1	BEFORE THE REAL ESTATE COMMISSION	
2	STATE OF NEVADA	
3	SHARATH CHANDRA, Administrator,	
4	REAL ESTATE DIVISION, DEPARTMENT OF BUSINESS & INDUSTRY,	Case No. 2021-341
5	STATE OF NEVADA,	9119
6	Petitioner,	FILED
7	VS.	NOV 0 4 2022
8	PATRICK M. SAVARIN,	REAL ESTATE COMMISSION BY Keeley Valader
9	Respondent.	0
10	COMPLAINT AND NOTICE OF HEARING	
11	The REAL ESTATE DIVISION OF THE DEPARTMENT OF BUSINESS AND INDUSTRY	
12	OF THE STATE OF NEVADA ("Division") hereby notifies RESPONDENT PATRICK M. SAVARIN	
13	("RESPONDENT") of an administrative hearing before the STATE OF NEVADA REAL ESTATE	
14	COMMISSION ("Commission"). The hearing will be held pursuant to Chapter 233B and Chapter 645	
15	of the Nevada Revised Statutes ("NRS") and Chapter 645 of the Nevada Administrative Code ("NAC")	
16	The purpose of the hearing is to consider the allegations stated below and to determine if the	
17	RESPONDENT should be subject to an administrative penalty as set forth in NRS 645.630 and/or NRS	
18	622.400, and the discipline to be imposed, if violations of law are proven.	
19	JURISDICTION	
20	RESPONDENT was at all relevant times mentioned in this Complaint licensed as a Salespersor	
21	under license number S.0169010 and is therefore subject to the jurisdiction of the Division and the	
22	Commission, and the provisions of NRS chapter 645 and NAC chapter 645.	
23	FACTUAL ALLEGATIONS	
24	1. In or about March 2021, RESPON	DENT represented the seller of real property located
25	at 211 Prairie Creek Street Henderson, Nevada 89012 (the "Property"). NRED 000243-52.	
26	2. On March 18, 2021, the parties, through their respective agents, entered into a residential	
27	purchase agreement ("RPA") for the Property. NRED 000080-93.	
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- 3. On March 23, 2021, sellers instructed RESPONDENT to cancel the sale of the Property and permanently terminate the listing. NRED 000095; NRED 000122.
- 4. On March 31, 2021, sellers submitted a complaint to the Division against RESPONDENT, alleging RESPONDENT forged the transaction documents related to the Property and sold their home without their consent. NRED 000003-05.
- 5. On April 9, 2021, the Division sent RESPONDENT correspondence via certified mail, noting the Division opened an investigation on RESPONDENT after having received a complaint against RESPONDENT, and requested the complete transaction file/broker's file related to the Property by April 26, 2021. NRED 000007.
- 6. On May 25, 2021, RESPONDENT submitted his response to the complaint against him, wherein RESPONDENT admits to storing a copy of Sellers' electronic signature on his iPad for future use, and further admits to using the electronic signatures to execute the transaction documents related to the Property without Sellers' written permission to do so. NRED 000012-19.
- 7. In response to the investigation, RESPONDENT'S broker of record, Diana Glassman, informed the Division that RESPONDENT did not cooperate with her requests regarding the transaction file related to the Property and never provided her with a copy of the transaction file, as such, Ms. Glassman terminated RESPONDENT and returned his license to the Division. NRED 000200-202; NRED 000225.
- 8. The signing certificates produced during the Division's investigation revealed that RESPONDENT used a personal email to execute documents on the sellers' behalf, including duties owed forms, the counter offer related to the Property, the RPA, a residential purchase agreement for 2156 Eagle Sticks Dr. ("Eagle Sticks RPA"), and an addendum to the Eagle Sticks RPA. NRED 000273-335.

## VIOLATION OF LAW

RESPONDENT has committed the following violation of law:

9. RESPONDENT violated NRS 645.633(1)(i) by engaging in conduct which constitutes deceitful, fraudulent or dishonest dealing pursuant to NAC 645.605(1) for failing to do his utmost to protect the public against fraud, misrepresentation, or unethical practices when RESPONDENT stored an image of sellers' electronic signatures on his iPad for future use.

- 10. RESPONDENT violated NRS 645.633(1)(i) by engaging in conduct which constitutes deceitful, fraudulent or dishonest dealing pursuant to NAC 645.605(1) for failing to do his utmost to protect the public against fraud, misrepresentation, or unethical practices when RESPONDENT used his personal email account to execute documents using sellers' electronic signatures without the sellers' written consent to do so.
- 11. RESPONDENT violated NRS 645.633(1)(i) by engaging in conduct which constitutes deceitful, fraudulent or dishonest dealing pursuant to NAC 645.605(7) for failing to ensure that sellers executed the residential purchase agreement related to the Property and that his real estate broker and each party to the real estate transaction has a copy of the written agreement.
- 12. RESPONDENT violated NAC 645.650(2) for failing to provide the broker he is associated with a copy of the executed documents related to the Property within five calendar days after that paperwork was executed.

## DISCIPLINE AUTHORIZED

- 1. Pursuant to NRS 645.630 and NRS 645.633, the Commission is empowered to impose an administrative fine of up to \$10,000 per violation against RESPONDENT and further to suspend, revoke or place conditions on the license of RESPONDENT.
- 2. Additionally, under NRS 622.400, the Commission is authorized to impose costs of the proceeding upon RESPONDENT, including investigative costs and attorney's fees, if the Commission otherwise imposes discipline on RESPONDENT.
- 3. Therefore, the Division requests that the Commission take such disciplinary action as it deems appropriate under the circumstances.

## NOTICE OF HEARING

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

THE HEARING WILL TAKE PLACE on December 13, 2022, commencing at 9:00 a.m., or as soon thereafter as the Commission is able to hear the matter, and each day thereafter commencing at 9:00 a.m. through December 15, 2022, or

earlier if the business of the Commission is concluded. The Commission meeting will be held on December 13, 2022, at the Nevada State Business Center, 3300 West Sahara Avenue, 4th Floor – Nevada Room, Las Vegas, Nevada 89102. The meeting will continue on December 14, 2022, at the Nevada State Business Center, 3300 West Sahara Avenue, 4th Floor – Nevada Room, Las Vegas, Nevada 89102, commencing at 9:00 a.m., and on December 15, 2022, should business not be concluded, starting at 9:00 a.m. at the Nevada State Business Center, 3300 West Sahara Avenue, 4th Floor – Nevada Room, Las Vegas, Nevada 89102.

STACKED CALENDAR: Your hearing is one of several hearings scheduled at the same time as part of a regular meeting of the Commission that is expected to last from December 13, 2022, through December 15, 2022, or earlier if the business of the Commission is concluded. Thus, your hearing may be continued until later in the day or from day to day. It is your responsibility to be present when your case is called. If you are not present when your hearing is called, a default may be entered against you and the Commission may decide the case as if all allegations in the complaint were true. If you have any questions please call Kelly Valadez, Commission Coordinator (702) 486-4606.

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

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

1 You have the right to request that the Commission issue subpoenas to compel witnesses to testify 2 and/or evidence to be offered on your behalf. In making the request, you may be required to demonstrate 3 the relevance of the witness' testimony and/or evidence. Other important rights you have are listed in 4 NRS 645.680 through 645.990, NRS Chapter 233B, and NAC 645.810 through 645.875. 5 The purpose of the hearing is to determine if the Respondent has violated NRS Chapter 645 and/or 6 NAC Chapter 645 and if the allegations contained herein are substantially proven by the evidence 7 presented and to further determine what administrative penalty is to be assessed against the 8 RESPONDENT, if any, pursuant to NRS 645.235, 645.633 and or 645.630. 9 DATED this 3 day of November, 2022. 10 11 State of Nevada Department of Business and Industry 12 Real Estate Division 13 14 By: SHARATH CHANDRA, Administrator 15 3300 West Sahara Avenue, Suite 350 Las Vegas, Nevada 89102 16 17 AARON D. FORD 18 Attorney General 19 /s/ Alma Orozco By: 20 ALMA OROZCO (Bar No. 15300) Deputy Attorney General 21 555 E. Washington Ave. #3900 Las Vegas, Nevada 89101 22 (702) 486-3420 23 Attorneys for Real Estate Division 24 25 26 27 28