

1 **BEFORE THE REAL ESTATE COMMISSION**

2 **STATE OF NEVADA**

3 SHARATH CHANDRA, Administrator,
4 REAL ESTATE DIVISION,
5 DEPARTMENT OF BUSINESS AND
6 INDUSTRY, STATE OF NEVADA,

7 Petitioner,

8 vs.

9 CAROL ANN GRECO
(S.0055973),

10 Respondent.

CASE NO.: 2023-724

**CAROL ANN GRECO'S RESPONSE TO
COMPLAINT AND NOTICE OF
HEARING**

FILED

MAY 28 2024

REAL ESTATE COMMISSION

BY Kelly Valadez

11 Respondent Carol Ann Greco, by and through her attorneys at LIPSON
12 NEILSON P.C., hereby submits her response to the State of Nevada, Department of
13 Business and Industry, Real Estate Division ("the Division") Complaint and Notice of
14 Hearing filed April 12, 2024.

15 **FACTUAL ALLEGATIONS**

16 1. In response to Paragraph 1, Respondent admits she is a licensee, working
17 at Realty Club Las Vegas. With respect to the remaining allegations, Respondent is
18 without knowledge or information sufficient to form a belief as to the truth of the
19 allegations and therefore denies the same.

20 2. In response to Paragraph 2, Respondent denies the allegations.

21 3. In response to Paragraph 3, Respondent denies the allegations.

22 4. In response to Paragraph 4, Respondent denies the allegations.

23 5. In response to Paragraph 5, Respondent denies the allegations.

24 6. In response to Paragraph 6, Respondent denies the allegations.

25 7. In response to Paragraph 7, Respondent denies the allegations.

26 8. In response to Paragraph 8, Respondent denies the allegations.

27 9. In response to Paragraph 9, Respondent denies the allegations.

28 10. In response to Paragraph 10, Respondent is without knowledge or

1 information sufficient to form a belief as to the truth of the allegations and therefore
2 denies the same.

3 11. In response to Paragraph 11, Respondent is without knowledge or
4 information sufficient to form a belief as to the truth of the allegations and therefore
5 denies the same.

6 12. In response to Paragraph 12, Respondent admits the allegations.

7 13. In response to Paragraph 13, Respondent admits the allegations.

8 14. In response to Paragraph 14, Respondent admits the allegations.

9 15. In response to Paragraph 15, Respondent admits the allegations.

10 16. In response to Paragraph 16, Respondent admits the allegations.

11 17. In response to Paragraph 17, Respondent is without knowledge or
12 information sufficient to form a belief as to the truth of the allegations and therefore
13 denies the same.

14 18. In response to Paragraph 18, Respondent is without knowledge or
15 information sufficient to form a belief as to the truth of the allegations and therefore
16 denies the same.

17 19. In response to Paragraph 19, Respondent admits the allegations.

18 20. In response to Paragraph 20, Respondent is without knowledge or
19 information sufficient to form a belief as to the truth of the allegations and therefore
20 denies the same.

21 21. In response to Paragraph 21, Respondent admits the allegations.

22 22. In response to Paragraph 22, Respondent admits the allegations.

23 23. In response to Paragraph 23, Respondent admits the allegations.

24 **VIOLATIONS OF LAW**

25 1. In response to Paragraph 1, Respondent denies the allegations.

26 2. In response to Paragraph 2, Respondent denies the allegations.

27 3. In response to Paragraph 3, Respondent denies the allegations.

28 4. In response to Paragraph 4, Respondent denies the allegations.

LIPSON NEILSON P.C.
9900 Covington Cross Drive, Suite 120
Las Vegas, Nevada 89144
(702) 382-1500 FAX: (702) 382-1512

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

AFFIRMATIVE DEFENSES

FIRST AFFIRMATIVE DEFENSE

Complainant's claims are waived as a result of Complainant's acts and conduct, and as provided in the transaction documents at issue.

SECOND AFFIRMATIVE DEFENSE

Complainant is estopped from asserting the claims herein as a result of Complainant's acts and conduct, and as provided in the transaction documents.

THIRD AFFIRMATIVE DEFENSE

Complainant has unclean hands.

FOURTH AFFIRMATIVE DEFENSE

Some or all of Complainant's claims for relief are barred by Complainant's own acts, omissions and/or negligence.

FIFTH AFFIRMATIVE DEFENSE

Complainant has failed to state a claim upon which relief can be granted.

SIXTH AFFIRMATIVE DEFENSE

Complainant's claims are brought without reasonable ground or to harass.

SEVENTH AFFIRMATIVE DEFENSE

Complainant's claims are an abuse of process.

EIGHTH AFFIRMATIVE DEFENSE

Respondent's conduct was at all times in good faith and with the express consent of Complainant.

NINTH AFFIRMATIVE DEFENSE

Complainant's claims are barred by the Doctrine of Ratification.

TENTH AFFIRMATIVE DEFENSE

Complainant has not been damaged directly, indirectly, or proximately, or in any manner whatsoever, by any conduct of this answering party.

ELEVENTH AFFIRMATIVE DEFENSE

Respondent is an elderly and venerable person within the definition of Nevada

1 law, and at all times the Complainant's actions where an abuse of Respondent, with
2 intent to harm and take advantage of Respondent.

3 **TWELFTH AFFIRMATIVE DEFENSE**

4 Respondent did not breach any alleged duty owed to Complainant.

5 **THIRTEENTH AFFIRMATIVE DEFENSE**

6 Complainant, at all times, acted with express consent of Complainant and at no
7 time acted with any intent to commit fraud or deceit.

8 **PRAYER FOR RELIEF**

9 WHEREFORE, Respondent prays for judgment as follows:

- 10 1. Complete dismissal of alleged violations.

11 Dated this 28th day of May, 2024.

12 LIPSON NEILSON P.C.

13
14 By: /s/ Lisa J. Zastrow
15 LISA J. ZASTROW, ESQ.
16 (Nevada Bar No. 9727)
17 9900 Covington Cross Drive, Suite 120
18 Las Vegas, Nevada 89144
19 (702) 382-1500 - Telephone
20 (702) 382-1512 – Facsimile
21 lzastrow@lipsonneilson.com

22 *Attorneys for Respondent*
23
24
25
26
27
28

1 **CERTIFICATE OF SERVICE**

2 I hereby certify that on the 28th day of May 2024, service of the foregoing **CAROL**
3 **ANN GRECO'S RESPONSE TO COMPLAINT AND NOTICE OF HEARING** was made
4 via electronic mail addressed to the following parties:

5

<p>6 Kelly Valadez 7 Commission Coordinator 8 Shareece N. Bates 9 Administration Section Manager 10 Nevada Real Estate Division 11 3300 W. Sahara Avenue, Suite 350 12 Las Vegas, Nevada 89102 13 kvaladez@red.nv.gov 14 sbates@red.nv.gov</p>	<p>15 Phil W. Su, Esq. 16 Senior Deputy Attorney General 17 555 East Washington Ave. 18 Las Vegas, Nevada 89101 19 psu@ag.nv.gov 20 21 <i>Attorneys for Nevada Real Estate Division</i></p>
----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

22 */s/ Michele Stones*
23 _____
24 An Employee of LIPSON NEILSON P.C.

25
26
27
28
LIPSON NEILSON P.C.
9900 Covington Cross Drive, Suite 120
Las Vegas, Nevada 89144
(702) 382-1500 FAX: (702) 382-1512