

1 BEFORE THE REAL ESTATE COMMISSION

2 STATE OF NEVADA

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

Case No. 2022-133

5 Petitioner,

FILED

6 vs.

DEC 21 2023

7 IYAD W. HADDAD,

REAL ESTATE COMMISSION

8 Respondent.

BY 

9
10 **FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER**

11 This matter came on for hearing before the REAL ESTATE DIVISION OF THE
12 DEPARTMENT OF BUSINESS AND INDUSTRY OF THE STATE OF NEVADA
13 (“Division”) during a regular agenda, beginning on November 8, 2023, and concluding on
14 November 9, 2023 (the “Hearing”). RESPONDENT IYAD W. HADDAD (hereinafter,
15 “RESPONDENT”) appeared remotely via WebEx, for the November 7, 2023, proceedings
16 and did not personally appear for the November 8, 2023, continuation of the proceedings.
17 RESPONDENT’s counsel, Michael Bohn, Esq., appeared remotely via WebEx, for the
18 November 7, 2023, proceedings and appeared in-person for the November 8, 2023,
19 continuation of the proceedings. Phil W. Su, Esq., Senior Deputy Attorney General with
20 the Nevada Attorney General’s Office, appeared on behalf of the Real Estate Division of the
21 Department of Business and Industry, State of Nevada (the “Division”) for both hearing
22 days. The Hearing was originally scheduled for August 22-24, 2023, but was continued
23 upon RESPONDENT’s request.

24 NRED Investigator Shannon Goddard testified regarding the investigation she
25 undertook in this matter. Upon motion, the Commission admitted the Division’s
26 documents, including the investigative file, into evidence. RESPONDENT testified upon
27 his own behalf, and, upon motion, the Commission admitted the RESPONDENT’s proffered
28 documents, including an audio clip of a telephone call between the Complainant and

1 property manager Nathan Vidrine, into evidence. RESPONDENT also played portions of
2 the audio clip for the Commission. After hearing testimony and reviewing the documents
3 presented in this matter and for good cause appearing, the Commission now enters its
4 Findings of Fact, Conclusions of Law, and Order as follows:

5 JURISDICTION

6 RESPONDENT IYAD W. HADDAD, has been licensed as a Nevada real estate
7 broker under license number B.0036691.INDV at all relevant times mentioned in this
8 Complaint, and is therefore subject to the jurisdiction of the Division and the Commission,
9 and the provisions of NRS chapter 645 and NAC chapter 645.

10 FINDINGS OF FACT

11 The Commission, based upon evidence presented during the Hearing, enters a
12 finding of the following facts:

13 1. At all relevant times mentioned in this Complaint, Iyad W. Haddad
14 (“RESPONDENT”) was licensed as a Nevada real estate broker under license number
15 B.0036691.INDV.

16 2. On March 1, 2022, COMPLAINANT Paul Allan Reeves (“COMPLAINANT”)
17 provided the Division with a signed Statement of Fact and supporting documents alleging
18 that his landlord, Saticoy Bay LLC, has been offering uninhabitable homes for rent,
19 including the property rented by COMPLAINANT, 5495 Everglade St., Las Vegas, NV
20 89142 (“5495 Everglade St.”).

21 3. Specifically as to 5495 Everglade St., the Complainant stated that the unit
22 had issues with electrical, gas and water at the lease inception; that his family was without
23 gas for the first month and a half of renting the unit; and that the electrical in the laundry
24 room was exposed and a fire issue.

25 4. Iyad “Eddie” Haddad has been, at all times relevant to this Complaint,
26 manager of Saticoy Bay LLC’s trustee, Bay Harbor Trust, and is properly identified as the
27 ‘landlord’ for 5495 Everglade St. and has been identified in related court proceedings as
28 “Eddie Haddad, DBA Saticoy Bay, Landlord(s).”

1 5. On March 2, 2022, the Division informed RESPONDENT that it was opening
2 an investigation against him based upon the receipt of the complaint/statement of fact and
3 requested that he submit a signed responsive affidavit with his knowledge of the matter
4 referenced in the complaint/statement of fact, by March 16, 2022.

5 6. On March 16, 2022, RESPONDENT's attorney, Michael Bohn, Esq., issued a
6 letter to the Division investigator in response to the March 2, 2022 letter, asserting, among
7 other things, that RESPONDENT himself was not named in the COMPLAINANT's
8 complaint/statement of fact and that the COMPLAINANT had already obtained a
9 judgment regarding the underlying security deposit dispute.

10 7. At all times relevant to this Complaint, the 5495 Everglade St. property was
11 managed by Turn Key Property Solutions pursuant to a July 14, 2013 property
12 management agreement, signed by a principal for Turn Key and owner of 5495 Everglade
13 St., identified as "Haddad".

14 8. The property management agreement states, under Responsibilities of
15 Owner, "owner will execute contracts for utilities and services before marketing will start
16 on the property including power, water, ETC. for the operation, maintenance and safety of
17 the property as manager shall deem advisable or necessary or as city and state laws may
18 require."

19 9. The COMPLAINANT signed a one-year lease for 5495 Everglade St. on May
20 12, 2021.

21 10. As part of the move-in process, COMPLAINANT completed a repair request
22 form noting items such as "no hot water heater," and stating, "need one;" and that the
23 "washer and dryer pipes and electrical need repair." All requested items, including the
24 issues identified with the water heater, washer, and dryer, were marked "Denied."

25 11. Photographs taken on April 27, 2021, prior to the May 12, 2021, move-in date
26 also document issues with electrical in the laundry area and the disconnected water heater.

27 12. According to an NV Energy 48-Hour Termination of Service Notice for Non-
28 Payment for service address 5495 Everglade St. addressed to Iyad Haddad, service would

1 be terminated at the address on May 12, 2021 (the date the Complainant's lease was to
2 begin).

3 13. The judge ordered that the landlord cannot contract around statutory
4 habitability requirements pursuant to NRS 118A.355; that if there are issues with the
5 property, the landlord has to have disclosed specifically what the unit was lacking; that it
6 was problematic that tenant did not have hot water; and that partial rent for July was
7 appropriate due to no hot water. The hearing was continued until the repairs were
8 completed, and the tenant was told to continue to pay rent to the court.

9 14. On August 23, 2022, the Division completed its investigation and issued a
10 Notice of Violation and Administrative Fine wherein the Division assessed RESPONDENT
11 with an administrative fine of \$500 for violations of NRS 645.633(1)(h). The fine was to be
12 paid by September 21, 2022.

13 15. The violations of NRS 645.633(1)(h) were based upon evidence that
14 RESPONDENT (1) failed to provide a habitable unit with hot water for the tenant at 5495
15 Everglade St., Las Vegas, NV 89142 for approximately 5 months and (2) failed to follow the
16 Property Management Agreement as written, by not providing Natural Gas for the tenant
17 at the time the property was marketed for lease.

18 16. RESPONDENT, by his attorney, appealed the Notice of Violation to the
19 Commission on August 30, 2022.

20 17. On September 6, 2022, the Division indicated that it completed its
21 investigation and issued an NRS 233B letter to RESPONDENT, stating that it has
22 obtained sufficient evidence to commence disciplinary charges against him and that it
23 would seek a formal hearing before the Real Estate Commission.

24 CONCLUSIONS OF LAW

25 Based on the foregoing findings of fact, the Commission concludes, by a 3-2 vote, that
26 RESPONDENT has committed the following violations of law:
27
28

1 18. RESPONDENT violated NRS 645.633(1)(h) pursuant to NAC 645.605(1) on
2 three (3) separate occasions by failing to do his utmost to protect the public against fraud,
3 misrepresentation or unethical practices related to real estate when he:

- 4 a. failed to provide a habitable unit, pursuant to NRS 118A.290, with an
5 operational hot water heater for his tenant at 5495 Everglade St., Las
6 Vegas, NV 89142 for approximately 5 (five) months;
- 7 b. failed to follow his Property Management Agreement as written, in that
8 he did not execute contracts for utilities and services to ensure that
9 Natural Gas would be available for the tenant at the time the 5495
10 Everglade property was marketed for lease; and
- 11 c. failed to provide a habitable unit, pursuant to NRS 118A.290, by
12 ensuring that all electrical outlets, wiring and electrical equipment
13 were maintained in good working order at the 5495 Everglade property
14 at the time it was leased.

15 **ORDER**

16 Based on the foregoing findings of facts and conclusions of law, the Commission
17 hereby orders, by a 4-1 vote, the following:

18 1. RESPONDENT shall pay the Division a total of \$20,750.54 ("Amount
19 Due"), consisting of \$15,000.00 in fines, plus the Division's costs and pre-hearing attorney's
20 fees in the amount of \$5,750.54. The Amount Due shall be paid to the Division within 60
21 days of the effective date of this Order.

22 2. If the Amount Due is not actually received by the Division on or before its
23 due date, it shall constitute a default by RESPONDENT. In the event of default,
24 RESPONDENT's broker license shall be immediately suspended and the unpaid balance
25 of the administrative fine and costs, together with any attorney's fees and costs that may
26 have been assessed, shall be due in full to the Division within ten calendar days of the date
27 of default, and the Division may obtain a judgment for the amount owed, including
28 collection fees and costs.

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

3 4. This order shall become effective on the 22nd day of January
4 2024.

5 DATED this 21st day of December, 2023

6 REAL ESTATE COMMISSION
7 STATE OF NEVADA

8 By: 
9 President
10 Nevada Real Estate Commission

10 Submitted by:
11 AARON D. FORD
11 Attorney General

12 By: /s/ Phil W. Su
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