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BEFORE THE REAL ESTATE COMMISSION

STATE OF NEVADA

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

Petitioner.

VS.

ALI SHAHROKHI,

Respondent.

Case No. 2021-622



FEB 2 8 2023

REAL ESTATE COMMISSION BY

STIPULATION FOR SETTLEMENT OF DISCIPLINARY ACTION

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, Deputy Attorney General Matthew Feeley and ALI SHAHROKHI ("RESPONDENT").

JURISDICTION

RESPONDENT, at the time of the alleged violation, was licensed by the Division as a Salesperson. RESPONDENT 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 was licensed with the Division as a Salesperson under license S.0061445.LLC, said license being issued on May 14, 2004, and said license still being active.
- 2. On June 4, 2021, the Division received a complaint from Ms. Kizzy Burrow ("COMPLAINANT"). The complaint stated that RESPONDENT is neglecting his court ordered child support obligations. COMPLAINANT stated that pursuant to a court order from the Nevada Eighth Judicial District, dated October 12, 2020, Ali was directed to pay \$706.00 per month and that according to the District Attorney's Office, as of June 3, 2021, RESPONDENT owes \$14,287.40 in unpaid child support.

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- 3. RESPONDENT renewed his Salesperson license with the Division online on May 30, 2021.
- 4. On the online application, in response to Question #9, which asks "Are you subject to a court order for the support of a child?" RESPONDENT answered, "No Court Order".
- 5. On June 9, 2021, the Division sent a letter to RESPONDENT notifying him of the Complaint against him and requested RESPONDENT provide a response to the Complaint by June 23, 2021.
- 6. On June 21, 2021, RESPONDENT responded to the Division with a written response and supporting documents. RESPONDENT stated that "I do not owe child support." He also mentioned various court cases he is involved in over this matter, to include an appeal to the Nevada Supreme Court.
- 7. Additional investigation uncovered the Nevada Supreme Court Order, dated May 12, 2022, titled ORDER of AFFIRMANCE (Docket Nos 81978, 82245, and 83726) and Dismissing Appeal in part (Docket No. 83726). The Order does not overturn the lower court's child support order.
- 8. On July 21, 2021, the Division sent RESPONDENT a letter informing him that the Division has obtained sufficient evidence to commence disciplinary action and intends to do so by filing a Complaint before the Real Estate Commission.

ALLEGED VIOLATIONS

The Division alleges that RESPONDENT has committed the following violations of law:

- 9. RESPONDENT is in violation of NRS 645.358(3)(a)-(b), for providing false information and indicating that he was not subject to a court order for the support of a child.
- 10. RESPONDENT is in violation of NRS 645.633(1)(i) pursuant to NAC 645.605(11)(c) as he supplied false information to an investigator, auditor, or other officer of the division.
- 11. RESPONDENT is in violation of NRS 645.330(1)(b) as RESPONDENT made false statements of fact on his application.

PROPOSED STIPULATION AGREEMENT

12. In an effort to avoid the time and expense of litigating these issues before the Commission, the parties desire to compromise and settle the instant controversy upon the following terms and conditions:

- a. RESPONDENT agrees to pay the Division a fine in the amount of \$2,500 and the Division's fees and costs in the amount of \$2,595.40 for a total payment of \$5,095.40. RESPONDENT shall make 18 monthly payments to the Division with 17 payments of \$283.08 per month and the 18th and last monthly payment of \$283.04, starting one month after the entry of Order Approving this Stipulation. RESPONDENT shall be permitted to pay off the amount sooner if he so chooses.
- 13. RESPONDENT and the Division agree that by entering into this Stipulation, the Division does not concede any defense or mitigation RESPONDENT may assert and that once this Stipulation is approved and fully performed, the Division will close its file in this matter. Nothing herein prevents proof and giving consideration to acts complained of in this matter in determining or penalizing a future violation by RESPONDENT of any provision of NRS Chapter 645 or NAC Chapter 645.
- 14. RESPONDENT agrees and understands that by entering into this Stipulation, RESPONDENT is waiving his right to a hearing at which RESPONDENT may present evidence in his defense, his right to a written decision on the merits of the complaint, his rights to reconsideration and/or rehearing, appeal and/or judicial review, and all other rights which may be accorded by the Nevada Administrative Procedure Act, the Nevada Real Estate Brokers and Salespersons statutes and accompanying regulations, and the federal and state Constitutions. RESPONDENT understands that this Agreement and other documentation may be subject to public records laws. The Commission members who review this matter for approval of this Stipulation may be the same members who ultimately hear, consider, and decide the Complaint if this Stipulation is either not approved by the Commission or is not timely performed by RESPONDENT. RESPONDENT fully understands that he has the right to be represented by legal counsel in this matter at his own expense.
 - 15. Each party shall bear its or his own attorney's fees and costs, except as provided above.
- 16. <u>Approval of Stipulation</u>. Once executed, this Stipulation will be filed with the Commission and will be placed on the agenda for approval at its next public meeting. The Division will recommend to the Commission approval of the Stipulation. RESPONDENT agrees that the Commission may approve, reject, or suggest amendments to this Stipulation that must be accepted or rejected by RESPONDENT before any amendment is effective.

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

- 18. Release. In consideration of the execution of this Stipulation, RESPONDENT for himself, his heirs, executors, administrators, successors, and assigns, hereby releases, remises, and forever discharges the State of Nevada, the Department of Business and Industry, and the Division, and each of their respective members, agents, employees, and counsel in their individual and representative capacities, from any and all manner of actions, causes of action, suits, debts, judgments, executions, claims, and demands whatsoever, known and unknown, in law or equity, that RESPONDENT ever had, now has, may have, or claim to have against any or all of the persons or entities named in this section, arising out of or by reason of the Division's investigation, this disciplinary action, and all other matters relating thereto.
- 19. <u>Indemnification</u>. RESPONDENT hereby agrees to indemnify and hold harmless the State of Nevada, the Department of Business and Industry, Petitioner, the Division, and each of their respective members, agents, employees, and counsel, in their individual and representative capacities, against any and all claims, suits, and actions brought against said persons and/or entities by reason of the Division's investigation, this disciplinary action, and all other matters relating thereto, and against any and all expenses, damages, and costs, including court costs and attorney fees, which may be sustained by the persons and/or entities named in this section as a result of said claims, suits, and actions.
- 20. <u>Default</u>. In the event of default, RESPONDENT agrees that his license shall be immediately suspended, and 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 calendar days of the date of default. Debt collection actions for unpaid monetary assessments in this case may be instituted by the Division or its assignee.

ı	21. RESPONDENT has signed and dated this Stipulation only after reading and	
2	understanding all terms herein.	
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4	DATED this day of February, 2023 DATED this day of February, 2023.	
5	NEVADA DEPARTMENT OF BUSINESS	
6	C Authentision & INDUSTRY REAL ESTATE DIVISION	
7 8	By: Ali Shahrokhi 02/09/23 ALI SHAHROKHI By: SHARATHEHANDRA Administrator	
9	Administrator	
10	Approved as to form:	
11	AARON D. FORD	
12	Attorney General	
13	By: Walth Faly	
14	MATTHEW FEELEY (Bar #13336)	
15	[333 E. Washington Avenue, Suite 3700	
16	Las Vegas, NV 89101	
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1	BEFORE THE REAL ESTATE COMMISSION			
2	STATE OF NEVADA			
3	Similariii Cimilabiai, mammisuator,	N		
4	OF BUSINESS & INDUSTRY,	e No. 2021-622		
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9	Respondent.			
10	ORDER APPROVING STIPULATION			
11	The Stipulation for Settlement of Disciplinary Action having come before the Real Estate			
12	Commission, Department of Business and Industry, State of Nevada, during its regular agenda on			
13	February			
14	IT IS ORDERED that the Stipulation for Settle	IT IS ORDERED that the Stipulation for Settlement of Disciplinary Action in this matter is		
15	approved in full.			
16	This Order shall become effective on the 28 day of February, 2023.			
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18	Dated this day of February, 20	023.		
19	NEV	VADA REAL ESTATE COMMISSION		
20	By:			
21	[Prir	nt Name] piridon Filios		
22	Commission President			
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