

BEFORE THE REAL ESTATE COMMISSION
STATE OF NEVADA

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

Case No. 2023-505

Petitioner,

vs.

JAMES J. MANARINO,
B.0046634.CORP,

Respondent.

FILED

FEB 28 2024

REAL ESTATE COMMISSION

BY *Kelley Valadez*

STIPULATION AND ORDER FOR SETTLEMENT OF DISCIPLINARY ACTION

This Stipulation for Settlement of Disciplinary Action (“Stipulation”) is entered into by and between the State of Nevada, Department of Business and Industry, Real Estate Division (“Division”), through its Administrator Sharath Chandra (“Petitioner”), by and through their attorney of record, Phil W. Su, Esq., and JAMES J. MANARINO, (“RESPONDENT”).

RESPONDENT was at all relevant times mentioned in this Complaint licensed as a Broker under license number B.0046634.CORP and is therefore subject to the jurisdiction of the Division and the Commission, and the provisions of NRS chapter 645 and NAC chapter 645.

SUMMARY OF FACTUAL ALLEGATIONS SET FORTH IN COMPLAINT

1. RESPONDENT’S Nevada Real Estate Broker license was first issued in May of 2000.
2. In 2021, RESPONDENT failed to submit his mandatory broker annual reporting by the last day of the expiration month of his broker’s license (May 31, 2021).
3. Therefore, on June 16, 2021, as a courtesy, the Division informed the RESPONDENT it would not issue an administrative fine if he submitted his form as soon as possible.
4. On or about June 21, 2021, the RESPONDENT submitted his Form 546A for calendar year 2021 in response to the Division’s letter.
5. On May 11, 2022, the Division received RESPONDENT’S Form 546A for calendar year 2022.

1 imposed by the Division, the Division's pre-hearing costs and fees in the amount of \$320.00, and pre-
2 hearing attorney's fees in the amount of \$1,036.47.

3 a. The Amount Due shall be payable to the Division in four (4) equal monthly
4 installments of Four Hundred One Dollars and 62/100 cents (\$401.62), with first
5 installment payment to be made within thirty (30) days of the date the order approving
6 this settlement is signed. Lump sum pre-payments may be made to the Division at any
7 time with no penalty.

8 b. No grace period is permitted. If any scheduled payment is not actually received by
9 the Division on or before its due date, the non-payment shall be construed as an event of
10 default by Respondent.

11 2. RESPONDENT and the Division agree that by entering into this Stipulation, the Division
12 does not concede any defense or mitigation RESPONDENT may assert and that once this Stipulation is
13 approved and fully performed, the Division will close its file in this matter.

14 3. The Division agrees not to pursue any other or greater remedies or fines in connection
15 with RESPONDENT'S alleged conduct referenced herein. The Division further agrees that unless
16 RESPONDENT fails to make timely payment, the Division will not bring any claim or cause directly or
17 indirectly based upon any of the facts, circumstances, or allegations discovered during the Division's
18 investigation and prosecution of this case.

19 4. RESPONDENT agrees and understands that by entering into this Stipulation
20 RESPONDENT is waiving his right to a hearing at which RESPONDENT may present evidence in his
21 defense, his right to a written decision on the merits of the complaint, his rights to reconsideration and/or
22 rehearing, appeal and/or judicial review, and all other rights which may be accorded by the Nevada
23 Administrative Procedure Act, the Nevada Real Estate Brokers and Salespersons statutes and
24 accompanying regulations, and the federal and state Constitutions. RESPONDENT understands that this
25 Agreement and other documentation may be subject to public records laws. The Commission members
26 who review this matter for approval of this Stipulation may be the same members who ultimately hear,
27 consider, and decide the Complaint if this Stipulation is either not approved by the Commission or is not
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1 timely performed by RESPONDENT. RESPONDENT fully understands that he has the right to be
2 represented by legal counsel in this matter at his own expense.

3 5. RESPONDENT shall bear his own attorney's fees and costs.

4 6. Approval of Stipulation. Once executed, this Stipulation will be filed with the
5 Commission and will be placed on the agenda for approval at its next public meeting. The Division will
6 recommend to the Commission approval of the Stipulation. RESPONDENT agrees that the Commission
7 may approve, reject, or suggest amendments to this Stipulation that must be accepted or rejected by
8 RESPONDENT before any amendment may be considered effective.

9 7. Withdrawal of Stipulation. If the Commission rejects this Stipulation or suggests
10 amendments unacceptable to RESPONDENT, RESPONDENT may withdraw from this Stipulation, and
11 the Division may pursue its Complaint before the Commission.

12 8. Stipulation is Not Evidence. Neither this Stipulation nor any statements made concerning
13 this Stipulation may be discussed or introduced into evidence at any hearing on the Complaint, if the
14 Division must ultimately present its case based on the Complaint filed in this matter.

15 9. Release. In consideration of the execution of this Stipulation, RESPONDENT for himself,
16 his heirs, executors, administrators, successors, and assigns, hereby releases, remises, and forever
17 discharges the State of Nevada, the Department of Business and Industry, and the Division, and each of
18 their respective members, agents, employees, and counsel in their individual and representative
19 capacities, from any and all manner of actions, causes of action, suits, debts, judgments, executions,
20 claims, and demands whatsoever, known and unknown, in law or equity, that RESPONDENT ever had,
21 now has, may have, or claim to have against any or all of the persons or entities named in this section,
22 arising out of or by reason of the Division's investigation of this action, this disciplinary action, and all
23 matters related thereto.

24 10. Indemnification. RESPONDENT hereby agrees to indemnify and hold harmless the State
25 of Nevada, the Department of Business and Industry, Petitioner, the Division, and each of their respective
26 members, agents, employees, and counsel, in their individual and representative capacities, against any
27 and all claims, suits, and actions brought against said persons and/or entities by reason of the Division's
28 investigation, this disciplinary action, and all other matters relating thereto, and against any and all

1 expenses, damages, and costs, including court costs and attorney fees, which may be sustained by the
2 persons and/or entities named in this section as a result of said claims, suits, and actions.

3 11. Default. In the event of default, RESPONDENT agrees that his active licenses and
4 permits issued by the Division, if any, shall be immediately suspended, and the unpaid balance of the
5 administrative fine and costs, together with any attorney's fees and costs that may have been assessed,
6 shall be due in full to the Division within ten calendar days of the date of default. Debt collection actions
7 for unpaid monetary assessments in this case may be instituted by the Division or its assignee.
8 RESPONDENT agrees that the foregoing suspensions shall continue until the unpaid monetary
9 assessments are paid in full.

10 12. RESPONDENT confirms that he has signed and dated this Stipulation only after
11 reading and fully understanding all terms herein.

12 DATED this 17th day of February, 2024.

DATED this 20 day of February, 2024.

13 NEVADA DEPARTMENT OF BUSINESS AND
14 INDUSTRY, REAL ESTATE DIVISION

15 By: 

JAMES J. MANARINO
Respondent

By: 

SHARATH CHANDRA
Administrator

17 Approved as to form:

18 AARON D. FORD
19 Attorney General

20 By: /s/ Phil W. Su

21 PHIL W. SU (Bar No. 10450)
22 Senior Deputy Attorney General
23 SHANNON CHAO (Level 2 Limited
24 Practice Certification Pursuant to
25 SCR 49.3, dated 02/08/2024)
26 555 E. Washington Ave. #3900
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Attorneys for Real Estate Division

