

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 GREGORY A. HARTLINE,
10 (B.0067304.INDV, B.0036741.LLC,
11 PM.0136741.BKR, BUSB.0000345.BKR,
12 BUSB.0006819.BKR)

13 Respondent.

Case No. 2021-406

FILED

JAN 20 2023

REAL ESTATE COMMISSION

BY *Kelly Valadez*

14 **COMPLAINT AND NOTICE OF HEARING**

15 The REAL ESTATE DIVISION OF THE DEPARTMENT OF BUSINESS AND INDUSTRY
16 OF THE STATE OF NEVADA ("Division") hereby notifies RESPONDENT GREGORY A.
17 HARTLINE ("RESPONDENT") of an administrative hearing before the STATE OF NEVADA REAL
18 ESTATE COMMISSION ("Commission"). The hearing will be held pursuant to Chapters 233B and
19 Chapter 645 of the Nevada Revised Statutes ("NRS") and Chapter 645 of the Nevada Administrative
20 Code ("NAC"). The purpose of the hearing is to consider the allegations stated below and to determine
21 if the RESPONDENT should be subject to an administrative penalty as set forth in NRS 645.235, NRS
22 645.300 and/or NRS 622.400, and the discipline to be imposed, if violations of law are proven.

23 **JURISDICTION**

24 RESPONDENT, at all relevant times mentioned in this Complaint, was and is presently licensed
25 as a Broker under license numbers B.0067304.INDV, B.0036741.LLC, PM.0136741.BKR,
26 BUSB.0000345.BKR, BUSB.0006819.BKR. RESPONDENT is, therefore, subject to the jurisdiction of
27 the Division and the Commission, and the provisions of NRS chapter 645 and NAC chapter 645.
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1 **FACTUAL ALLEGATIONS**

2 1. RESPONDENT Gregory A. Hartline is the broker for Pacific Group (B.0067304.INDV,
3 B.0036741.LLC, PM.0136741.BKR, BUSB.0000345.BKR, BUSB.0006819.BKR). NRED 000003 –
4 NRED 000004.

5 2. Eris Atar-Krupski (“Atar-Krupski”), a RESPONDENT named in a separate NRED Case
6 No. 2021-405, was issued a real estate salesperson license (S.192427) on February 03, 2021 to the
7 RESPONDENT’S Brokerage. NRED 000002.

8 3. On or about December 7, 2020, Complainant’s allege, they were in search of a real estate
9 agent in Las Vegas, Nevada, and reached out to their sister-in-law for a recommendation, who in turn
10 reached out to a close family friend Atar-Krupski’s mother, who recommended her daughter Atar-
11 Krupski. NRED 000054 - NRED 000056.

12 4. On December 7, 2020, the real property located at 4894 Stavanger Lane, Clark County,
13 Las Vegas, Nevada 89147 (the “Property”), was listed for sale in the Las Vegas Realtors MLS real estate
14 salesperson Alla Margaryan (S.0186534), of eXp Realty, 10845 Griffith Peak Drive #2, Las Vegas 89135
15 with Broker Spencer Walden (B.0144881) offering a 2.00 % cooperating commission pursuant to the
16 terms of the listing agreement dated December 1, 2020, at 15:41 PM. NRED 000013, NRED 000032-
17 NRED 000044.

18 5. RESPONDENT, in his Sworn Declaration to the Division, admitted he met Atar-Krupski
19 on December 21, 2020, where on that date she informed RESPONDENT that she was immediately
20 submitting her real estate license application. NRED 000131 – NRED 000134.

21 6. RESPONDENT admitted a few weeks after December 21, 2020, Atar-Krupski called him
22 asking if he received her license which he told her it had not yet arrived. NRED 000133.

23 7. RESPONDENT declared that in late January of 2021, Atar-Krupski introduced him to
24 Complainant. NRED 000134.

25 8. On January 18, 2021, at 6:05 PM RESPONDENT allegedly emailed Atar-Krupski MLS
26 listings: Subject: 4 are already under contract “Here are the listings on the other 4. Please find the
27 attachments. BTW, I don’t believe that I have any way to send you “agent’s copies” so you I will have
28 to dig a bit deeper to get contact numbers to arrange showings. Greg” NRED 000089 – NRED 000090.

1 9. Also on January 18, 2021, at 23:48:01 EST RESPONDENT allegedly emailed Atar-
2 Krupski more MLS listings Subject: some to think about “Let me know your thoughts. GH”, which Atar-
3 Krupski then forwarded on to Complainants. NRED 000092.

4 10. A Residential Purchase Agreement (“RPA”) was submitted on real property 4894
5 Stavanger Lane (the “Stavanger Property”) dated February 2, 2021, for Complainant, and fully executed
6 on February 3, 2021, provided representation of RESPONDENT as Complainant’s Broker and Agent,
7 and Atar-Krupski as the attorney of record. NRED 000014 – NRED 000024, NRED 000184 – NRED
8 000185, NRED 000190 – NRED 000191, NRED 000193 – NRED 000204

9 11. The Broker’s Compensation/Fees of the RPA for the Stavanger Property incorporated by
10 reference the buyer’s broker’s commission listed on the MLS. NRED 000020, NRED 000022 - NRED
11 000023, NRED 000184 – NRED 000185, NRED 000190 – NRED 000191, NRED 000199, NRED
12 000201, NRED 000203 - NRED 000204.

13 12. The RPA made no indication whether the buyer will or will not pay buyer’s broker
14 additional compensation as both boxes were left blank.

15 13. The RPA did not include any additional terms or any counter offers that modified the
16 buyer’s brokerage commission. NRED 000020, NRED 000022 - NRED 000023, NRED 000184 –
17 NRED 000185, NRED 000190 – NRED 000191, NRED 000199, NRED 000201, NRED 000203 - NRED
18 000204.

19 14. An RPA dated February 4, 2021, on real property 11153 Campsie Falls Court, Las Vegas,
20 NV 89141 (“Campsie Property”), under the Broker’s Compensation/Fees section, indicates buyer *will*
21 *not* pay buyer’s broker additional compensation (Emphasis added). NRED 000177, NRED 000179,
22 NRED 000146, NRED 000158 – NRED 000168, and NRED 000171 – NRED 000181.

23 15. The RPA for the Campsie Property did not include any additional terms included in the
24 or any counter offers that modified the buyer’s brokerage commission. NRED 000177, NRED 000179,
25 NRED 000146, NRED 000158 – NRED 000168, and NRED 000171 – NRED 000181.

26 16. Commission Instructions to Noble Title for the Stavanger Property dated February 5, 2021
27 provided: \$16,250.00-\$3,250.00 paid by buyer = \$13,000.00 paid to Hartline Properties, agent
28 RESPONDENT; Subsequent Commission Instructions to Noble Title dated February 25, 2021 eliminated

1 the commission breakdown and provided only \$13,000.00 to Hartline Properties, Agent RESPONDENT.
2 NRED 000182, and NRED 000188.

3 17. On February 3, 2021, Atar-Krupski real estate salesperson license (S.192427) was issued.
4 NRED 000002.

5 18. RESPONDENT declared that he received Atar-Krupski's license in early February and
6 alleges it was dated February 4, 2021. NRED 000133.

7 19. On or about April 14, 2021, The Nevada Real Estate Division received a Complaint
8 reporting RESPONDENT's agent Atar-Krupski acted as Complainant's attorney and real estate agent
9 without a license when Complainant purchased the Stavanger and Campsie Properties during January
10 and March 2021. NRED 000046 – NRED 000122.

11 20. On or about April 15 2021, the Division noticed RESPONDENT that it received a
12 complaint against him; on or about April 30, 2021 RESPONDENT provided his sworn statement to the
13 Division, after which, the Division determined it had sufficient evidence to commence a disciplinary
14 action by way of filing a complaint before the Real Estate Commission, now comes herewith. NRED
15 000008, and NRED 000132 – NRED 000204.

16 VIOLATIONS OF LAW

17 RESPONDENT has committed the following violations of law:

18 21. RESPONDENT violated NRS 645.235(1)(b) when, between January 12, 2021 to
19 February 02, 2021, he facilitated Atar-Krupski in unlicensed real estate activity as defined by NRS
20 645.040 and as set out in NRS 645.030, prior to her license being issued on February 3, 2021, by
21 conducting searches of MLS property listings, to include listing agent contact information for showings,
22 on Atar-Krupski's behalf, with the intent that she would forward such MLS property listings and showing
23 information on to the Complainant and/or Complainant's family members, in conduct which further
24 perpetrated the appearance that Atar-Krupski held an active Nevada real estate license when she did not.

25 22. RESPONDENT violated NRS 645.252(2) when he failed to exercise reasonable care and
26 skill by representing in the purchase agreement that Atar-Krupski was Complainant's attorney of record
27 without any care and without any diligence to confirm her formal appearance on Complainant's behalf,
28 nor confirming that she is not licensed to practice law in Nevada.

1 23. RESPONDENT violated NRS 645.633(1)(i) when he, the broker, permitted his agent
2 Atar-Krupski, to demand the Complainant and/or Complainant's son pay an extra 0.5% (\$3,250)
3 commission, and supported such improper demand in his Commission Instructions, which conduct
4 constitutes deceitful, fraudulent, and/or dishonest dealings, pursuant to NAC 645.605(1).

5 24. RESPONDENT violated NRS 645.633(1)(i) when, pursuant to NAC 645.605(8), he
6 committed deceitful, fraudulent, and/or dishonest dealings, by demanding on the Commission
7 Instructions Complainant pay an extra 0.5% (\$3,250) commission without Complainant's permission or
8 having the change in commission payment approved by the Complainant within the purchase agreement.

9 **DISCIPLINE AUTHORIZED**

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

13 26. Further, pursuant to NRS 645.630 and NRS 645.633, the commission is empowered to
14 impose and administrative fine per violation against RESPONDENT that may not exceed \$10,000, and
15 further to suspend, revoke or place conditions on the license of RESPONDENT.

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

19 28. Therefore, the Division requests that the Commission take such disciplinary action as it
20 deems appropriate under the circumstances.

21 **NOTICE OF HEARING**

22 **PLEASE TAKE NOTICE**, that a disciplinary hearing has been set to consider the
23 Administrative Complaint against the above-named Respondent in accordance with Chapters 233B and
24 645 of the Nevada Revised Statutes and Chapter 645 of the Nevada Administrative Code.

25 **THE HEARING WILL TAKE PLACE on February 21, 2023, commencing at 9:00 a.m., or**
26 **as soon thereafter as the Commission is able to hear the matter, and each day thereafter**
27 **commencing at 9:00 a.m. through February 23, 2023, or earlier if the business of the Commission**
28 **is concluded. The Commission meeting will be held on February 21, 2023, at the Nevada State**

1 **Business Center, 3300 West Sahara Avenue, 4th Floor – Nevada Room, Las Vegas, Nevada 89102.**
2 **The meeting will continue on each day thereafter commencing at 9:00 a.m. through February 23,**
3 **2023, at the Nevada State Business Center, 3300 West Sahara Avenue, 4th Floor – Nevada Room,**
4 **Las Vegas, Nevada 89102, until the business of the Commission is concluded.**

5 **STACKED CALENDAR: Your hearing is one of several hearings scheduled at the same**
6 **time as part of a regular meeting of the Commission that is expected to last from February 21, 2023**
7 **through February 23, 2023, or earlier if the business of the Commission is concluded. Thus, your**
8 **hearing may be continued until later in the day or from day to day. It is your responsibility to be**
9 **present when your case is called. If you are not present when your hearing is called, a default may**
10 **be entered against you and the Commission may decide the case as if all allegations in the complaint**
11 **were true. If you have any questions, please call Kelly Valadez, Commission Coordinator, at (702)**
12 **486-4036.**

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

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

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

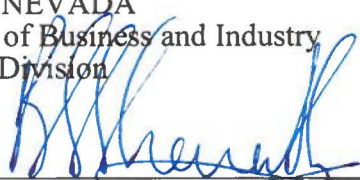
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1 The purpose of the hearing is to determine if the Respondent has violated NRS 645 and/or NAC
2 645 and if the allegations contained herein are substantially proven by the evidence presented and to
3 further determine what administrative penalty is to be assessed against the RESPONDENT, if any,
4 pursuant to NRS 645.235, 645.633 and or 645.630.

5
6 DATED this 19 day of January 2023. DATED this 19th day of January 2023.

7 STATE OF NEVADA
8 Department of Business and Industry
9 Real Estate Division

AARON D. FORD
Attorney General

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