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FILED

MAY 31 2023

REAL ESTATE COMMISSION

BY Kelley Valadez

6
7 **BEFORE THE REAL ESTATE COMMISSION**

8 **STATE OF NEVADA**

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

Case No.: 2022-677

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12 Petitioner,

RESPONDENT FRANK VILLANI'S
ANSWER TO PETITIONER'S
COMPLAINT

13 vs.

14 FRANK GARY VILLANI,

15 Respondent.

16 Respondent Frank Gary Villani, by and through his counsel, the law firm of Knight &
17 Ryan, hereby files his Answer to Complaint on file herein and admits, denies, and alleges as
18 follows:

19 **JURISDICTION**

20 1. The allegations contained in the Petitioner's jurisdictional statement call for a legal
21 conclusion.

22 **FACTUAL ALLEGATIONS**

23 1. Respondent admits the allegations contain in Paragraph 1.

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1 2. With respect to the allegations contained in Paragraph 2, Respondent is without
2 knowledge or information sufficient to form a belief as to the truth of the allegations stated therein
3 and, therefore, denies the same.

4 3. With respect to the allegations contained in Paragraph 3, Respondent is without
5 knowledge or information sufficient to form a belief as to the truth of the allegations regarding
6 when the Division's Chief Investigator issued a Notice of Violation and, therefore, denies the
7 same. With regard to all remaining allegations, Respondent states that the document speaks for
8 itself.

9 4. With respect to the allegations contained in Paragraph 4, Respondent states that the
10 document speaks for itself.

11 5. With respect to the allegations contained in Paragraph 5, Respondent admits that
12 Respondent, through his former attorney, Eric Fox, Esq., reached out to the Division. With regard
13 to all remaining allegations, Respondent states that the document speaks for itself.

14 6. With respect to the allegations contained in Paragraph 6, Respondent states that the
15 document speaks for itself.

16 7. With respect to the allegations contained in Paragraph 7, Respondent is without
17 knowledge or information sufficient to form a belief as to the truth of the allegations stated therein
18 and, therefore, denies the same.

19 8. With respect to the allegations contained in Paragraph 8, Respondent is without
20 knowledge or information sufficient to form a belief as to the truth of the allegations stated therein
21 and, therefore, denies the same.

22 9. With respect to the allegations contained in Paragraph 9, Respondent is without
23 knowledge or information sufficient to form a belief as to the truth of the allegations regarding
24 when the Division sent an NRS 233B letter to Respondent and, therefore, denies the same. With
25 regard to all remaining allegations, Respondent states that the document speaks for itself.

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VIOLATIONS OF LAW

1. Respondent denies the allegations contained in Paragraphs 1.

DISCIPLINE AUTHORIZED

1. The allegations contained in the authorized discipline section of Petitioner's Complaint call for a legal conclusion.

NOTICE OF HEARING

2. Petitioner makes several statements regarding the scheduling and notice of a hearing with respect to Petitioner's Complaint and do not require any response. To the extent that some response is required, Respondent denies the same.

AFFIRMATIVE DEFENSES

1. Without admitting to the truthfulness of the allegations in Petitioner's Complaint, Respondent states that the facts and circumstances giving rise to Petitioner's allegations are caused by the actions of third parties outside of Respondent's control.

2. The allegations contained in Petitioner's Complaint are the result of facts and circumstances out of Respondent's control.

3. Respondent has not knowingly and/or intentionally violated any provision of NRS 645.0005 *et seq.* and NAC 645.0005 *et seq.*

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1 **CERTIFICATE OF SERVICE**

2 I hereby certify that the foregoing **RESPONDENT FRANK VILLANI'S ANSWER TO**
3 **PETITIONER'S COMPLAINT** was submitted for filing and/or service with the Nevada Real
4 Estate Commission via e-mail to Commission Coordinator on the 31st day of May, 2023.

5 I further certify that I served a true and correct copy of the foregoing document as follows:

6 By placing a copy of the original in a sealed envelope, first-class postage fully
7 prepaid thereon, and depositing the envelope in the U.S. Mail at Las Vegas, Nevada, addressed as
8 follows:

9 REAL ESTATE DIVISION
10 STATE OF NEVADA
11 3300 W. Sahara Ave., Suite 350
12 Las Vegas, NV 89102
13 Attn: Legal Administrative Officer
14 kvaladez@red.nv.gov

15 PHIL W. SU
16 SENIOR DEPUTY ATTORNEY GENERAL
17 555 E. Washington Ave., Suite 3900
18 Las Vegas, NV 89101

19 /s/Jessica Malone
20 An employee of Knight & Ryan
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