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BEFORE THE REAL ESTATE COMMISSION

STATE OF NEVADA

SHARATH CHANDRA, Administrator
REAL ESTATE DIVISION, DEPARTMENT
OF BUSINESS & INDUSTRY,
STATE OF NEVADA,

Case No. 2023-533

FILED

NOV 01 2023

REAL ESTATE COMMISSION

BY *Kelley Valadez*

Petitioner,

MARSHALL CARRASCO,
(B.1000579.INDV)

Respondent.

RESPONDENT'S ANSWER TO COMPLAINT

COMES NOW, MARSHALL CARRASCO, Respondent, by and through his counsel,
ROBERT E. SCHUMACHER, ESQ., and THIERRY V. BARKLEY, ESQ., of GORDON REES
SCULLY MANSUKHANI, LLP, and hereby submits the following Answer to the Complaint by
the Real Estate Commission of the State of Nevada.

JURISDICTION

Respondent admits the allegations as to Jurisdiction.

FACTUAL ALLEGATIONS

1. In answer to Paragraph 1, Respondent admits the allegations therein.
2. In answer to Paragraph 2, Respondent admits the allegations therein.
3. In answer to Paragraph 3, Respondent admits marketing the solar panels as included; denies each and every remaining allegation in paragraph 3.
4. In answer to Paragraph 4, Respondent admits the allegations therein.
5. In answer to Paragraph 5, Respondent admits the subject documents did not expressly reference solar financing or exclusion of solar panels.

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SECOND DEFENSE

The UCC-1 Financing for fixtures as recorded for the solar panels was not an encumbrance or lien on this real estate transaction.


THIRD DEFENSE

While the Title Company identified the recorded UCC-1 Fixture lien (which was recorded for the protection of Solar City/Tesla), the Title Company issued title insurance without clearing the cloud on title before escrow closed.

WHEREFORE, Respondent requests the Real Estate Commission of the State of Nevada find in favor of Respondent and to deny the entry of violations and request for disciplinary action.

DATED this 1st day of November, 2023.

GORDON REES SCULLY MANSUKHANI,
LLP

By: 
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CERTIFICATE OF SERVICE

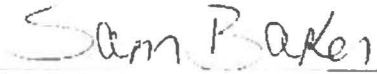
Pursuant to Rule 5(b) of the Nevada Rules of Civil Procedure, I hereby certify that I am an employee of Gordon Rees Scully Mansukhani and that on this date, I served a true and correct copy of the attached document(s) as follows:

- By placing the document(s) in a sealed envelope with first-class U.S. postage prepaid, and depositing it for mailing with the U.S. Postal Service in Reno, Nevada addressed to the person at the address listed below.
- By electronic service. By filing the document with the court's electronic filing system which serves counsel listed below electronically.
- By personally delivering the document(s) listed above, addressed to the person at the address as set forth below.
- By Federal Express.
- By facsimile.
- By electronic mail

Real Estate Division
State of Nevada
ATTN: Legal Administrative Officer
3300 West Sahara Avenue, Suite 350
Las Vegas, NV 89102
Kvaladez@red.nv.gov

Christal P. Keegan, Esq.
Deputy Attorney General
5420 Kietzke Lane, #202
Reno, NV 89511
ckeegan@ag.nv.gov

DATED this 1st day of November, 2023.



Sam Baker