

# **Administrative Sanction Report/Enforcement Caseload Report**

## **Real Estate Commission Meeting February 21-23, 2023**

### **Administrative Sanction Report**

The Administrative Sanction Report includes all of administrative sanctions imposed since the last report to you at our meeting in December 2022. For FY 2023 we have imposed a total of **35** administrative fines for a total **\$38,000.00**.

### **Enforcement Data Report FY 2023**

The Enforcement Data Report reflects the activity for first six months of FY 2023. For FY 2023 we have received a total of **33** complaints in the North and **523** complaints in the South for a total of **556** complaints received. So far for FY 2023 we have opened a total of **215** investigations and closed **194**. As of December 31, 2022, we had a total of **161** complaints under investigation.

### **Current Issues Under Investigation**

- Broker's failing to submit their annual Trust Account Reconciliations to the Division.
- Broker's failing to submit their affidavit informing the Division they have not over the handled monies belonging to others during the prior year (form 546A)
- Agents not including the name of their brokerage and real estate license number in their advertising or misleading agent advertising.
- Unlicensed real estate activity by local individuals and out of state licensees
- Unlicensed property management activity to include real estate licensees and unlicensed individuals
- Unlicensed real estate/property management activity to include licensed agents/brokers allowing unlicensed assistants to conduct activity requiring real estate/property management licensure
- Trust account reconciliations submitted by brokers indicating suspicious, questionable, or mishandling of monies belonging to others
- Property Managers failing to account for or remit funds to include failure to promptly remit and account for rents to property owners or security deposit refunds to tenants
- Trust account embezzlement or mismanagement of trust accounts to include brokers, property managers, or employees stealing monies held in trust accounts that belong to others, i.e., owners/tenants
- Licensee failing to disclose their interest as a principal in the transaction or an interest or affiliation with a company providing services to the property/transaction.
- Failure to provide all transaction documents to the broker within 5-calendar days from the date the documents were executed by all parties.

**Fiscal Year 2023 645 Enforcement Data Report NORTH**

	Jul-22	Aug-22	Sep-22	Oct-22	Nov-22	Dec-22	Jan-23	Feb-23	Mar-23	Apr-23	May-23	Jun-23	Totals
<b>Complaints Received</b>	9	4	4	5	5	6							33
<b>Non-Jurisdictional</b>	1	0	0	1	3	1							6
<b>Cases Opened</b>	8	4	4	4	2	5							27
<b>Cases Closed</b>	0	1	1	4	6	2							14
<b>Resolved Complaints</b>	0	0	0	0	0	0							0
<b>Resolution \$ Returned</b>	0	0	0	0	0	0							0
<b>Under Investigation</b>	9	12	15	15	11	14							14
<b>Admin Sanctions</b>	0	0	0	0	0	0							0
<b>Total \$ Fined</b>	0	0	0	0	0	0							0
<b>Referred To Hearing</b>	0	0	0	0	0	0							0
<b>Pending Hearing</b>	7	5	5	5	5	5							5
<b>Telephone Calls</b>	45	110	137	139	201	129							761
<b>Walk-ins</b>	0	1	0	0	0	0							1

**Fiscal Year 2023 645 Enforcement Data Report SOUTH**

	Jul-22	Aug-22	Sep-22	Oct-22	Nov-22	Dec-22	Jan-23	Feb-23	Mar-23	Apr-23	May-23	Jun-23	Totals
<b>Complaints Received</b>	86	116	84	94	85	58							523
<b>Non-Jurisdictional</b>	46	66	43	57	48	29							289
<b>Cases Opened</b>	34	49	26	29	28	22							188
<b>Cases Closed</b>	20	30	44	37	26	23							180
<b>Resolved Complaints</b>	6	11	16	8	9	7							57
<b>Resolution \$ Returned</b>	0	1,300	0	0	450	1,600							3350
<b>Under Investigation</b>	147	163	151	145	139	147							147
<b>Admin Sanctions</b>	6	15	10	10	4	11							56
<b>Total \$ Fined</b>	2,500	9,250	7,000	7,000	6,500	5,750							38000
<b>Referred To Hearing</b>	4	0	3	3	0	1							11
<b>Pending Hearing</b>	68	67	63	67	66	56							56
<b>Telephone Calls</b>	439	556	460	488	426	424							2793
<b>Walk-ins</b>	53	70	60	46	36	18							283

### ADMINISTRATIVE SANCTION REPORT

Dec-22															
Last Name	First Name	License #	Case #	INVESTIGATOR	Effective Date	Fine	Fine Due Date	EDU	EDU Due Date	EDU Complete Date	Date Paid	Amount Paid	Balance Due	Violations	Violation Details
Olson	Kathleen	B.1002491.INDV	2022-863	JRH	12/14/2022	\$ 250.00	1/16/2023	NA	NA	NA			\$ 250.00	NAC 645.806 3	FAILURE TO SUBMIT FORM 546A
Schumacher	Edwin	B.0145546.LLC	2022-865	JRH	12/14/2022	\$ 250.00	1/16/2023	NA	NA	NA	12/22/2022	\$ 250.00		NAC 645.806 3	FAILURE TO SUBMIT FORM 546A
Victorian	Daryl Anthony	B.1001883.LLC	2022-872	JRH	12/19/2022	\$ 250.00	1/19/2023	NA	NA	NA	1/19/2023	\$ 250.00		NAC 645.806 3	FAILURE TO SUBMIT FORM 546A
Aldana	Freddy R.	B.1001888.LLC	2022-873	JRH	12/19/2022	\$ 250.00	1/19/2023	NA	NA	NA			\$ 250.00	NAC 645.806 3	FAILURE TO SUBMIT FORM 546A
Lavada	Lathe	B.0067983.LLC	2022-874	JRH	12/19/2022	\$ 250.00	1/19/2023	NA	NA	NA			\$ 250.00	NAC 645.806 3	FAILURE TO SUBMIT FORM 546A
Aufiero	Sylvia	B.0029860.CORP	2022-875	JRH	12/19/2022	\$ 250.00	1/19/2023	NA	NA	NA	1/19/2023	\$ 250.00		NAC 645.806 3	FAILURE TO SUBMIT FORM 546A
Brenkus	Teri L.	B.123077.INDV	2022-876	JRH	12/19/2022	\$ 250.00	1/19/2023	NA	NA	NA	1/18/2023	\$ 250.00		NAC 645.806 3	FAILURE TO SUBMIT FORM 546A
Amundson	Ken A.	B.0035646.CORP	2022-879	KB	12/19/2022	\$ 500.00	1/19/2023	NA	NA	NA	1/20/2023	\$ 500.00		NRS 645-635 6	FAILURE TO PROVIDE DOCUMENTS TO DIVISION
Bali	Mary Ann L	S.0072400	2022-440	MM	12/21/2022	\$ 1,000.00	ext. 04/23/23	NA	NA	NA			\$ 1,000.00	NRS 645.633 1 (i)	DECEITFUL CONDUCT WITH CLIENT
Nir	Ron	B.0142667.CORP	2022-360	MM	12/27/2022	\$ 1,500.00	1/30/2023	NA	NA	NA			\$ 1,500.00	NRS 654-630 1 (f) NRS 645.633 1 (h) NAC 645.637	FAILURE TO ACCOUNT/REMIT FAILURE TO DEAL FAIRLY AND NO CONFIRMATION OF REPRESENTATION
<b>END OF DEC</b>						<b>\$ 4,750.00</b>						<b>\$ 1,500.00</b>	<b>\$ 3,250.00</b>		
<b>Jan-23</b>															
Last Name	First Name	License #	Case #	INVESTIGATOR	Effective Date	Fine	Fine Due Date	EDU	EDU Due Date	EDU Complete Date	Date Paid	Amount Paid	Balance Due	Violations	Violation Details
Reyes	Randolph	B.0143776.CORP	2022-413	SG	1/9/2023	\$ 500.00	2/9/2023	NA	NA	NA			\$ 500.00	NRS 645.633 1 (H)	MISLEADING ADVERTISING
Leon	Gricelda	S.0075563.LLC	2022-449	RB	1/5/2023	\$ 1,000.00	2/5/2023	NA	NA	NA			\$ 1,000.00	NRS 645.633 1 (h) NRS 645.252 2	DID NOT ADVERTISE AS PER LISTING AGREEMENT
Mohn	Charles W.	S.0182307	2022-500	MM	1/11/2023	\$ 500.00	2/12/2023	NA	NA	NA			\$ 500.00	NRS 645.252 2	NO COPY OF SIGNED LISTING AGREEMENT PROVIDED IN A REASONABLE AMOUNT OF TIME
Xian	Paris	B.1002518.CORP	2021-1157	JG	1/18/2023	\$ 1,000.00	2/21/2023	NA	NA	NA			\$ 1,000.00	NRS 645.633 1 (i)	DISHONEST DEALING
Mendoza	Eric	B.1001169.LLC	2022-366	SG	1/26/2023	\$ 1,000.00	2/26/2023	NA	NA	NA			\$ 1,000.00	NRS 645.633 1 (i) NRS 645.633 1 (j)	FAILURE TO DISCLOSE BUSINESS AFFILIATION FAILURE TO PROVIDE DOCS TO DIVISION
<b>END OF JAN</b>						<b>\$ 4,000.00</b>						<b>\$ -</b>	<b>\$ 4,000.00</b>		
<b>TOTAL DECEMBER 2022 - JANUARY 2023</b>						<b>\$8,750.00</b>						<b>\$1,500.00</b>	<b>\$7,250.00</b>		