1 BEFORE THE REAL ESTATE COMMISSION 2 STATE OF NEVADA 3 SHARATH CHANDRA, Administrator, REAL ESTATE DIVISION, DEPARTMENT Case No. 2021-1192 4 OF BUSINESS & INDUSTRY, STATE OF NEVADA, 5 伊月月日旬 Petitioner, 6 MAR 1 7 2023 VS. 7 **REAL ESTATE COMMISSION** NATHAN VIDRINE, 8 (B.1000599.INDV, B.1000624.LLC, PM.0164569.BKR, PM.0165702.BKR) 9 Respondent. 10 11 COMPLAINT AND NOTICE OF HEARING 12 The REAL ESTATE DIVISION OF THE DEPARTMENT OF BUSINESS AND INDUSTRY 13 OF THE STATE OF NEVADA ("Division") hereby notifies RESPONDENT NATHAN VIDRINE 14 ("RESPONDENT") of an administrative hearing before the STATE OF NEVADA REAL ESTATE 15 COMMISSION ("Commission"). The hearing will be held pursuant to Chapters 233B and Chapter 645 16 of the Nevada Revised Statutes ("NRS") and Chapter 645 of the Nevada Administrative Code ("NAC"). 17 The purpose of the hearing is to consider the allegations stated below and to determine if the 18 RESPONDENT should be subject to an administrative penalty as set forth in NRS 645.235, NRS 645.630 19 and/or NRS 622.400, and the discipline to be imposed, if violations of law are proven. 20 JURISDICTION 21 RESPONDENT, at all relevant times mentioned in this Complaint, was actively licensed as a 22 Broker under license numbers B.1000599.INDV and B.1000624.LLC, as a Property Manager under 23 license numbers PM.0164569.BKR, and PM.0165702.BKR. RESPONDENT is, therefore, subject to the 24 jurisdiction of the Division and the Commission, and the provisions of NRS chapter 645 and NAC chapter 25 645. **FACTUAL ALLEGATIONS** 26 1. At all times relevant to this Complaint, RESPONDENT was associated with Turn Key 27 Property Solutions ("Turn Key"). NRED 000002 – NRED 000003. 28

- 2. On or about February 9, 2021, Turn Key accepted a deposit (\$3,323.00) to lease the property located at 7876 Crownbeard Street, Las Vegas, Nevada 89149 (the "Property"). *NRED 000048*.
- Turn Key's unlicensed assistant "Lourdes R." signed the Security Deposit Agreement.
  NRED 000083.
- 4. On February 12, 2021, RESPONDENT represented a one-year Residential Lease Agreement for the Property between Complainant/Tenant and the owner. *NRED 000031 000045*.
- 5. The Residential Lease Agreement provided a monthly rental rate of \$1,450.00 and a security deposit of \$1,650.00. NRED 000032.
- 6. On July 15, 2021, during the lease term, Turn Key issued Complainant a 45-Day Notice of Increased Rent ("Notice of Increased Rent") which included an option to vacate the property. *NRED* 000046.
- 7. On July 29, 2021, in response to the Notice of Increased Rent, Complainant asked RESPONDENT if the Owner would go for a lower rental increase amount. *NRED 000029 000030*.
- 8. On July 30, 2021, not RESPONDENT, but his unlicensed assistant "Lourdes" responded to Complainant's email. *NRED 000029 000030*.
- 9. On July 31, 2021, Complainant emailed Turn Key his 30-day notice to vacate ending on August 31, 2021. *NRED 000029 000030*.
- 10. It was not until August 2, 2021, that not RESPONDENT, but his unlicensed assistant "Ally Alvarez" informed Complainant the Notice of Increased Rent was sent in error and to let her know "if you will still be moving out or continue with your lease". NRED 000029, and NRED 000028.
- 11. On August 18, 2021, Complainant emailed Turn Key stating he will still be vacating the property as he previously emailed. *NRED 000029*.
- 12. RESPONDENT'S ledger regarding Complainant's tenancy for the Property indicated an Active End date of August 31, 2021. *NRED 000109*.
- 13. Yet, after the Active End date, RESPONDENT indicated Complainant forfeited his security deposit and assessed charges for the remainder of the lease term. NRED 0000109 000110.
  - 14. Complainant alleged he left the home in pristine condition. *NRED 000028*.

- 4. Pursuant to NRS 645.630 and NRS 645.633, the commission is empowered to impose an administrative fine per violation against RESPONDENT that may not exceed \$10,000, and further to suspend, revoke, or place conditions on the license of RESPONDENT;
- 5. Additionally, under NRS 622.400, the Commission is authorized to impose costs of the proceeding upon RESPONDENT, including investigative costs and attorney's fees, if the Commission otherwise imposes discipline on RESPONDENT.
- 6. Therefore, the Division requests that the Commission take such disciplinary action as it deems appropriate under the circumstances.

## NOTICE OF HEARING

PLEASE TAKE NOTICE, that a disciplinary hearing has been set to consider the Administrative Complaint against the above-named Respondent in accordance with Chapters 233B and 645 of the Nevada Revised Statutes and Chapter 645 of the Nevada Administrative Code.

THE HEARING WILL TAKE PLACE on May 2, 2023, commencing at 9:00 a.m., or as soon thereafter as the Commission is able to hear the matter, and each day thereafter commencing at 9:00 a.m. through May 4, 2023, or earlier if the business of the Commission is concluded. The Commission meeting will be held on May 2, 2023, at the Nevada State Business Center, 3300 West Sahara Avenue, 4th Floor – Nevada Room, Las Vegas, Nevada 89102. The meeting will continue on each day thereafter commencing at 9:00 a.m. through May 4, 2023, at the Nevada State Business Center, 3300 West Sahara Avenue, 4th Floor – Nevada Room, Las Vegas, Nevada 89102, until the business of the Commission is concluded.

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

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

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

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

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

DATED this \_\_\_\_\_ day of March 2023.

DATED this 13th day of March 2023.

AARON D. FORD

Attorney General

STATE OF NEVADA

Department of Business and Industry

Real Estate Division

By: SHARATH CHANDRA, Administrator CHARVEZ FOGER, Deputy Administrator 3300 West Sahara Avenue, Suite 350

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