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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.

PHILBERT WILSON, (B.1001034.LLC, B.1002757.INDV, BS.1001034, PM.0163519)

Respondent.

Case No. 2022-182



AUG 3 1 2023

REAL ESTATE COMMISSION
BY Kelly Valader

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

This matter came on for hearing before the Real Estate Commission, Department of Business and Industry, State of Nevada (the "Commission"), during a regular agenda set for a three-day stack commencing August 22, 2023 (the "Hearing"). RESPONDENT Philbert Wilson ("RESPONDENT") appeared on his own behalf. Christal Park Keegan, Esq., Deputy Attorney General with the Nevada Attorney General's Office, appeared on behalf of the Real Estate Division of the Department of Business and Industry, State of Nevada (the "Division"). After hearing testimony presented in this matter and for good cause appearing, the Commission now enters its Findings of Fact, Conclusions of Law and Order against RESPONDENT as follows:

JURISDICTION

RESPONDENT, at all relevant times mentioned in this Complaint, was licensed as a Broker under license numbers B.1001034.LLC and B.1002757.INDV, and also had licenses BS.1001034 and PM.0163519. RESPONDENT is, therefore, subject to the jurisdiction of the Division and the Commission, and the provisions of NRS chapter 645 and NAC chapter 645.at all relevant times mentioned in this Complaint.

FINDINGS OF FACT

The Commission, based on the evidence presented during the Hearing and the vote that carried, enters the finding of the following facts:

Beginning on or about October 7, 2021, Quantified Investment Group hired the RESPONDENT to be its broker. *NRED 0002*.

Therefore, through the RESPONDENT Broker, Quantified Investment Group represented to the Division its license to do the work advertised on their website. *NRED 0041*.

On or about November 15, 2021, the Division received a complaint that the Quantified Investment Group's website displayed real estate licensees who were no longer associated with the brokerage. NRED 0031 - 0032.

Additionally, Quantified Investment Group's website did not display real estate agents' license numbers. NRED 0030, NRED 0032, and NRED 0036 - 0039.

The Complainant was one of the licensees who was no longer associated with Quantified Investment Group and wanted his name removed from the website. NRED 0030 and NRED 0032.

Therefore, on or about March 18, 2022, the Division issued a Notice of Violation with Imposition of Administrative Fine to the RESPONDENT via certified mail, in the amount of \$1,000 payment due by April 18, 2022. NRED 0010 – 0020.

On or about April 15, 2022, the Notice of Violation was returned to the Division because the RESPONDENT'S address was "vacant." NRED 0019.

Therefore, on April 15, 2022, the Division emailed the Notice of Violation to the RESPONDENT.

NRED 0021.

Thereafter, on or about April 22, 2022, RESPONDENT'S attorney appealed the Division's Notice of Violation. *NRED 0041 – 0042*.

Therefore, on or about April 28, 2022, the Division informed the RESPONDENT this matter would be proceed to the Commission Hearings. *NRED 0025 - 0026*.

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 NRS 645.633(1)(h) pursuant to NRS 645.315 for failing to include license numbers for the listed real estate agents on the company website.

- 2. RESPONDENT violated NAC 645.610(1)(a) for advertising in a false and misleading way under his broker's license by displaying unassociated licensees without license numbers on the brokerage's website.
- 3. RESPONDENT violated NAC 645.600(1) and (2)(e) for failing to supervise the activities and operations of the brokerage's website.

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 \$8,010.42 ("Amount Due"), which includes a fine of \$2,000.00 for violations of law and \$6,010.42 for the Division's costs and attorney's fees, within six (6) months from the effective date of this Order.
- All RESPONDENT'S licenses, which were in suspended status at the time of the hearing due to his breach of Order for Settlement of Disciplinary Action Case No. 2022-314 filed February 28, 2023, 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 |
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| 2 | | By: Maunt Tina |
| 3 | | Vice President, Nevada Real Estate Commission |
| 4 | | |
| 5 | Dated this 24th day of August, 2023 | AARON D. FORD Attorney General |
| 6 | | |
| 7 | | epkeegan |
| 8 | | CHRISTAL P. KEEGAN (Bar No. 12725) |
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| 12 | | Attorneys for Real Estate Division |
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