

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,

Case No. 2022-120

**FILED**

MAR 29 2023

REAL ESTATE COMMISSION

BY Kelley Valadez

7 Petitioner,

8 vs.

9 MARSHALL CARRASCO,  
10 (B.1000579.INDV)

11 Respondent.

12 **COMPLAINT AND NOTICE OF HEARING**

13 The REAL ESTATE DIVISION OF THE DEPARTMENT OF BUSINESS AND INDUSTRY  
14 OF THE STATE OF NEVADA (“Division”) hereby notifies RESPONDENT MARSHALL  
15 CARRASCO (“RESPONDENT”) of an administrative hearing before the STATE OF NEVADA REAL  
16 ESTATE COMMISSION (“Commission”). The hearing will be held pursuant to Chapters 233B and  
17 Chapter 645 of the Nevada Revised Statutes (“NRS”) and Chapter 645 of the Nevada Administrative  
18 Code (“NAC”). The purpose of the hearing is to consider the allegations stated below and to determine  
19 if the RESPONDENT should be subject to an administrative penalty as set forth in NRS 645.630 and/or  
20 NRS 622.400, and the discipline to be imposed, if violations of law are proven.

21 **JURISDICTION**

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

25 **FACTUAL ALLEGATIONS**

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

28 2. RESPONDENT failed to supervise his agent, Mr. Richardson, during periods of inactive  
licensed status between January 31, 2021, to February 2, 2022. *NRED 000040 – 000041, NRED 000031*

1 – 000032, NRED 000004, NRED 000017 – 000030, NRED 000169 – 000171, NRED 000409 – 000420,  
2 NRED 000423 – 000426, NRED 000446, and NRED 000450 – 000452.

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

5 4. On June 22, 2021, the Property #1 sale closed. NRED 000418 - 000420.

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

8 6. At all times relevant to the Property #1 transaction, RESPONDENT'S agent did not hold  
9 an active real estate license. NRED 000004.

10 7. RESPONDENT's agent represented buyers in the transaction for the purchase of real  
11 property located at 135 Blair Place, Reno, Nevada 89509 ("Property #2"). NRED 000025.

12 8. On July 21, 2021, the Property #2 sale closed. NRED 000409 - 000410.

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

15 10. At all times relevant to the Property #2 transaction, RESPONDENT'S agent did not hold  
16 an active real estate license. NRED 000004.

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

19 12. On July 21, 2021, the Property #3 sale closed. NRED 000414 - 000415.

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

22 14. At all times relevant to Property #3 transaction, RESPONDENT'S agent did not hold an  
23 active real estate license. NRED 000004.

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

26 16. On July 30, 2021, the Property #4 sale closed. NRED 000446.

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

1           18.     At all times relevant to Property #4 transaction, RESPONDENT'S agent did not hold an  
2 active real estate license. *NRED 000004.*

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

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

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

8           22.     At all times relevant to Property #5 transaction, RESPONDENT'S agent did not hold an  
9 active real estate license. *NRED 000004.*

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

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

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

15          26.     At all times relevant to Property #6 transaction, RESPONDENT'S agent did not hold an  
16 active real estate license. *NRED 000004.*

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

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

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

22          30.     At all times relevant to Property #7 transaction, RESPONDENT'S agent did not hold an  
23 active real estate license. *NRED 000004.*

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

26          32.     Such knowledge is alleged to have come by and through RESPONDENT'S licensee,  
27 Brylle Ireland's (S.189837), "piqued" interest to check the renewal status of her coworkers. *NRED*  
28 *000425 - 000426.*

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

3 34. Even further, RESPONDENT admitted he paid his agent \$23,279.49 towards the seven  
4 (7) transactions in which his agent acted as a real estate salesperson without a valid license. *NRED*  
5 *000453.*

6 35. Finally, on February 2, 2022, RESPONDENT'S real estate salesperson license was  
7 renewed. *NRED 000004.*

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

### 11 **VIOLATIONS OF LAW**

12 RESPONDENT committed the following violations of law:

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

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

17 3. RESPONDENT violated NRS 645.235(1)(b) when he assisted his agent to engage in real  
18 estate activities without an active license.

### 19 **DISCIPLINE AUTHORIZED**

20 4. Pursuant to NRS 645.235(2), the Commission is empowered to impose an administrative  
21 fine not to exceed the amount of any gain or economic benefit that the person derived from the violation  
22 or \$5,000, whichever amount is greater.

23 5. Pursuant to NRS 645.630 and NRS 645.633, the Commission is empowered to impose an  
24 administrative fine per violation against RESPONDENT that may not exceed \$10,000, and further to  
25 suspend, revoke, or place conditions on the license of RESPONDENT;

26 6. Additionally, under NRS 622.400, the Commission is authorized to impose costs of the  
27 proceeding upon RESPONDENT, including investigative costs and attorney's fees, if the Commission  
28 otherwise imposes discipline on RESPONDENT; and



1           **STACKED CALENDAR:** Your hearing is one of several hearings scheduled at the same  
2 time as part of a regular meeting of the Commission that is expected to last from May 2, 2023  
3 through May 4, 2023, or earlier if the business of the Commission is concluded. Thus, your hearing  
4 may be continued until later in the day or from day to day. It is your responsibility to be present  
5 when your case is called. If you are not present when your hearing is called, a default may be  
6 entered against you and the Commission may decide the case as if all allegations in the complaint  
7 were true. If you have any questions, please call Kelly Valadez, Commission Coordinator, at (702)  
8 (702) 486-4606.

9           **YOUR RIGHTS AT THE HEARING:** except as mentioned below, the hearing is an open meeting  
10 under Nevada's open meeting law, and may be attended by the public. After the evidence and arguments,  
11 the commission may conduct a closed meeting to discuss your alleged misconduct or professional  
12 competence. A verbatim record will be made by a certified court reporter. You are entitled to a copy of  
13 the transcript of the open and closed portions of the meeting, although you must pay for the transcription.

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15           As the Respondent, you are specifically informed that you have the right to appear and be heard  
16 in your defense, either personally or through your counsel of choice. At the hearing, the Division has the  
17 burden of proving the allegations in the complaint and will call witnesses and present evidence against  
18 you. You have the right to respond and to present relevant evidence and argument on all issues involved.  
19 You have the right to call and examine witnesses, introduce exhibits, and cross-examine opposing  
20 witnesses on any matter relevant to the issues involved.

21           You have the right to request that the Commission issue subpoenas to compel witnesses to testify  
22 and/or evidence to be offered on your behalf. In making the request, you may be required to demonstrate  
23 the relevance of the witness' testimony and/or evidence. Other important rights you have are listed in  
24 NRS 645.680 through 645.990, NRS Chapter 233B, and NAC 645.810 through 645.875.

25           The purpose of the hearing is to determine if the Respondent has violated NRS 645 and/or NAC  
26 645 and if the allegations contained herein are substantially proven by the evidence presented and  
27 to further determine what administrative penalty is to be assessed against the RESPONDENT, if any,  
28 pursuant to NRS 645.235, 645.633 and or 645.630.



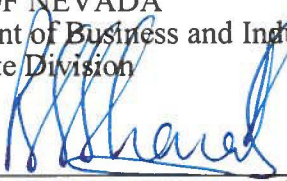
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DATED this 28 day of March 2023.

DATED this 27<sup>th</sup> day of March 2023.

STATE OF NEVADA  
Department of Business and Industry  
Real Estate Division

AARON D. FORD  
Attorney General

By: 

By: 

SHARATH CHANDRA, Administrator  
CHARVEZ FOGER, Deputy Administrator  
3300 West Sahara Avenue, Suite 350  
Las Vegas, Nevada 89102

CHRISTAL P. KEEGAN, ESQ.  
Deputy Attorney General  
Bar No. 12725  
5420 Kietzke Lane #202  
Reno, Nevada 89511  
(775) 687-2141  
[ckeegan@ag.nv.gov](mailto:ckeegan@ag.nv.gov)

*Attorney for Real Estate Division*