

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,

7 Petitioner,

8 vs.

9 KENNETH DAVIDSON,
10 (B.0144990.LLC)

11 Respondent.

Case No. 2021-1116

FILED

JAN 20 2023

REAL ESTATE COMMISSION

BY Kelley Valadey

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 KENNETH DAVIDSON
15 ("RESPONDENT") of an administrative hearing before the STATE OF NEVADA REAL ESTATE
16 COMMISSION ("Commission"). The hearing will be held pursuant to Chapters 233B and Chapter 645
17 of the Nevada Revised Statutes ("NRS") and Chapter 645 of the Nevada Administrative Code ("NAC").
18 The purpose of the hearing is to consider the allegations stated below and to determine if the
19 RESPONDENT should be subject to an administrative penalty as set forth in NRS 645.630 and/or NRS
20 622.400, and the discipline to be imposed, if violations of law are proven.

21 **JURISDICTION**

22 RESPONDENT was at all relevant times mentioned in this Complaint licensed as a Broker under
23 license number B.0144990.LLC, in addition to other licenses credentialed BS.0144990, TS.3017587-
24 REP. RESPONDENT is, therefore, subject to the jurisdiction of the Division and the Commission, and
25 the provisions of NRS chapter 645 and NAC chapter 645.

26 **FACTUAL ALLEGATIONS**

27 1. At all times relevant, RESPONDENT was the broker for Quantified Investment Group.
28 NRED 000003.

2. In a letter dated October 13, 2021, the Division, *in an unrelated matter*, confirms it is
closing RESPONDENT'S Case without prejudice upon receipt of payment for the administrative fine

1 imposed due to violations of NAC 645.610(a) and NRS 645.315(1), with reservation of right to reopen
2 its investigation should such action be warranted (Emphasis added). NRED 000040.

3 3. On November 15, 2021, the Division received information that RESPONDENT was
4 running an unlicensed property management operation and advertising violations on its website by
5 displaying 27 licensees without any license numbers displayed and who are not part of their company.
6 NRED 000036 – NRED 000039.

7 4. In a letter dated November 17, 2021, the Division notified RESPONDENT that it was in
8 receipt of information against him, and requested his sworn statement and the complete broker's
9 transaction file by December 2, 2021. NRED 000004 – NRED 000005.

10 5. On or about November 29, 2021, the Division received a formal Complaint against
11 RESPONDENT alleging fraudulent and misleading advertising, specifically misrepresentation of real
12 estate agents either no longer with or never affiliated with Qualified Investment Group's website (
13 <https://www.thequantifiedgroup.com/>). NRED 000020 – NRED 000025.

14 6. The RESPONDENT did not supply his sworn statement or his complete broker's
15 transaction file to the Division; in a letter dated March 4, 2022 sent certified mail, the Division sent
16 RESPONDENT a follow-up noting a new 10 day deadline from the date of the letter to respond to avoid
17 potential disciplinary action. NRED 000006 – NRED 000007, NRED 000016.

18 7. On or about March 21, 2022, NRED received another Complaint on the same website
19 non-compliance matter alleging she is no longer an agent of Quantified Investment Group and yet her
20 photo and name continue to be displayed after her departure over one year ago. NRED 000026 – NRED
21 000034.

22 8. On March 22, 2022, the Division issued a Notice of Violation with Imposition of
23 Administrative Fine to RESPONDENT in the amount of \$1,000 payment due by April 22, 2022 for
24 violations of NAC 645.610(1)(a) and NRS 645.635(6). NRED 000008 – NRED 000012, NRED 000015.

25 9. In a letter dated April 22, 2022, RESPONDENT'S attorney, Brandon L. Phillips,
26 confused, requested the matter be considered closed and refers to an unrelated resolved case (Case No.
27 2021-639). As the Division does consider this matter still open, Attorney Phillips requested the Division
28 consider his letter an appeal. NRED 000042 – NRED 000046.

1 **NOTICE OF HEARING**

2 **PLEASE TAKE NOTICE**, that a disciplinary hearing has been set to consider the
3 Administrative Complaint against the above-named Respondent in accordance with Chapters 233B and
4 645 of the Nevada Revised Statutes and Chapter 645 of the Nevada Administrative Code.

5 **THE HEARING WILL TAKE PLACE on February 21, 2023, commencing at 9:00 a.m., or**
6 **as soon thereafter as the Commission is able to hear the matter, and each day thereafter**
7 **commencing at 9:00 a.m. through February 23, 2023, or earlier if the business of the Commission**
8 **is concluded. The Commission meeting will be held on February 21, 2023, at the Nevada State**
9 **Business Center, 3300 West Sahara Avenue, 4th Floor – Nevada Room, Las Vegas, Nevada 89102.**
10 **The meeting will continue on each day thereafter commencing at 9:00 a.m. through February 23,**
11 **2023, at the Nevada State Business Center, 3300 West Sahara Avenue, 4th Floor – Nevada Room,**
12 **Las Vegas, Nevada 89102, until the business of the Commission is concluded.**

13 **STACKED CALENDAR: Your hearing is one of several hearings scheduled at the same**
14 **time as part of a regular meeting of the Commission that is expected to last from February 21, 2023**
15 **through February 23, 2023, or earlier if the business of the Commission is concluded. Thus, your**
16 **hearing may be continued until later in the day or from day to day. It is your responsibility to be**
17 **present when your case is called. If you are not present when your hearing is called, a default may**
18 **be entered against you and the Commission may decide the case as if all allegations in the complaint**
19 **were true. If you have any questions, please call Kelly Valadez, Commission Coordinator, at (702)**
20 **486-4606.**

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

26 As the Respondent, you are specifically informed that you have the right to appear and be heard
27 in your defense, either personally or through your counsel of choice. At the hearing, the Division has the
28 burden of proving the allegations in the complaint and will call witnesses and present evidence against

1 you. You have the right to respond and to present relevant evidence and argument on all issues involved.
2 You have the right to call and examine witnesses, introduce exhibits, and cross-examine opposing
3 witnesses on any matter relevant to the issues involved.

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

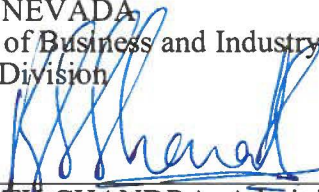
8 The purpose of the hearing is to determine if the Respondent has violated NRS 645 and/or NAC
9 645 and if the allegations contained herein are substantially proven by the evidence presented and
10 to further determine what administrative penalty is to be assessed against the RESPONDENT, if any,
11 pursuant to NRS 645.235, 645.633 and or 645.630.


12
13 DATED this 19 day of January 2023.

DATED this 19th day of January 2023.

14
15 STATE OF NEVADA
16 Department of Business and Industry
17 Real Estate Division

AARON D. FORD
Attorney General

18 By: 
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