

BEFORE THE REAL ESTATE COMMISSION

STATE OF NEVADA

FILED

JUN 07 2023

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

Case No. 2021-818

REAL ESTATE COMMISSION

BY Kelly Valadez

Petitioner,

STIPULATION AND ORDER FOR
SETTLEMENT OF DISCIPLINARY
ACTION

vs.

SEAN R. MARSHALL,
(B.0143569.LLC, BS.0143569,
PM.0163683.BKR, S.0071724)

Respondent.

This Stipulation for Settlement of Disciplinary Action ("Stipulation") is entered into by and between the State of Nevada, Department of Business and Industry, Real Estate Division ("Division"), through its Administrator Sharath Chandra ("Petitioner"), by and through their attorney of record, Christal Park Keegan, and Sean R. Marshall ("RESPONDENT"), by and through his counsel, Donna DiMaggio, Esq.

RESPONDENT, at all relevant times mentioned in this Complaint, was actively licensed as a Broker under license number B.0143569.LLC, and Property Manager under permit number PM.0163683.BKR. RESPONDENT is, therefore, subject to the jurisdiction of the Division and the Commission, and the provisions of NRS chapter 645 and NAC chapter 645.

SUMMARY OF FACTUAL ALLEGATIONS SET FORTH IN THE COMPLAINT

1. At all times relevant to this Complaint, RESPONDENT was the Broker for Marshall Stearns Real Estate LLC. NRED 000002.

2. RESPONDENT'S Broker's license number was advertised on the last page of the Onerent, Inc, dba Poplar Homes website. NRED 000014.

3. Poplar Homes is not licensed to do property management in Nevada. NRED 000003, NRED 000027, NRED 000022 - NRED 000023.

1 after approval of this Stipulation by the Commission.

2 2. RESPONDENT and the Division agree that by entering into this Stipulation, the Division
3 does not concede any defense or mitigation RESPONDENT may assert and that once this Stipulation is
4 approved and fully performed, the Division will close its file in this matter. The Division agrees not to
5 pursue any other or greater remedies or fines in connection with RESPONDENT'S alleged conduct
6 referenced herein. The Division further agrees that unless RESPONDENT fails to make timely payment,
7 the Division will not bring any claim or cause directly or indirectly based upon any of the facts,
8 circumstances, or allegations discovered during the Division's investigation and prosecution of this case.
9

10 3. RESPONDENT agrees and understands that by entering into this Stipulation
11 RESPONDENT is waiving his right to a hearing at which RESPONDENT may present evidence in his
12 defense, his right to a written decision on the merits of the complaint, his rights to reconsideration and/or
13 rehearing, appeal and/or judicial review, and all other rights which may be accorded by the Nevada
14 Administrative Procedure Act, the Nevada Real Estate Brokers and Salespersons statutes and
15 accompanying regulations, and the federal and state Constitutions. RESPONDENT understands that this
16 Agreement and other documentation may be subject to public records laws. The Commission members
17 who review this matter for approval of this Stipulation may be the same members who ultimately hear,
18 consider, and decide the Complaint if this Stipulation is either not approved by the Commission or is not
19 timely performed by RESPONDENT. RESPONDENT fully understands that he has the right to be
20 represented by legal counsel in this matter at his own expense.
21

22 4. Each party shall bear their own attorney's fees and costs, *except* as the Division's
23 Attorney's pre-hearing costs provided above.
24

25 5. Approval of Stipulation. Once executed, this Stipulation will be filed with the
26 Commission and will be placed on the agenda for approval at its next public meeting. The Division will
27 recommend to the Commission approval of the Stipulation. RESPONDENT agrees that the Commission
28

1 may approve, reject, or suggest amendments to this Stipulation that must be accepted or rejected by
2 RESPONDENT before any amendment is effective.

3 6. Withdrawal of Stipulation. If the Commission rejects this Stipulation or suggests
4 amendments unacceptable to RESPONDENT, RESPONDENT may withdraw from this Stipulation, and
5 the Division may pursue its Complaint before the Commission. This Stipulation then shall become null
6 and void and unenforceable in any manner against either party.

7 7. Release. In consideration of the execution of this Stipulation, RESPONDENT for himself,
8 his heirs, executors, administrators, successors, and assigns, hereby releases, remises, and forever
9 discharges the State of Nevada, the Department of Business and Industry, and the Division, and each of
10 their respective members, agents, employees, and counsel in their individual and representative
11 capacities, from any and all manner of actions, causes of action, suits, debts, judgments, executions,
12 claims, and demands whatsoever, known and unknown, in law or equity, that RESPONDENT ever had,
13 now has, may have, or claim to have against any or all of the persons or entities named in this section,
14 arising out of or by reason of the Division's investigation of this action, this disciplinary action, and all
15 matters related thereto.
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17

18 8. Indemnification. RESPONDENT hereby agrees to indemnify and hold harmless the
19 State of Nevada, the Department of Business and Industry, Petitioner, the Division, and each of their
20 respective members, agents, employees, and counsel, in their individual and representative capacities,
21 against any and all claims, suits, and actions brought against said persons and/or entities by reason of the
22 Division's investigation, this disciplinary action, and all other matters relating thereto, and against any
23 and all expenses, damages, and costs, including court costs and attorney fees, which may be sustained by
24 the persons and/or entities named in this section as a result of said claims, suits, and actions.
25

26 9. Default. In the event of default, RESPONDENT agrees that all his licenses shall be
27 immediately suspended, and the unpaid balance of the administrative fine and costs, together with any
28 attorney's fees and costs that may have been assessed, shall be due in full to the Division within ten

1 calendar days of the date of default. Debt collection actions for unpaid monetary assessments in this case
2 may be instituted by the Division or its assignee. RESPONDENT agrees that the foregoing suspension
3 of his license shall continue until the unpaid monetary assessments are paid in full.


4 10. RESPONDENT has signed and dated this Stipulation only after reading and
5 understanding all terms herein.

6
7 DATED this 28th day of April 2023.

DATED this 28 day of April 2023.


8
9 NEVADA DEPARTMENT OF BUSINESS
& INDUSTRY, REAL ESTATE DIVISION


10
11 By: 
12 SEAN R. MARSHALL
Respondent

By: 
SHARATH CHANDRA
Administrator

13
14 Approved as to form:
15 AARON D. FORD
Attorney General

Approved as to form:
JONES LOVELOCK

16
17 By: 
18 CHRISTAL P. KEEGAN (Bar No. 12725)
19 Deputy Attorney General
20 5420 Kietzke Lane #202
21 Reno, Nevada 89511
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26
27
28
Attorney for Real Estate Division

By: 
DONNA DIMAGGIO
(Bar. No. 9794)
6600 Amelia Earhart Court, Suite C
Las Vegas, Nevada 89119
Attorney for Respondent

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The Stipulation for Settlement of Disciplinary Action having come before the Real Estate Commission, Department of Business and Industry, State of Nevada, during its regular agenda on May 2- 4, 2023, and the Commission being fully apprised of terms and good cause appearing.

IT IS ORDERED that the foregoing Stipulation and Order for Settlement of Disciplinary Action, submitted by Petitioner and Respondent, is approved in full and shall become effective immediately.

Dated: May 2, 2023.

NEVADA REAL ESTATE COMMISSION

By: 
President, Nevada Real Estate Commission

AARON D. FORD
Attorney General

By: 

CHRISTAL P. KEEGAN (Bar No. 12725)
Deputy Attorney General
5420 Kietzke Lane #202
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(775) 687-2141
Attorney for Real Estate Division