

BEFORE THE REAL ESTATE COMMISSION

STATE OF NEVADA

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

Case No. 2023-724

Petitioner,

vs.

CAROL ANN GRECO,
(S.0055973),

Respondent.

FILED

APR 12 2024

REAL ESTATE COMMISSION

BY *Kelley Valadery*

COMPLAINT AND NOTICE OF HEARING

The REAL ESTATE DIVISION OF THE DEPARTMENT OF BUSINESS AND INDUSTRY OF THE STATE OF NEVADA ("Division") hereby notifies RESPONDENT CAROL ANN GRECO ("RESPONDENT") of an administrative hearing before the STATE OF NEVADA REAL ESTATE COMMISSION ("Commission"). The hearing will be held pursuant to Chapter 233B and Chapter 645 of the Nevada Revised Statutes ("NRS"), and Chapter 645 of the Nevada Administrative Code ("NAC"). The purpose of the hearing is to consider the allegations stated below and to determine if the RESPONDENT should be subject to an administrative penalty as set forth in NRS 645.630(1)(c) and (1)(i), and the discipline to be imposed, if violations of law are proven.

JURISDICTION

RESPONDENT, at all relevant times pertinent to the violations in this Complaint, was actively licensed as a Salesperson (S.0055973). RESPONDENT is, therefore, subject to the jurisdiction of the Division and the Commission, and the provisions of NRS chapter 645 and NAC chapter 645.

FACTUAL ALLEGATIONS

1. At all times relevant to the Complaint, RESPONDENT was licensed as a salesperson (license number S.0055973) with Realty Club Las Vegas, under the supervision of broker Sandra D. Hughes. **NRED0002-0003.**

1 2. In his Complaint/Statement of Fact filed with the Division on September 5,
2 2023, Complainant Vito Mazzara (“Complainant”) stated that RESPONDENT began
3 listing his residence at 1999 Oliver Springs St., Henderson, Nevada 89052 (“the Property”)
4 for sale beginning on or about August 24, 2021, without first obtaining his signature, as
5 property owner, on that initial listing agreement. **NRED0004-0005; 0215-0226.**

6 3. Complainant further asserts that several other documents, including Seller’s
7 Real Property Disclosure Form and approximately eleven change orders that withdrew and
8 relisted the Property from MLS between August 2021 and June 2023 read as having been
9 electronically signed by Complainant, but that Complainant himself never electronically
10 signed any of those documents. **NRED0004-0005.**

11 4. The Authentisign Certificates show Participant Activity by “Vito Mazzara”
12 but with a registered email address of carolgreco49@gmail.com -- RESPONDENT’S email
13 address. **NRED0013; 0015; 0018; 0021; 0024; 0027; 0030; 0033; 0036; 0039; 0042; 0045.**

14 5. RESPONDENT, through her email carolgreco49@gmail.com that was
15 registered with Authentisign as “Vito Mazzara,” completed and electronically signed the
16 Seller’s Real Property Disclosure Form in lieu of Complainant, in direct violation of the
17 Seller’s Real Property Disclosure Form’s instructions, which state: “A seller’s agent shall
18 not complete a disclosure form regarding the residential property on behalf of the seller.
19 **(NRS 113.130(2)).**” **NRED0008.**

20 6. According to Complainant, the only Authentisign signature that came from
21 his own email, vtlm13@aol.com, concerned an April 16, 2023 offer for the Property, to which
22 he made a counter-offer that was subsequently rejected. **NRED0047; 0060.**

23 7. Complainant further alleged that his physical signature was forged multiple
24 times on several other documents, including a Residential Disclosure Guide, an Estimated
25 Sellers Statement, and a Clark County Assessors Tax Cap Form. **NRED0061-0080.**

26 8. In the April 16, 2023, counter-offer form completed by RESPONDENT, under
27 section entitled “Seller Licensee Disclosure of Interest,” the RESPONDENT checked the
28

1 box indicating she “DOES NOT have an interest in a principal to the transaction.”

2 **NRED0157.**

3 9. However, RESPONDENT appears to have had at least an indirect interest in
4 the sale of Complainant’s property because Complainant Vito Mazzara and Dorina
5 Pontarelli owed RESPONDENT \$129,000.00 in loaned funds as of February 20, 2023.

6 **NRED0197.**

7 10. In another email dated February 20, 2023, regarding RESPONDENT’S
8 capability to lend Complainant additional funds, stated: “I am hoping to lend you & Dorina
9 money will help when I file bankruptcy. And then get all the \$\$ back into my account once
10 the bankruptcy is over. Hopefully we sell the house. Praying. But I will appreciate any
11 payment back a little at a time. I have been paying my bills with savings too. Sucks.”

12 **NRED0134.**

13 11. On July 17, 2023, Complainant made the decision to list his home with
14 another sales agent associated with Keller Williams, shortly after which his relationship
15 with RESPONDENT rapidly deteriorated. **NRED0170.**

16 12. On September 14, 2023, the Division issued open investigation letters to
17 RESPONDENT and her broker, seeking responses to Complainant’s allegations and any
18 relevant documents in their possession. **NRED0210; NRED0211.**

19 13. On September 27, 2023, RESPONDENT through counsel submitted a written
20 affidavit responding to Complainant’s allegations, asserting that his complaint to the
21 Division was retaliation for her lawsuit against Complainant for unpaid loans exceeding
22 \$146,000.00, and that she placed an equitable lien and constructive trust on the Property.

23 **NRED0213.**

24 14. RESPONDENT maintains that Complainant issued all the requested change
25 orders himself via electronic signature, that Complainant made a counter-offer the only
26 offer RESPONDENT managed to obtain for the Property, and that Complainant extended
27 his listing agreement with RESPONDENT on August 18, 2022, for an additional year.

28 **NRED0213.**

1 15. In her responsive affidavit, RESPONDENT'S Broker, Sandra Hughes, noted
2 that RESPONDENT had a close personal relationship with COMPLAINANT since July
3 2020, when RESPONDENT initially represented Complainant in his purchase of the
4 Property. **NRED0370.**

5 16. Broker Hughes further asserted RESPONDENT acted in good faith
6 throughout her representation of Complainant, and that all changes to the listing were
7 electronically signed by the client. **NRED0370.**

8 17. RESPONDENT did not send broker Hughes electronic signature requests for
9 any of the documents in this transaction until September 3, 2023, approximately three
10 months after Complainant moved on to another sales agent to market the Property.
11 **NRED0421-0435.**

12 18. Because Broker Hughes did not electronically sign the termination order for
13 the MLS listing until September 3, 2023, RESPONDENT'S MLS listing for the Property
14 apparently remained posted for approximately three (3) months after RESPONDENT was
15 no longer sales agent for the Property. **NRED0421-0427.**

16 19. RESPONDENT was called for a December 4, 2023, hearing before the Ethics
17 Hearing Panel of the Professional Standards Committee of Las Vegas Realtors in Case #
18 23073E. **NRED0137-0141.**

19 20. The Ethics Hearing Panel observed that the Complainant; Complainant's
20 partner, Dorina Pontarelli, and RESPONDENT shared a close, quasi-familial relationship
21 since July 2020, which soured once RESPONDENT retained another salesperson to sell
22 the Property. **NRED0137.**

23 21. After deliberation, the Ethics Hearing Panel issued a decision finding
24 RESPONDENT in violation of Articles 1, 9, and 12 of the Code of Ethics, and imposing a
25 letter of warning, \$500 fine, and 21 hours of continuing education as discipline.
26 **NRED0138.**

27 22. The Ethics Hearing Panel explained its rationale for the discipline as follows:
28 "The close relationship of the parties does not excuse potentially back-dating documents,

1 failure to obtain signatures on change orders, listings and withdrawals of listings, and
2 other formalities as well as failing to provide documentation to the Complainant upon
3 request.” **NRED0138.**

4 23. On February 28, 2024, the Division sent an NRS 233B letter via certified mail
5 indicating that it obtained sufficient evidence to commence disciplinary charges against
6 RESPONDENT and intended to seek a formal hearing before the Real Estate Commission.
7 **NRED0421-0423.**

8 VIOLATIONS OF LAW

9 RESPONDENT committed the following violations of law:

10 1. RESPONDENT violated NRS 645.633(1)(i) pursuant to NAC 645.605(1) for
11 dealing in a deceitful, fraudulent and/or dishonest manner by failing to do her utmost to
12 protect the public against fraud, misrepresentation and/or unethical real estate practices
13 when she knowingly and repeatedly signed her client’s name electronically multiple times
14 during the two-year period that the property was on and off the market.

15 2. RESPONDENT violated NRS 645.633(1)(h) pursuant to NRS 645.252(1)(c)
16 and NAC 645.605(4) when she indicated, on the April 2023 Seller’s Response/counter-offer
17 that she “Does Not” have a principal interest to the transaction, when she did, in fact,
18 expect the proceeds from sale of the Property to apply towards repayment of the
19 \$129,000.00 in funds she loaned to Complainant and Ms. Pontarelli.

20 3. RESPONDENT violated NAC 645.633(1)(h) pursuant to NAC 645.605(1) by
21 completing and signing the Seller’s Real Property Disclosure Form dated August 18, 2021,
22 on behalf of her client contrary to the requirement that the form be completed by the seller
23 pursuant to NRS 113.130(2).

24 4. RESPONDENT violated NRS 645.650(2) by failing to obtain electronic
25 signatures for documents in her transaction file until September 3, 2023, well after her
26 2022 listing agreement with Complainant had terminated and well beyond the five (5)
27 calendar days for broker review.

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1 **DISCIPLINE AUTHORIZED**

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

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

8 Therefore, the Division requests that the Commission take such disciplinary action
9 as it deems 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
13 Chapters 233B and 645 of the Nevada Revised Statutes and Chapter 645 of the Nevada
14 Administrative Code.

15 **THE HEARING WILL TAKE PLACE on May 14, 2024, commencing at 9:00**
16 **a.m., or as soon thereafter as the Commission is able to hear the matter, and each**
17 **day thereafter commencing at 9:00 a.m. through May 16, 2024, or earlier if the**
18 **business of the Commission is concluded. The Commission meeting will be held**
19 **on May 14, 2024, at the Nevada State Business Center, 3300 West Sahara Avenue,**
20 **4th Floor – Nevada Room, Las Vegas, Nevada 89102 with video conferencing to**
21 **Nevada Division of Insurance, 1818 E. College Parkway, Suite 103, Carson City,**
22 **Nevada 89706. The meeting will continue on each day thereafter commencing at**
23 **9:00 a.m. through May 16, 2024, at the Nevada State Business Center, 3300 West**
24 **Sahara Avenue, 4th Floor – Nevada Room, Las Vegas, Nevada 89102 with video**
25 **conferencing to Nevada Division of Insurance, 1818 E. College Parkway, Suite**
26 **103, Carson City, Nevada 89706, until the business of the Commission is**
27 **concluded.**

1 **STACKED CALENDAR:** Your hearing is one of several hearings scheduled
2 at the same time as part of a regular meeting of the Commission that is expected
3 to last from May 14, 2024, through May 16, 2024, or earlier if the business of the
4 Commission is concluded. Thus, your hearing may be continued until later in
5 the day or from day to day. It is your responsibility to be present when your case
6 is called. If you are not present when your hearing is called, a default may be
7 entered against you and the Commission may decide the case as if all allegations
8 in the complaint were true. If you have any questions please call Kelly Valadez,
9 Commission Coordinator (702) 486-4606.

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

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

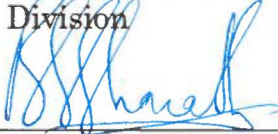
22 You have the right to request that the Commission issue subpoenas to compel
23 witnesses to testify and/or evidence to be offered on your behalf. In making the request,
24 you may be required to demonstrate the relevance of the witness' testimony and/or
25 evidence. Other important rights you have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

27 The purpose of the hearing is to determine if the Respondent has violated NAC 645
28 and/or NAC 645 and if the allegations contained herein are substantially proven by the

1 evidence presented and to further determine what administrative penalty is to be assessed
2 against the RESPONDENT, if any,
3 pursuant to NRS 645.235, 645.633 and/or 645.630.

4 DATED this 11 day of APRIL, 2024.

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

8 By: 
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