

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 KEA RANA,

10 Respondent.

Case No. 2022-890

FILED

JAN 20 2023

REAL ESTATE COMMISSION

BY Kelly Valadez

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 KEA RANA (“RESPONDENT”), of an
14 administrative hearing before the STATE OF NEVADA REAL ESTATE COMMISSION
15 (“Commission”). The hearing will be held pursuant to Chapters 233B and Chapter 645 of the Nevada
16 Revised Statutes (“NRS”) and Chapter 645 of the Nevada Administrative Code (“NAC”). The purpose
17 of the hearing is to consider the allegations stated below and to determine if RESPONDENT should be
18 subject to an administrative penalty as set forth in NRS 645.633 and/or NRS 645.630 and/or NRS
19 622.400, and the discipline to be imposed, if violations of law are proven.

20 **JURISDICTION**

21 1. At all relevant times, RESPONDENT was licensed by the Division as a broker
22 (B.0049123.CORP) and held a property management permit (PM.0163622.BKR) issued by the Division
23 and is therefore subject to the jurisdiction of the Division and the Commission, and the provisions of
24 NRS chapter 645 and NAC chapter 645.

25 **FACTUAL ALLEGATIONS**

26 2. At all relevant times, RESPONDENT was licensed by the Division as a broker
27 (B.0049123.CORP) and held a property manager permit (PM.0163622.BKR) from the Division, both of
28 which are in “active” status. **Exhibit C**, Bates NRED0008-0010.

1 3. At all times relevant, the RESPONDENT provided property management services through
2 her company, Vegas Real Estate and Management, located at 10161 Park Run Drive, Suite 150, Las
3 Vegas, Nevada 89145 (“VREM.”) **Exhibit C**, Bates NRED0009.

4 4. On or around December 13, 2022, one of RESPONDENT’s former clients, complainant
5 Marilyn Wright (“Complainant”) filed a complaint with the Division stating that that RESPONDENT, as
6 property manager for several of Complainant’s properties, provided incorrect payment directions to
7 tenants and wrongfully retained several of those collected rental payments. **Exhibit D**, Bates NRED0012.

8 5. On September 26, 2022, the RESPONDENT provided a “duties owed” document to the
9 Complainant. **Exhibit E**, Bates NRED0030.

10 6. On September 28, 2022, the RESPONDENT and Complainant entered into a residential
11 property management agreement for several properties, including those at issue in this Complaint: 10212
12 Yarmouth Sea Ct., Las Vegas, Nevada 89166 (“Yarmouth Sea Ct.”); 7515 General Whipple Ct., Las
13 Vegas, Nevada 89166 (“General Whipple Ct.”); 7514 Derby Wharf Ct., Las Vegas, Nevada 89166
14 (“Derby Wharf Ct.”); and 10220 Ruggles Mansion, Las Vegas, Nevada 89166 (“Ruggles Mansion”).
15 (collectively, “The Properties”) **Exhibit E**, Bates NRED0004-0018.

16 7. On September 23, 2022, RESPONDENT sent the tenants of The Properties an email
17 notifying them that the owners of their properties decided to return to Vegas Real Estate and Management
18 for property management services and that rents needed to be paid directly to Sahara Wright LLC by
19 deposit into Complainant’s Chase Bank account ending in Acct. #6990, or electronically via Zelle mobile
20 payment to “Sahara Wright LLC wright.marilyn@att.net.” **Exhibit E**, Bates NRED0031.

21 8. The September 23 email further stated that rents from November onwards would be paid
22 through RESPONDENT’S new software system. **Exhibit E**, Bates NRED0031.

23 9. On or about October 18, 2022, the tenant for Yarmouth Sea Ct. text messaged
24 RESPONDENT to ask if “the new link [was] ready to pay November’s rent or is it ok to Zelle again?”
25 **Exhibit E**, Bates NRED0035.

26 10. RESPONDENT responded that the new software system was not yet ready and the tenant
27 could Zelle payment to “Vrampayrent@gmail.com KC rana inc or account #7733821032” **Exhibit E**,
28 Bates NRED0035-0037.

1 11. Tenant at Yarmouth Sea Ct. subsequently made payment for November rent to
2 RESPONDENT via a series of Zelle payments for \$1,000.00 (Nov. 1), \$1,000.00 (Nov. 2), and \$300.00
3 (Nov 4), totaling \$2,300.00. **Exhibit E**, Bates NRED0034.

4 12. The Tenant at General Whipple Ct. also made payment for November 2022 rent via
5 Venmo directly to RESPONDENT'S Venmo account, based on RESPONDENT'S text message that
6 payment could be made by Venmo. **Exhibit E**, Bates NRED0040-0042.

7 13. Complainant only learned about the mobile payments for Yarmouth Sea Ct. and General
8 Whipple Ct. when she separately contacted those tenants to demand their rents on November 23, 2022,
9 only to find out from them that payments had already been made directly to RESPONDENT'S
10 Vrampayrent@gmail.com mobile payment account, for which the tenants both provided supporting text
11 messages and payment receipts. **Exhibit E**, Bates NRED0032-0034; 0040-0042.

12 14. As an apparent reaction to those revelations, Complainant sent all of her tenants a
13 November 23, 2022 email entitled "SAHARA WRIGHT LLC – RENT COLLECTION," noting therein
14 that RESPONDENT is "solely responsible for the Lease paperwork & any service calls or repairs needed.
15 She is not authorized to collect rent from anyone." Complainant also reiterated the only authorized ways
16 to make rental payments: Cash or Check Deposit at your local Chase Bank: Account Name: Sahara
17 Wright LLC Account # 889026990 OR Zelle: Sahara Wright LLC wright.marilyn@att.net." **Exhibit E**,
18 Bates NRED0043-0044.

19 15. On December 12, 2022, the tenant at Ruggles Mansion sent an email to Complainant to
20 confirm his payment of December 2022 rent via Zelle directly to RESPONDENT'S
21 Vrampayrent@gmail.com Zelle account. He further noted that he was unable to see Complainant's
22 November 23, 2022 "SAHARA WRIGHT LLC – RENT COLLECTION" email because it went to his
23 spam folder. **Exhibit E**, Bates NRED0045-0046.

24 16. RESPONDENT collected rents on behalf of Complainant for the following properties,
25 which payments went to RESPONDENT's own mobile payment accounts instead of the accounts
26 Complainant authorized and/or which were noted in the property management agreement:

- 27 a. \$2,300.00 in rent for 10212 Yarmouth Sea Ct., Las Vegas, Nevada 89166 for
28 November 2022;

- 1 b. \$2,300.00 in rent for 7515 General Whipple Ct., Las Vegas, Nevada 89166 for
2 November 2022;
- 3 c. \$2,300.00 in rent for 7514 Derby Wharf Ct., Las Vegas, Nevada 89166 for
4 December 2022; and
- 5 d. \$2,100.00 in rent for 10220 Ruggles Mansion, Las Vegas, Nevada 89166 for
6 December 2022.

7 **Exhibit D**, Bates NRED0012-0013.

8 17. RESPONDENT has failed, as of December 12, 2022, to tender those rental payments to
9 Complainant. **Exhibit D**, Bates NRED0013.

10 18. On or about January 4, 2023, the Division properly notified RESPONDENT that it had
11 obtained sufficient evidence to commence disciplinary action against her based on the complaint
12 received. **Exhibit F**, Bates NRED0002.

13 **VIOLATIONS OF LAW**

14 RESPONDENT committed the following violations of law:

15 1. RESPONDENT violated NRS 645.630(1)(f) by failing, within a reasonable time, to
16 account for or to remit any money which comes into her possession and which belongs to others, when
17 she failed to account for and timely remit \$9,000.00 in total rents for four different occasions;

18 2. RESPONDENT violated NRS 645.630(1)(h) by commingling rental payments made by
19 tenants of The Properties with Respondent's own personal and/or business funds, in a manner contrary
20 to the rental payment methods specifically authorized in the parties' property management agreement.

21 3. RESPONDENT is in violation of NRS 645.633(1)(h) for gross negligence or
22 incompetence for failing to carry out her duties pursuant to the terms of the property management
23 agreement on four different occasions.

24 4. RESPONDENT is in violation of NRS 645.633(1)(i) for engaging in conduct which
25 constitutes deceitful, fraudulent or dishonest dealing by accepting rents on behalf of the property owner
26 without authorization from the property owner.

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1 **DISCIPLINE AUTHORIZED**

2 1. Pursuant to NRS 645.630 and NRS 645.633, the Commission is empowered to impose an
3 administrative fine of up to \$10,000 per violation against RESPONDENT and further to suspend, revoke
4 or place conditions on the license of RESPONDENT.

5 2. Additionally, under NRS Chapter 622, the Commission is authorized to impose costs of the
6 proceeding upon RESPONDENT, including investigative costs and attorney's fees, if the Commission
7 otherwise imposes discipline on RESPONDENT.

8 3. Therefore, the Division requests that the Commission take such disciplinary action as it deems
9 appropriate under the circumstances.

10 **NOTICE OF HEARING**

11 **PLEASE TAKE NOTICE**, that a disciplinary hearing has been set to consider the
12 Administrative Complaint against the above-named Respondent in accordance with Chapters 233B and
13 645 of the Nevada Revised Statutes and Chapter 645 of the Nevada Administrative Code.

14 **THE HEARING WILL TAKE PLACE on February 21, 2023, commencing at 9:00 a.m., or**
15 **as soon thereafter as the Commission is able to hear the matter, and each day thereafter**
16 **commencing at 9:00 a.m. through February 23, 2023, or earlier if the business of the Commission**
17 **is concluded. The Commission meeting will be held on February 21, 2023, at the Nevada State**
18 **Business Center, 3300 West Sahara Avenue, 4th Floor – Nevada Room, Las Vegas, Nevada 89102.**
19 **The meeting will continue on each day thereafter commencing at 9:00 a.m. through February 23,**
20 **2023, at the Nevada State Business Center, 3300 West Sahara Avenue, 4th Floor – Nevada Room,**
21 **Las Vegas, Nevada 89102, until the business of the Commission is concluded.**

22 **STACKED CALENDAR: Your hearing is one of several hearings scheduled at the same**
23 **time as part of a regular meeting of the Commission that is expected to last from February 21, 2023**
24 **through February 23, 2023, or earlier if the business of the Commission is concluded. Thus, your**
25 **hearing may be continued until later in the day or from day to day. It is your responsibility to be**
26 **present when your case is called. If you are not present when your hearing is called, a default may**
27 **be entered against you and the Commission may decide the case as if all allegations in the complaint**
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1 were true. If you have any questions please call Kelly Valadez, Commission Coordinator (702)
2 486-4606.

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

8 As the RESPONDENT, you are specifically informed that you have the right to appear and be
9 heard in your defense, either personally or through your counsel of choice. At the hearing, the Division
10 has the burden of proving the allegations in the complaint and will call witnesses and present evidence
11 against you. You have the right to respond and to present relevant evidence and argument on all issues
12 involved.

13 You have the right to call and examine witnesses, introduce exhibits, and cross-examine opposing
14 witnesses on any matter relevant to the issues involved.

15 You have the right to request that the Commission issue subpoenas to compel witnesses to testify
16 and/or evidence to be offered on your behalf. In making the request, you may be required to demonstrate
17 the relevance of the witness' testimony and/or evidence. Other important rights you have are listed in
18 NRS 645.680 through 645.990, NRS Chapter 233B, and NAC 645.810 through 645.920.

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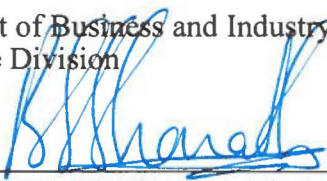
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1 The purpose of the hearing is to determine if the Respondent has violated NRS 645 and/or NAC
2 645 and if the allegations contained herein are substantially proven by the evidence presented and
3 to further determine what administrative penalty is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

5 DATED this 20 day of January, 2023.

6 State of Nevada
7 Department of Business and Industry
8 Real Estate Division

9 By: 
10 SHARATH CHANDRA, Administrator
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13 AARON D. FORD
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