

BEFORE THE REAL ESTATE COMMISSION

STATE OF NEVADA

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

Case No. 2023-994

Petitioner,

**FILED**

vs.

JUL 11 2024

PAUL RANDY GUEVARRA,

REAL ESTATE COMMISSION

Respondent.

BY Kelley Valadez

**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 PAUL RANDY GUEVARRA ("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 645.235 and/or NRS 622.400, 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, acted as a broker as defined in NRS 645.030 and/or as a salesperson as defined in NRS 645.040 without the requisite license and 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 this Complaint, RESPONDENT Paul Randy Guevarra ("RESPONDENT") has not been licensed with the Nevada Real Estate Division. [NRED0006-0011].

2. At all times relevant to this Complaint, Cody J. Raynoha ("Raynoha") was a licensed salesperson affiliated with Precision Realty LLC. [NRED0001-0003].

1           3.       On April 20, 2023, the Division received a Statement of Fact from COMPLAINANT  
2 Carey Krumick (“COMPLAINANT”) regarding the potential unauthorized and fraudulent sale of the  
3 property at 3314 El Camino Real, Las Vegas, NV 89121 (“the Property”) purportedly without the  
4 knowledge of, or participation by, true owner Shirley Fredericks (“Fredericks”), a widow in her 80’s who  
5 lives in the United Kingdom. [NRED0013-0014].

6           4.       COMPLAINANT states that he has assisted Ms. Fredericks for over two decades in taking  
7 care of/maintaining the Property and knew that, at all times relevant to this Complaint, the Property was  
8 under renovation, vacant, and boarded up due to issues with squatters and break-ins. [NRED0013-0014].

9           5.       While addressing a code enforcement violation in January 2023 for the Property,  
10 COMPLAINANT learned that the enforcement officer had been turned away by Raynoha, who told the  
11 officer the Property had been sold and the new owners would complete clean-up. [NRED0013-0014].

12           6.       COMPLAINANT confirmed with Fredericks that she had never sold the Property, and  
13 opined that the signature on the new Grant, Bargain, and Sale Deed and Declaration of Value, which  
14 indicates that the Property was sold for \$190,000.00 by Fredericks to Alpha Investment Group Inc., did  
15 not match signatures for Ms. Fredericks that COMPLAINANT had in his possession. [NRED0013-0014;  
16 0015-0019].

17           7.       According to an affidavit provided by a solicitor for Fredericks, Fredericks attests that she  
18 did not offer the Property for sale, never agreed to such a sale, has had no Zoom calls to discuss any such  
19 sale, and has not received any funds from the purported sale of the Property. [NRED0020-0022].

20           8.       On May 23, 2023, a complaint was filed in Eighth District Court regarding the allegedly  
21 fraudulent transaction, which is ongoing as of the filing date of this Complaint. [NRED0089-0104].

22           9.       On May 1, 2023, the Division issued an open investigation letter to Raynoha regarding  
23 the Statement of Fact and requesting his response via affidavit. [NRED0041]

24           10.      On December 5, 2023, the Division issued an open investigation letter to RESPONDENT  
25 regarding the Statement of Fact and requested his response via affidavit. [NRED0043].

26           11.      On May 11, 2023, Raynoha submitted a responsive affidavit, indicating that he  
27 represented Alpha Investment Group Inc. (“Alpha”) in the execution of an Assignment of Real Estate  
28 Purchase and Sale Agreement with RESPONDENT, on behalf of RJR Homes LLC (“RJR”), for the sale

1 of subject property. [NRED0044-0046].

2 12. According to documents provided with Raynoha's affidavit, on or about February 2, 2023,  
3 RESPONDENT, on behalf of RJR, executed a Real Estate Purchase and Sale Agreement for the Property  
4 (the "Purported Purchase Agreement") with Fredericks for the total purchase price of \$190,000.00 (the  
5 "Purchase Price"). [NRED0044-0046; 0047-0051].

6 13. The following day, February 3, 2023, RJR assigned its rights under the Purported  
7 Purchase Agreement to Alpha Investment Group, Inc. "in consideration of the sum of \$25,000.00" (the  
8 "Assignment"), for a total of \$215,000.00, payable at the closing date of February 9, 2023. [NRED0052-  
9 0053].

10 14. In summary, within six days RESPONDENT earned \$25,000.00 from the purchase and  
11 subsequent assignment of the Property, which RESPONDENT immediately resold to a pre-arranged  
12 buyer, Alpha Investment Group, Inc., represented by Raynoha.

13 15. RESPONDENT never recorded any ownership interest of its own in the Property for either  
14 himself or RJR, but instead marketed and sold an Assignment, while Fredericks still remained the title  
15 owner of the Property. [NRED0039-0041]

16 16. On January 30, 2024, attorney Robert Ryan responded to the Division's open investigation  
17 letter on behalf of RESPONDENT Randy Paul Guevarra. [NRED0081-0083].

18 17. In his letter, attorney Ryan indicated that an individual identifying himself as "Frank  
19 Green" reached out to RESPONDENT on January 31, 2023, purporting to represent Fredericks and  
20 proposing an all-cash sale of the Property, which was in distressed condition. [NRED0081].

21 18. RESPONDENT inquired as to the reasons for the sale, and Green represented that  
22 Fredericks "needed to get back to London." [NRED0082].

23 19. Based on RESPONDENT'S experience with prior purchases of distressed real estate he  
24 did not suspect there was anything out of the ordinary about this sale. [NRED0082].

25 20. RESPONDENT, on behalf of RJR, thereafter made a cash offer of \$190,000.00 to  
26 purchase the Property, which Green verbally accepted on the condition that Driggs Title handle the  
27 escrow and transaction. [NRED0082].

28 21. RESPONDENT took photos "to give to possible end buyers and video to post on social

1 media to increase marketing presence.” [NRED0082].

2 22. RESPONDENT, on behalf of RJR, subsequently assigned its rights under the purchase  
3 agreement to Alpha Investment Group, Inc, represented by RESPONDENT. [NRED0052-0053].

4 23. Despite being only an assignor and not the actual owner and seller of the Property,  
5 RESPONDENT personally met with RESPONDENT’S contractor at the Property for inspections, during  
6 which meeting they encountered a squatter living in a “man-made dwelling” on the patio. [NRED0082].

7 24. Guevara told the squatter that the Property was being sold and that she should vacate  
8 within a week. [NRED0082].

9 25. Approximately one day before closing, Driggs Title had an issue that required the closing  
10 to be pushed back by one day, and RESPONDENT states that he alerted Mr. Green to the delay, at which  
11 time Green became very upset because he said his client needed to get back to London. Nevertheless,  
12 Mr. Green eventually agreed to the extra day. [NRED0082-0083].

13 26. RESPONDENT claims he did not know of any issues with the sale until November 2023.  
14 [NRED0082-0083].

15 27. On March 18, 2024, the Division mailed an NRS 233B letter via certified mail to  
16 RESPONDENT, stating the Division’s intent to file a complaint with the Commission for violations of  
17 NRS 645.230(1)(a) and NRS 645.235(1)(a). [NRED0107-0108].

18 28. That same day, the Division mailed an NRS 233B letter via certified mail to Cody  
19 Raynoha, stating the Division’s intent to file a complaint in Case No. 2023-994 against him for violations  
20 of NRS 645.235(1)(b) and NRS 645.633(1)(h). [NRED0104-0106].

21 **VIOLATIONS OF LAW**

22 RESPONDENT has committed the following violations of law:

23 1. RESPONDENT violated NRS 645.NRS 645.230(1)(a) by acting in the capacity of a  
24 real estate broker and/or salesperson, as defined by NRS 645.030 and NRS 645.040, respectively, when  
25 he performed activities constituting the representation of owner Fredericks for which a license is required  
26 under NRS 645, including, but not limited to, taking photos of and marketing a property that he did not  
27 personally own to potential end buyers.

1 2. RESPONDENT violated NRS 645.NRS 645.230(1)(a) by acting in the capacity of a  
2 real estate broker and/or salesperson, as defined by NRS 645.030 and NRS 645.040, respectively, when  
3 he performed activities constituting the representation of owner Fredericks for which a license is required  
4 under NRS 645, including, but not limited to, meeting with contractors retained by Raynoha for  
5 inspections of the Property (which he did not own).

6 3. RESPONDENT violated NRS 645.NRS 645.230(1)(a) by acting in the capacity of a  
7 real estate broker and/or salesperson, as defined by NRS 645.030 and NRS 645.040, respectively, when  
8 he performed activities constituting the representation of owner Fredericks for which a license is required  
9 under NRS 645, including, but not limited to, advising squatters to vacate the Property during the pre-  
10 purchase inspection.

11 4. RESPONDENT violated NRS 645.NRS 645.230(1)(a) by acting in the capacity of a  
12 real estate broker and/or salesperson, as defined by NRS 645.030 and NRS 645.040, respectively, when  
13 he performed activities constituting the representation of owner Fredericks for which a license is required  
14 under NRS 645, including, but not limited to serving as a liaison between Fredericks/Mr. Green and the  
15 title company regarding a closing delay.

16 5. RESPONDENT violated NRS 645.235(1)(a) by willfully and/or knowingly engaging  
17 in activities for which a license is required under NRS 645 without holding any such license from which  
18 he earned \$25,000.00 in compensation according to the Assignment.

19 **DISCIPLINE AUTHORIZED**

20 Pursuant to NRS 645.235(2), the Commission is empowered to impose an administrative fine not  
21 to exceed the amount of any gain or economic benefit that the person derived from the violation or \$5,000,  
22 whichever amount is greater.

23 Additionally, under NRS Chapter 622, the Commission is authorized to impose costs of the  
24 proceeding upon RESPONDENT, including investigative costs and attorney's fees, if the Commission  
25 otherwise imposes discipline on RESPONDENT.

26 Therefore, the Division requests that the Commission take such disciplinary action as it deems  
27 appropriate under the circumstances.

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1 **NOTICE OF HEARING**

2 **PLEASE TAKE NOTICE**, that a disciplinary hearing has been set to consider the  
3 Administrative Complaint against the above-named Respondent in accordance with Chapters 233B and  
4 645 of the Nevada Revised Statutes and Chapter 645 of the Nevada Administrative Code.

5 **THE HEARING WILL TAKE PLACE** on August 13, 2024, commencing at 9:00 a.m., or as  
6 soon thereafter as the Commission is able to hear the matter, and each day thereafter commencing  
7 at 9:00 a.m. through August 15, 2024, or earlier if the business of the Commission is concluded.  
8 The Commission meeting will be held on August 13, 2024, at the Nevada Division of Insurance,  
9 1818 E. College Parkway, Suite 103, Carson City, Nevada 89706, with video conference to the  
10 Nevada State Business Center, 3300 West Sahara Avenue, 4<sup>th</sup> Floor, Nevada Room, Las Vegas,  
11 Nevada 89102. The meeting will continue on each day thereafter commencing at 9:00 a.m. through  
12 August 15, 2024, until the business of the Commission is concluded.

13 **STACKED CALENDAR:** Your hearing is one of several hearings scheduled at the same  
14 time as part of a regular meeting of the Commission that is expected to last from August 13, 2024,  
15 through August 15, 2024, or earlier if the business of the Commission is concluded. Thus, your  
16 hearing may be continued until later in the day or from day to day. It is your responsibility to be  
17 present when your case is called. If you are not present when your hearing is called, a default may  
18 be entered against you and the Commission may decide the case as if all allegations in the complaint  
19 were true. If you have any questions, please call Kelly Valadez, Commission Coordinator, at (702)  
20 486-4606.

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

26 As the Respondent, you are specifically informed that you have the right to appear and be heard  
27 in your defense, either personally or through your counsel of choice. At the hearing, the Division has the  
28 burden of proving the allegations in the complaint and will call witnesses and present evidence against

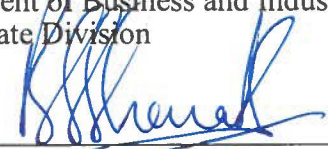
1 you. You have the right to respond and to present relevant evidence and argument on all issues involved.  
2 You have the right to call and examine witnesses, introduce exhibits, and cross-examine opposing  
3 witnesses on any matter relevant to the issues involved.

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

8 The purpose of the hearing is to determine if the Respondent has violated NRS 645 and/or NAC  
9 645 and if the allegations contained herein are substantially proven by the evidence presented and  
10 to further determine what administrative penalty is to be assessed against the RESPONDENT, if any,  
11 pursuant to NRS 645.235, 645.633 and or 645.630.

12 DATED the 10 day of July, 2024.

13 State of Nevada  
14 Department of Business and Industry  
15 Real Estate Division

16 By:   
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