance of the evidence the foregoing findings of fact, and concludes by unanimous vote that the RESPONDENT committed the following violations of law, as presented in the Complaint:

1. RESPONDENT violated NAC 645.600(1) for demonstrating lack of established policy, procedures and/or systems to responsibly supervise his licensees' activities.

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2. RESPONDENT violated NRS 645.280(1) for paying his agent for acting as a real estate licensee in transactions while the agent did not hold a valid real estate license.

3. RESPONDENT violated NRS 645.235(1)(b) when he assisted his agent to engage in real estate activities without a valid license.

ORDER

The Commission, being fully apprised in the premises, and good cause appearing to the Commission, by unanimous vote, ORDERS as follows:

1. RESPONDENT shall pay an administrative fine to the Division in the total amount of \$78,200.16 ("Amount Due"), which includes an administrative fine of \$20,000 for violations of law, \$52,520.50 for the RESPONDENT'S commissions benefitted, and \$5,679.66 for the Division's costs and attorney's fees, within ninety (90) days from the effective date of this Order.

2. All RESPONDENT'S licenses shall be revoked on the effective date of this Order.

3. If payment is not actually received by the Division on or before its due date, it shall be a default by RESPONDENT. In the event of default, the unpaid balance of the administrative fine and costs, together with any attorney's fees and costs that may have been assessed, shall be due in full to the Division within ten (10) calendar days of the date of default, and the Division may obtain a judgment for the amount owed, including collection fees and costs.

4. The Commission retains jurisdiction for correcting any errors that may have occurred in the drafting and issuance of this document.

5. This Order shall become effective thirty (30) days after the date of this Order.

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1 Dated this 31 day of August, 2023

NEVADA REAL ESTATE COMMISSION

By: 
Vice President, Nevada Real Estate Commission

5 Dated this 24th day of August, 2023

6 AARON D. FORD
7 Attorney General

8 By: 
9 CHRISTAL P. KEEGAN (Bar No. 12725)
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