

**NEVADA REAL ESTATE COMMISSION  
MINUTES**

**IN PERSON AND VIRTUAL VIA WEBEX**

May 14, 2024

Nevada State Business Center  
3300 W. Sahara Avenue  
4<sup>th</sup> Floor – Nevada Room  
Las Vegas, Nevada 89102

VIDEO CONFERENCE TO:  
Nevada Division of Insurance  
1818 East College Parkway  
Suite 103  
Carson City, Nevada 89706

The meeting was called to order at 9:06 AM

**1-A) Introduction of Commissioners in Attendance**

Lee Gurr, Elko County; Darrell Plummer, Washoe County; Donna A. Ruthe, Clark County; David Tina, Clark County; and Forrest Barbee, Clark County.

Commission Counsel: Deputy Attorney General Ziwei Zheng

**1-B) Swearing in of Newly Appointed Commissioner**

Commissioner Forrest Barbee was sworn in.

**1-C) Introduction of Division Staff in Attendance**

Sharath Chandra, Administrator; Charvez Foger, Deputy Administrator; Shareece Bates, Administration Section Manager; Kelly Valadez, Commission Coordinator; Maria Gallo, Commission Coordinator; Jan Holle, Chief Compliance Audit Investigator; Shannon Goddard, Compliance Audit Investigator; Annalyn Carrillo, Education and Information Officer; Shaun McLean, Compliance Audit Investigator; Senior Deputy Attorney General Phil Su and Deputy Attorney General Christal P. Keegan representing the Division.

**2) Public Comment**

No public comment.

**7-C) NRED v Charles F. Bowshier, for possible action  
Case No. 2023-463**

Parties Present

Charles Bowshier was present.

Jocelyne Uy, Esq. was present representing Charles Bowshier.

Christal P. Keegan, Deputy Attorney General, was present representing the Division.

Maria Rangel, complainant, was present.  
Miriam Jimenez, Spanish Translator, was present.

### Preliminary Matters

Ms. Keegan stated that through last-minute efforts, Mr. Bowshier does not contest the factual allegations and violations of law in the Division's complaint filed January 9, 2024, and its first amended complaint filed March 13, 2024. Ms. Keegan stated that Mr. Bowshier has provided a written statement to the Commission that was filed May 13, 2024, and the complainant, Ms. Rangel, would like to address the Commission. Ms. Keegan stated that Mr. Bowshier's attorney would also like to address the Commission in consideration of the disciplinary action pursuant to NRS 645.630 and NRS 645.633 and that the State does not have a problem with that but does not agree that the pending civil lawsuit has prevented Mr. Bowshier from making the complainant whole nor is it relevant. Ms. Keegan stated that the State had to incur the costs of preparing this case for a full hearing because the stipulation to the facts and violations came on the eve of this hearing and she is asking the Commission to honor those costs and adopt the disciplinary recommendations by the Division.

Maria Rangel gave a statement in Spanish interpreted by Ms. Jimenez, the Spanish translator. Maria Rangel stated that she trusted Mr. Bowshier, as a Spanish speaking realtor, to help her with the documents to sell her home. Ms. Rangel stated that when she went to Netco Title Company to sign the documents, Mr. Bowshier was not present. Ms. Rangel stated that she had expected Mr. Bowshier to be present to assist with the signing of the documents and she was confused because the documents were written in English, and Mr. Bowshier had informed Netco Title ahead of time that she did not speak English. Ms. Rangel stated that she was presented with the settlement statement, and if Mr. Bowshier had been present at the signing of the documents, he could have stopped the transaction right then. Ms. Rangle stated that Mr. Bowshier gave her a handwritten confession and stated that he would pay her \$90,000.00, but to date, that has not happened. Ms. Rangel stated that she was upset that Mr. Bowshier forged her name to sell her home for nearly a \$100,000.00 loss. Ms. Rangel stated that she would like restitution for the fraud that Mr. Bowshier committed against her and that was the reason she filed the complaint with the Division and the lawsuit against Mr. Bowshier. Ms. Rangel stated that in front of herself and her husband, Mr. Bowshier committed to paying them \$70,000.00 from his mom's inheritance. Ms. Rangel stated that when Mr. Bowshier says his insurance carrier will not pay anything until the court case is resolved, that has nothing to do with the estate money that he promised. Ms. Rangel stated that she feels betrayed, and Mr. Bowshier did not do the right thing.

President Gurr asked if the allegation in the complaint was, instead of Mr. Bowshier selling Ms. Rangel's house for \$332,000.00, the purchase contract was for \$242,000.00, which was a difference of \$90,000.00.

Ms. Rangel answered yes.

President Gurr asked if it was \$70,000.00 that was coming from Mr. Bowshier's mother's estate.

Ms. Rangel stated that Mr. Bowshier said he would pay her \$90,000.00.

Ms. Keegan stated that Mr. Bowshier's handwritten confession stated that he would pay Ms. Rangel \$70,000.00 from his mother's inheritance and \$20,000.00 gradually through his real estate commissions for a total of \$90,000.00.

Ms. Rangel stated that is correct.

Ms. Uy stated that Mr. Bowshier understands that he made a mistake, and his intent is to reimburse the client the amount of the error, however when he created that document, he did it as a security in the event that he did not pay, the client could present that, but before he could get to the point of payment, the civil action was filed in District Court. Ms. Uy stated that she has been working with the Deputy Attorney General to find the best remedy for this matter knowing that there is a civil litigation in progress, as well as this proceeding, but the insurance company now controls the repayment, so guidance is being requested to reach a resolution, as to not disturb one process or the other.

Ms. Keegan stated that the pending civil lawsuit has no effect on the ability of the Commission to decide the appropriate disciplinary action in this matter. Ms. Keegan stated that Mr. Bowshier has not made the complainant whole and she will defer to the Division and its recommendations.

Ms. Uy stated that Mr. Bowshier's intent is to make the complainant whole. Ms. Uy stated that an offer was presented by the State for Mr. Bowshier to either surrender his license or pay the amount and the question in response was, if Mr. Bowshier pays the amount in this administrative hearing, how does that effect the civil action, and no one could give guidance. Ms. Uy stated that Mr. Bowshier wants to keep his license, but she could not advise him to pay the amount when there is civil action is pending.

Ms. Keegan stated that the State disagrees that the civil litigation is preventing Mr. Bowshier from paying because in civil litigation there are settlement waivers and resolution of claims had he made Ms. Rangel whole.

President Gurr stated that she is inclined to grant a continuance in this matter to give the complainant the opportunity to settle the adjudication and have the respondent appear back before the Commission after he has had an opportunity to make the complainant at least partially whole.

Commissioner Ruthe stated that the complaint with the Division and the civil action are two separate entities, and the Commission is here to protect the public. Commissioner Ruthe stated that she disagrees with a continuance.

President Gurr stated that to elaborate on her previous comment, there is no way to anticipate what will happen in the future unless there is a confirmed path of non-compliance in evidence, which there is not. President Gurr stated that if the Commission is considering disciplinary action based on no restitution being made, her reaction is different, than if Mr. Bowshier appeared before the Commission with proof that he had paid the \$70,000.00 from his mother's estate that he agreed to pay.

Commissioner Plummer stated that this is not the first time that a case has been before the Commission where there is a civil action in unison and there has never been any conversation of the Commission delaying their process. Commissioner Plummer asked without a stipulation for settlement in front of the Commission, would this matter move forward as a full hearing by the Commission.

Ms. Keegan stated that this matter would go into a full hearing, but in the preliminary matters respondent stipulated to the facts and violations of law in the Division's complaint and first amended complaint, so the Commissioners can accept that as true and move forward with the disciplinary action.

Commissioner Plummer stated that he would like to proceed with the Division's recommendations for discipline.

Commissioner Tina stated that he agrees with Commissioner Plummer because this house closed on June 9, 2023, and none of the \$90,000.00 has been paid back, and that Mr. Bowshier signed for Mr. and Mrs. Rangel.

Commissioner Barbee stated that the statement of apology was too little, too late, and the delays are mounting.

Ms. Keegan read the factual allegations and violations of law from the complaint filed on January 9, 2024, and the additional violation of law #4 from the first amended complaint filed on March 13, 2024, into the record.

Mr. Bowshier stated his case.

Ms. Keegan questioned Mr. Bowshier.

The Commission questioned Mr. Bowshier.

#### Factual Allegations

Commissioner Ruthe moved that the factual allegations have been proven. Seconded by Commissioner Plummer. Motion carried.

#### Violations of Law

Commissioner Plummer moved that the violations of law have been proven. Seconded by Commissioner Tina. Motion carried.

#### Division's Recommendation for Discipline

Jan Holle presented this:

- \$20,000.00 fine, plus the costs of the hearing and investigation in the amount of \$5,579.83 within one year of the effective date of the order.
- Revocation of all licenses and permits.

Commissioner Plummer moved in the matter of NRED v Charles F. Bowshier case# 2023-463 that the Commission impose a fine of \$20,000.00 plus the costs of the hearing and investigation in the amount of \$5,579.83 to be payable within one year of the effective date of the order, and revocation of all licenses and permits. Seconded by Commissioner Tina.

President Gurr stated that having reread the complaint, response, and letter of apology, Mr. Bowshier's actions with this specific incident is not a continuing pattern of practice and he was distraught over the death of his mother, so she is not in support of revoking his licenses and permits.

Commissioner Plummer stated that when you sign something electronically or with a pen in your hand, that is forgery, so anyone who does that once, or more than once, their license should be revoked.

Commissioner Ruthe stated that this is the one time that the respondent was caught, and they do not know if it has happened before, and that everyone will have tragedies in their lifetime, but forgery is a big wrongdoing.

Motion carried 4:1 with President Gurr opposed.

**7-E) NRED v Ivan Alarcon, for possible action**  
**Case No. 2023-954**

Parties Present

Ivan Alarcon was present.

Janeen Isaacson, Esq. was present representing Ivan Alarcon.

Christal P. Keegan, Deputy Attorney General, was present representing the Division.

Preliminary Matters

Ms. Keegan stated that there are two motions, the respondent's Motion for Partial Summary Judgement and the State's Motion in Limine, for consideration by the Commission prior to hearing this case. Ms. Keegan stated that the respondent's Motion for Partial Summary Judgement was filed on May 1, 2024, and the Division filed its Opposition to the motion on May 2, 2024. Ms. Keegan stated that on May 10, 2024, a reply by the respondent was filed, and pursuant to NAC 645.840, it does not prescribe the option to file a reply, and pursuant to NAC 645.840(4), the State is requesting an opportunity for brief oral argument based on that submission.

President Gurr stated that the Commission would begin hearing the Motion for Partial Summary Judgement.

Ms. Isaacson stated a complaint was filed before this Commission that alleges five factual allegations, but even if all five factual allegations were true, the violations cannot be proven. Ms. Isaacson stated that the allegations in the complaint are asking this Commission to classify Mr. Alarcon's felony as a crime of moral turpitude, as well as a crime related to the practice of real estate, neither of which have been proven by this complaint. Ms. Isaacson stated that on February 14, 2022, Mr. Alarcon, while driving with his girlfriend as a passenger, was in an accident. Ms.

Isaacson stated that both Mr. Alarcon and his girlfriend suffered catastrophic injuries. Ms. Isaacson stated that Mr. Alarcon was later prosecuted for his actions, and he accepted a plea of attempted reckless driving which was a felony. Ms. Isaacson stated that under Mr. Alarcon's plea, for the first two years he has a felony on his record, then in year three, he can apply to have it reduced to a misdemeanor. Ms. Isaacson stated that there is no dispute that a felony exists but do dispute that this Commission can classify that felony as either a crime of moral turpitude or relating to his real estate license. Ms. Isaacson stated that her brief sets out what a crime of moral turpitude is and included in Exhibit 1, are excerpts from the legislative session when the rules were created, including the language in the statute. Ms. Isaacson stated that a crime of moral turpitude must be a crime of such horrific nature that is morally offensive to society and that is not what has happened in this case. Ms. Isaacson stated that the State also argues that this crime relates to the practice of real estate. Ms. Isaacson stated that having the ability to drive makes it convenient to be a real estate agent, but it is not a requirement, and not having a driver's license does not mean a person cannot continue in the practice of real estate because the two are not connected. Ms. Isaacson stated that she is asking the Commission to consider and realize that even if the five factual allegations in the complaint are true, there are no facts that support the violations, and by law must be dismissed, Mr. Alarcon's felony was not the type of felony that needed to be reported, but Mr. Alarcon reported it to the Division in good faith and disclosed it in a timely manner.

Ms. Keegan stated that the State disagrees that the complaint does not support the violations of law because the complaint was drafted in accordance with NRS 233B.121(2) by adequately alleging the legal and factual sufficiency of the case. Ms. Keegan stated that the complaint contains factual allegations that substantiate moral turpitude, and the facts demonstrate that Mr. Alarcon's felony does concern driving and the State is prepared to present that driving is related to the practice of real estate. Ms. Keegan stated that NRS 645.330 is cited in the respondent's motion and pursuant to NRS 241.020 the Commission cannot take action on items not on the agenda and this is not a license denial appeal. Ms. Keegan stated that currently Mr. Alarcon's license is in active status and the Division has not denied Mr. Alarcon anything, so he lacks standing on those prospective arguments. Ms. Keegan stated that this case is being presented to the Commission because of Mr. Alarcon failing in his duty to properly report his felony conviction. Ms. Keegan stated that Ms. Isaacson is arguing that Mr. Alarcon did not have to report his guilty plea to his felony conviction to the Division and suggests for the Commission to consider the judgement of conviction date as to when the 10 days to reports start, but nowhere does NRS 645.615 say from judgement of conviction, so this suggestion is arbitrary and plainly wrong. Ms. Keegan stated that the Commission should deny Mr. Alarcon's Motion for Partial Summary Judgement pursuant to NAC 645.840 and consider all the papers filed with the oral arguments presented.

Ms. Isaacson stated that NRS 645.330 is relevant and should be considered by this Commission, because this is the statute that will be considered by the Division for the denial of Mr. Alarcon's license renewal.

Ms. Keegan stated that nowhere in the Division's complaint is NRS 645.330 cited, Mr. Alarcon's license has not been denied by the Division, and this case is not about a license denial appeal for discussion by the Commission.

Commissioner Plummer moved in the matter of Ivan Alarcon case# 2023-954 that this Commission deny the Motion for Partial Summary Judgement. Seconded by Commissioner Ruthe. Motion carried.

Ms. Keegan stated that after reviewing Mr. Alarcon's opposition to the State's Motion in Limine pursuant to NAC 645.840(4), it is understood that they have amended their witness list to five witnesses and provided information about the testimony they intend to illicit from each witness. Ms. Keegan stated that the State will make a standing objection to the intended testimony because it is not relevant to whether Mr. Alarcon met his duty to report his felony crime to the Division and it calls for speculation and it is not rationally based on their perception. Ms. Keegan stated that the State objects to the admission of their witness #H, Javier Escobedo, who was not timely disclosed in their witness list on May 6, 2024, nor in their addendum on May 7, 2024, and the State has not seen the affidavit and it should not be allowed because it deprives the State the opportunity to cross-examine. Ms. Keegan stated that the witnesses, Pablo Covarrubias', Sergio Alarcon's, Vianey Ortiz', and Jess Saldana's, testimony should be limited to a reasonable fifteen minutes each and the State should have the opportunity to cross-examine each witness pursuant to NAC 645.810(7). Ms. Keegan stated that exhibits 7-12 should be excluded because it has nothing to do with whether Mr. Alarcon properly met his duty to report his felony crime to the Division.

Ms. Isaacson stated that this case is asking the Commission to classify Mr. Alarcon's felony as a crime of moral turpitude so that when he goes to renew his license, the Division can deny his license and continue doing so for a period of six years, as well as to clarify that Mr. Alarcon's felony is related to the practice of real estate. Ms. Isaacson stated that statutory language does not say realtors have to report all felonies, but rather certain felonies that were listed specifically, or classified as a crime of moral turpitude or as a crime related to the practice of real estate. Ms. Isaacson stated that the Commission is being asked to clarify Mr. Alarcon's crime as a crime of moral turpitude or one relating to the practice of real estate because it does not fall under the stated felonies and that decision by the Commission will result in a six-year suspension of his license. Ms. Isaacson stated that they have voluntarily limited their witnesses in response to the State's motion, and the remaining witnesses listed will be testifying to combat the contention that this is a crime of moral turpitude and related to the practice of real estate, as well as to Mr. Alarcon's character.

Commissioner Plummer moved in the matter of NRED v Ivan Alarcon case# 2023-954 to allow respondent's witnesses A, C, D, and J limited to no more than fifteen minutes each, excluding witness H and exhibits 7-12. Seconded by Commissioner Barbee. Motion carried.

Ms. Isaacson stated that the letters mentioned in the motion identifying witnesses allowed to testify do not reflect the witnesses that they want to testify.

Commissioner Plummer stated that he will revise his motion by naming the witnesses to testify as Ivan Alarcon, Pablo Covarrubias, Sergio Alarcon, Vianey Ortiz, and Jess Saldana. Seconded by Commissioner Barbee. Motion carried.

Opening Statements

Ms. Keegan gave an opening statement.

Ms. Isaacson gave an opening statement.

Respondent's Witness

Vianey Ortiz testified.

Ms. Keegan cross-examined the witness.

Ms. Isaacson re-examined the witness.

The Commission had no questions.

The witness was dismissed.

Ms. Keegan moved to admit State's exhibits bates stamped NRED 001-035 into the record.

State's Witness

Rebecca Bruce testified.

Ms. Keegan asked that the State's exhibit 2 attached to the Petitioner's Motion in Limine to Exclude Repetitious Witnesses and Irrelevant Evidence be admitted into the record.

President Gurr stated so moved.

Ms. Isaacson moved to admit Respondent's exhibits 1-6 bates stamped ALARCON 001- 052 into the record.

President Gurr stated so moved.

Ms. Isaacson re-examined the witness.

The Commission questioned the witness.

The witness was dismissed.

Ms. Isaacson moved to admit respondent's exhibits 13 and 14, bates stamped ALARCON 199 – 203, into the record.

President Gurr stated so moved.

Respondent's Witness

Jess Saldana testified.

Ms. Keegan cross-examined the witness.



The Commission had no questions.

The witness was dismissed.

Respondent's Witness

Pablo Covarrubias testified.

Ms. Keegan cross-examined the witness.

Ms. Isaacson re-examined the witness.

The Commission had no questions.

The witness was dismissed.

Respondent's Witness

Sergio Alarcon testified.

Ms. Keegan cross-examined the witness.

The Commission had no questions.

The witness was dismissed.

Respondent Testified

Ivan Alarcon testified.

Ms. Keegan cross-examined Mr. Alarcon.

Mr. Isaacson re-examined Mr. Alarcon.

President Gurr stated that this case will be continued until tomorrow morning with questions from the Commission.

**4-A) For Possible Action: Discussion and Decision Concerning Real Estate Advisory Review Committee Application.**

**William Bradley Spires, License No.: BS.0028960**

Commissioner Tina moved to approve this application. Seconded by Commissioner Ruthe. Motion carried.

**3-F) Discussion and Decision to Approve Minutes of the February 20-21, 2024, Meeting.**

Commissioner Ruthe moved to approve the minutes of the February 20-21, 2024, meeting. Seconded by Commissioner Tina. Motion carried 4:0 with Commissioner Barbee abstaining because he was not part of the Commission during the February 20-21, 2024, meeting.

**3-G) Discussion and Decision on Date, Time, Place, and Agenda Items for Upcoming Meetings.**

- August 13-15, 2024, in Carson City

**8) Public Comment**

No public comment.

**9) For Possible Action: Adjournment**

Meeting recessed at 4:52 p.m. on May 14, 2024.

**NEVADA REAL ESTATE COMMISSION  
MINUTES**

**IN PERSON AND VIRTUAL VIA WEBEX**

May 15, 2024

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3300 W. Sahara Avenue  
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Las Vegas, Nevada 89102

VIDEO CONFERENCE TO:  
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The meeting was called to order at 9:08 AM

**1-A) Introduction of Commissioners in Attendance**

Lee Gurr, Elko County; Darrell Plummer, Washoe County; Donna A. Ruthe, Clark County; David Tina, Clark County; and Forrest Barbee, Clark County.

Commission Counsel: Deputy Attorney General Ziwei Zheng

**1-C) Introduction of Division Staff in Attendance**

Sharath Chandra, Administrator; Charvez Foger, Deputy Administrator; Shareece Bates, Administration Section Manager; Kelly Valadez, Commission Coordinator; Maria Gallo, Commission Coordinator; Jan Holle, Chief Compliance Audit Investigator; Annalyn Carrillo, Education and Information Officer; Shaun McLean, Compliance Audit Investigator; Senior Deputy Attorney General Phil Su and Deputy Attorney General Christal P. Keegan representing the Division.

**2) Public Comment**

No Public Comment.

**3-A) Discussion Regarding the Administrator's Report.**

Sharath Chandra stated that the Division received approval for the new software contract and the vendor has been selected, as well as a consultant who has started working on the project by mapping out the current licensing processes and various other components to assist the vendor when they begin their work with the goal of having the system up and running by June of 2025. Mr. Chandra stated that the Division has a Bill Draft Request (BDR) with the Governor's Office for self-funding where the Division has presented the position of controlling its own funds based on what comes in rather than depending on the general fund for an annual allocation. Mr. Chandra stated that Division's plan with part of the budget request is to have a couple of

licensing staff positions in the Northern office. Mr. Chandra stated that the regulation changes for NAC 645 that the Commission passed will be going before the interim legislative committee for approval.

**7-E) NRED v Ivan Alarcon, for possible action**  
**Case No. 2023-954**

Parties Present

Ivan Alarcon was present.

Janeen Isaacson, Esq. was present representing Ivan Alarcon.

Christal P. Keegan, Deputy Attorney General, was present representing the Division.

The Commission questioned Mr. Alarcon.

The witness was dismissed.

Closing Statements

Ms. Keegan gave a closing statement.

Ms. Isaacson gave a closing statement.

Commissioner Tina stated that he wanted to disclose to both sides that he was Mr. Alarcon general manager approximately fifteen years ago but believes he would be able to deliberate in this matter impartially.

Ms. Isaacson stated that she had no objection.

Ms. Keegan stated that she had no objection.

Commissioner Ruthe stated that the notification of the felony conviction was not done correctly, and real estate licensees know that should be disclosed immediately when it happens.

Commissioner Ruthe stated that she would like to discuss the first violation of law that has parts a and b regarding moral turpitude.

Commissioner Plummer stated that he does not see where this case involved moral turpitude, but the respondent should have notified the Division of the felony conviction in a timely manner.

Commissioner Tina stated that he is not in favor of the first violation of law involving moral turpitude, but the second violation of law regarding reporting the felony conviction to the Division in a timely manner was violated, even though the respondent voluntarily disclosed the conviction prior to it being revealed.

Commissioner Barbee stated that he is undecided regarding the moral turpitude but clearly the reporting date of the felony conviction was not done in a timely manner.

Ziwei Zheng, Commission Counsel, read NRS 645.615 into the record for the Commission's discussion and consideration.

President Gurr stated that she sees the Alford plea signed on June 15, 2023, by Mr. Alarcon as an agreement that he would plea if it was supported by the court, but not an entry, then on October 12, 2023, the respondent was sentenced, and the entry was not until December 8, 2023, which would give the respondent until December 18, 2023, to notify the Division. President Gurr stated that regarding the violation of moral turpitude, she does not want to debate moral because there are numerous interpretations and definitions of moral, but every definition of turpitude that she has looked at included the words depravity and wickedness, which she does not see in this case.

Commissioner Ruthe stated that there is an issue with the interpretation of the ten days to report the felony and she disagrees with President Gurr of when that should have been disclosed, because the respondent should have notified the Division within ten days from June 15, 2023.

Commissioner Tina stated that he agrees with Commissioner Ruthe regarding the timeframe for reporting the felony to the Division, but there is not a violation regarding moral turpitude. Commissioner Tina stated that even with the issue of reporting the felony to the Division, if violations of law 1 and 2 both need to be proven for either one to be true, that is a dilemma because he cannot consider moral turpitude in this instance.

Commissioner Plummer stated that after reading NRS 645.615 more closely, he is not in favor of supporting either violation of law.

#### Factual Allegations

Commissioner Plummer moved in the matter of NRED v Ivan Alarcon case# 2023-954 that those factual allegations 1-5 have been proven. Seconded by Commissioner Barbee. Motion carried.

#### Violations of Law

Commissioner Plummer moved in the matter of NRED v Ivan Alarcon case# 2023-954 that violation of law 1 has not been proven. Seconded by Commissioner Ruthe. Motion carried.

Commissioner Plummer moved in the matter of NRED v Ivan Alarcon case# 2023-954 that violation of law 2 has not been proven. Seconded by Commissioner Ruthe. Motion carried.

#### **7-A) NRED v Claudia Townsend, for possible action** **Case No. 2023-899**

##### Parties Present

Claudia Townsend was not present.

Christal P. Keegan, Deputy Attorney General, was present representing the Division

##### Preliminary Matters

Ms. Keegan stated that Ms. Townsend is not in attendance but did submit a written statement to the Commission that was provided in the meeting packet. Ms. Keegan summarized the complaint and stated that a stipulation for settlement has been reached in this matter and signed by the respondent.

Settlement

- Respondent agrees to pay the Division a total amount of \$1,238.16 ("Amount Due"), consisting of a \$250.00 fine imposed by the Division, the Division's pre-hearing costs and fees in the amount of \$360, and the Attorney's pre-hearing costs and fees in the amount of \$628.16 payable to the Division in full upon approval of this Stipulation by the Commission.

Commissioner Barbee moved in the matter of NRED v Claudia Townsend case# 2023-899 that the stipulation for settlement of disciplinary action be approved as presented. Seconded by Commissioner Tina. Motion carried.

**7-B) NRED v Sophia Madalena Smith, for possible action**

**Case No. 2024-67**

Parties Present

Sophia Madalena Smith was present.

Christal P. Keegan, Deputy Attorney General, was present representing the Division

Preliminary Matters

Ms. Keegan stated that a stipulation for settlement has been reached in this matter. Ms. Keegan read a summary of the factual allegation, violations of law, and proposed settlement into the record.

Settlement

- Respondent agrees to pay the Division a total amount of \$6,536.32 ("Amount Due"), consisting of a \$5,000 fine imposed by the Division, the Division's pre-hearing costs and fees in the amount of \$280, and the Attorney's pre-hearing costs and fees in the amount of \$ 1,256.32 within 24 months.  
The Amount Due shall be payable to the Division as follows:  
Respondent shall pay in monthly payments to start 120 days after approval of this Stipulation by the Commission, as follows:  
1st Year: 12 payments at \$275/month  
2nd Year: 11 payments at \$275/month  
With \$211.32 on the 12th and final payment in the 2nd year for a total payment of \$6,536.32, as being the total Amount Due hereunder. At any time, Respondent may elect to make pre-payments on the Amount Due with no penalties so long as the monthly amount due in the annual period is satisfied in full as specified above.
- Respondent further agrees to voluntarily surrender her real estate salesperson license.

Commissioner Ruthe moved in the matter of NRED v Sophia Madalena Smith case# 2024-67 that the stipulation for settlement of disciplinary action be approved as presented. Seconded by Commissioner Tina. Motion carried.

**7-D) NRED v Dinora Sharpe, for possible action**  
**Case No. 2023-460**

Parties Present

Dinora Sharpe was present.

John Spilotro, Esq. was present representing Dinora Sharpe.

Lisa Szyc, Esq. was present representing Dinora Sharpe.

Christal P. Keegan, Deputy Attorney General, was present representing the Division.

Opening Statements

Ms. Keegan gave an opening statement.

Mr. Spilotro gave an opening statement.

State's witness

Rebecca Bruce testified.

Ms. Keegan moved to have the State's exhibits bates stamped NRED 000001-000353 be admitted.

Mr. Spilotro objected to the notations, and everything included in State's exhibit B because it contains hearsay and additional information added by unknown people.

President Gurr stated that the appropriate foundation for the source of the documents has been proven so the State's exhibits NRED 000001-000353 are admitted.

Mr. Spilotro stated that he has a standing objection to the State's exhibit bates stamped NRED 000098.

President Gurr stated the standing objection is accepted for the record.

Ms. Szyc stated that she had no objection to admitting respondent's documents bates stamped DS000286-000291.

President Gurr stated respondent's exhibits DS000286-000291 are admitted.

Mr. Spilotro stated that he will stipulate to respondent's document bates stamped DS000409 being admitted.

President Gurr stated so admitted.

Mr. Spilotro stated that he will stipulate to respondent's document bates stamped DS000062 being admitted.

President Gurr stated respondent's exhibit DS000062 is admitted.

Mr. Spilotro cross-examined the witness.

Ms. Keegan re-examined the witness.

The Commission questioned Ms. Bruce.

The witness was dismissed.

Dinora Sharpe was Called by Ms. Keegan to Testify

Ms. Keegan examined the witness.

Ms. Keegan moved to admit respondent's exhibit 14, bates stamped DS000651-000663, into the record.

Ms. Szyc stated that she had no objection to admitting exhibit 14 in its entirety and will stipulate to any other respondent's exhibit that the Deputy Attorney General wishes to use during Ms. Sharpe's examination.

President Gurr stated so admitted.

Respondent's exhibits DS000792-000793, DS000741-000769, DS000671, DS000664-000682, and DS000685 were used during the examination of Ms. Sharpe and admitted.

Ms. Szyc cross-examined the witness.

Ms. Keegan re-examined the witness.

The Commission questioned Ms. Sharpe.

Commissioner Tina stated that he wanted to disclose to both sides that he became aware that he was a broker with Realty One when Ms. Sharpe worked there but believes he would be able to deliberate this matter impartially.

Ms. Szyc stated that she had no objection.

Ms. Keegan stated that she had no objection.

The witness was dismissed.

President Gurr stated that this case will continue with closing statements tomorrow morning.

**3-B) Discussion Regarding the Disciplinary Report.**

Shareece Bates, Administration Section Manager, presented this report. Ms. Bates provided the Commission with a written report.



**3-C) Discussion Regarding the Compliance Section’s Current Caseload Report, Including a Summary of Recent Topics of Complaints Filed.**

Jan Holle, Chief Compliance Audit Investigator, presented this report. Mr. Holle provided the Commission with a written report.

**3-D) Discussion Regarding the Administrative Sanction Report.**

Jan Holle, Chief Compliance Audit Investigator, presented this report. Mr. Holle provided the Commission with a written report.

**3-E) Discussion Regarding the Continuing Education Supervisor’s Report.**

Annalyn Carrillo, Education and Information Officer, presented this report. Ms. Carrillo provided the Commission with a written report.

**8) Public Comment**

Beverly Norton stated that she recently took a class by a broker that stated he would have everyone sign a buyer’s/broker’s agreement when they want to attend his open house. Ms. Norton stated that she asked the broker what if someone attending the open house had already signed up with another broker, the broker’s comment was he did not care because they would not sue him, but they would sue the buyer. Ms. Norton stated that the comment blew her mind and that there is so much confusion going on that the Commission should get hold of.

Steven Kitnick stated that in the Commission’s capacity as advisors to the Real Estate Division and their influence within the industry, he would like to suggest that consideration be given to another State form regarding square footage and lot disclosure because that would benefit the industry. Mr. Kitnick stated that California has this type of form, and he is familiar with what the Commission in Colorado has put out, as well as other states and Nevada is behind the curve. Richard Scholk stated that he attended the Commission meeting today for continuing education credit and wanted to commend the Commissioners because they are doing a great job, putting in a lot of time and experience, and to keep up the great work.

**9) For Possible Action: Adjournment**

Meeting recessed at 4:54 p.m. on May 15, 2024.

**NEVADA REAL ESTATE COMMISSION  
MINUTES**

**IN PERSON AND VIRTUAL VIA WEBEX**

May 16, 2024

Nevada State Business Center  
3300 W. Sahara Avenue  
4<sup>th</sup> Floor – Nevada Room  
Las Vegas, Nevada 89102

VIDEO CONFERENCE TO:  
Nevada Division of Insurance  
1818 East College Parkway  
Suite 103  
Carson City, Nevada 89706

The meeting was called to order at 9:02 AM

**1-A) Introduction of Commissioners in Attendance**

Lee Gurr, Elko County; Darrell Plummer, Washoe County; Donna A. Ruthe, Clark County; David Tina, Clark County; and Forrest Barbee, Clark County.

Commission Counsel: Deputy Attorney General Ziwei Zheng

**1-C) Introduction of Division Staff in Attendance**

Sharath Chandra, Administrator; Charvez Foger, Deputy Administrator; Shareece Bates, Administration Section Manager; Kelly Valadez, Commission Coordinator; Maria Gallo, Commission Coordinator; Jan Holle, Chief Compliance Audit Investigator; Annalyn Carrillo, Education and Information Officer; Shaun McLean, Compliance Audit Investigator; Senior Deputy Attorney General Phil Su and Deputy Attorney General Christal P. Keegan representing the Division.

**2) Public Comment**

No Public Comment.

**7-D) NRED v Dinora Sharpe, for possible action**  
**Case No. 2023-460**

Parties Present

Lisa Szyc, Esq. was present representing Dinora Sharpe.

John Spilotro, Esq. was present representing Dinora Sharpe.

Dinora Sharpe was present.

Christal P. Keegan, Deputy Attorney General, was present representing the Division

President Gurr stated that this case will continue with closing statements.

### Closing Statements

Ms. Keegan gave a closing statement.

Ms. Szyk gave a closing statement.

### Factual Allegations

Commissioner Tina moved in the matter of NRED v Dinora Sharpe case# 2023-460 that those factual allegations 1-27 have been proven. Seconded by Commissioner Barbee.

President Gurr stated that she is against the motion because the factual allegations should be looked at a little more closely. President Gurr stated that she has an issue with the language in factual allegation 13 because the wording says shortly thereafter which does not accurately reflect the time period between when Mr. Clopot was deeded the property and when he deeded it to Ms. Sharpe.

Motion carried 4:1 with President Gurr opposed.

### Violations of Law

President Gurr read violation of law 1 into the record.

Commissioner Tina moved in the matter of NRED v Dinora Sharpe case# 2023-460 that violation of law 1 has been proven. Seconded by Commissioner Ruthe.

President Gurr stated that there was not adequate testimony that supports that Ms. Sharpe deliberately converted money for her own personal use.

Motion carried 4:1 with President Gurr opposed.

President Gurr read violation of law 2 into the record.

Commissioner Ruthe moved in the matter of NRED v Dinora Sharpe case# 2023-460 that violation of law 2 including (a), (b), (c), and (d) has been proven. Seconded by Commissioner Tina.

Commissioner Plummer stated that he agrees that 2(b) and 2(c) were proven, but for 2(a) there was discussion, but no evidence presented to prove \$5,000.00 a month. Commissioner Plummer stated that for 2(d), other than the fact that it happened, he does not know if the misrepresentation on the process for joint ownership was proven.

President Gurr stated that she agrees that there was no evidence presented that over \$5,000.00 a month was charged on the complainant's credit card for the respondent's personal use. President Gurr stated that there was testimony regarding the \$500.00 monthly homeowners' association dues for the Las Vegas Country Club property, but that testimony stated it was less than \$200.00 not \$500.00. President Gurr stated that she does not remember any discussion regarding the \$300.00 for dog food. President Gurr stated that regarding 2(d), if there was furtherance of gaining joint ownership on the South Ridge property, there would not have been the long delay of when the deed was executed and notarized and when it was finally recorded, because it is

known that title effectively transfers when you hand someone the deed but there is not a complete transfer until you have public notice which is comprised of recording the deed.

Motion carried 3:2 with President Gurr and Commissioner Plummer opposed.

President Gurr read violation of law 3 into the record.

Commissioner Tina moved in the matter of NRED v Dinora Sharpe case# 2023-460 that violation of law 3 has been proven. Seconded by Commissioner Barbee. Motion carried.

President Gurr read violation of law 4 into the record.

Commissioner Barbee moved in the matter of NRED v Dinora Sharpe case# 2023-460 that violation of law 4 has been proven. Seconded by Commissioner Tina.

President Gurr stated that she is against the motion because many listings are taken when the client states they want certain things, but an offer comes in that is acceptable.

Commissioner Plummer stated that when you have a consent to act with the intent of doing what Ms. Sharpe did, the respondent did not carry out her duties to the seller when she entered into the consent to act because there was a conflict, and that should have been in writing.

Commissioner Tina stated that when the terms changed to zero earnest money and owner carry, that would have attracted a numerous number of buyers at maybe higher than the listing price, and that was never changed in the brokerage listing agreement therefore putting the buyer at a severe advantage of getting this property when no one else were offered those terms.

President Gurr stated that if the relationship had stayed outside the purview of real estate this case would not be before the Commission, but when getting the Homecrest and Southridge properties, now the Commission is looking at an agent's responsibility for representing the duties of her client because there was not arm's length on these transactions.

Motion carried 4:1 with President Gurr opposed.

President Gurr read violation of law 5 into the record.

Commissioner Ruthe moved in the matter of NRED v Dinora Sharpe case# 2023-460 that violation of law 5 has been proven. Seconded by Commissioner Plummer. Motion carried.

#### Division Recommendations

Jan Holle presented this:

- \$25,000.00 fine plus the cost of the hearing and investigation in the amount of \$13,693.25 payable within six months of the effective date of the order.
- Revocation of all licenses and permits.

Commissioner Ruthe moved in the matter of NRED v Dinora Sharpe case# 2023-460 that the respondent pay a fine in the amount of \$25,000.00 plus the costs of the hearing and investigation

in the amount of \$13,693.25 to be paid within six months of the effective date of the order and that all of respondent's licenses and permits be revoked. Seconded by Commissioner Tina. Motion carried 4:1 with Commissioner Gurr opposed.

**7-G) NRED v Adrian Sanchez, for possible action**  
**Case No. 2022-601**

Parties Present

Adrian Sanchez was not present.

Phil W. Su, Senior Deputy Attorney General, was present representing the Division

Preliminary Matters

Mr. Su stated that Mr. Sanchez has not provided an answer to the complaint and his license is currently in expired status. Mr. Su stated the respondent perpetrated a fraudulent real estate transaction for his own personal gain where he induced the complainants, Eugene and Francesca Sullenger, to wire him \$205,000.00 for a short sale that was never a short sale, and the respondent has not returned the funds. Mr. Su stated that the Division would like to proceed with a default pursuant to NAC 645.810(13).

Mr. Su stated that the Division would submit that there was proper service upon Adrian Sanchez.

State's Witness

Kelly Valadez, Commission Coordinator, testified regarding service of the complaint.

Mr. Su moved for the certificate of mailing and proof of mailing to be admitted.

Commissioner Tina moved that this Commission pursuant to NAC 645.860 finds that the State has proven sufficient service of notice to Adiran Sanchez case# 2022-601. Seconded by Commissioner Ruthe. Motion carried.

Mr. Su moved to admit the State's exhibits bates stamped NRED 0001-0069 into the record.

President Gurr stated so admitted.

Mr. Su stated that he is requesting that pursuant to NAC 645.810(13) the Commission accept the factual allegations and violations of law as true.

Carl Eugene Sullenger and Francesca Sullenger gave a statement.

Matthew Kalb, broker, gave a statement.

Mr. Su read the factual allegations and violations of law into the record.

Commissioner Barbee moved in the matter of NRED v Adrian Sanchez case# 2022-601 that the factual allegations and violations of law have been proven. Seconded by Commissioner Ruthe. Motion carried.

### Division Recommendations

Jan Holle presented this:

- \$40,000.00 fine plus the costs of the hearing and investigation in the amount of \$6,481.69 payable within 3 months of the effective date of the order.
- Revocation of all licenses and permits.

Commissioner Plummer moved in the matter of NRED v Adrian Sanchez case# 2022-601 that the respondent pay a \$40,000.00 fine plus the costs of the hearing and investigation in the amount of \$6,481.69 to be paid within 3 months of the effective date of the order and that all respondent's licenses and permits be revoked. Seconded by Commissioner Tina. Motion carried.

### **7-F) NRED v Roger Baldwin, for possible action**

#### **Case No. 2023-151**

#### Parties Present

Roger Baldwin was not present.

Phil W. Su, Senior Deputy Attorney General, was present representing the Division

#### Preliminary Matters

Mr. Su stated that Mr. Baldwin has not provided an answer to the complaint and his license is currently in expired status. Mr. Su stated that this case involves the respondent failing to pay two administrative fines imposed in the amount of \$500.00 each arising from his alleged performance of property management activities without a permit. Mr. Su stated that the Division would like to proceed with a default pursuant to NAC 645.810(13).

Mr. Su stated that the Division would submit that there was proper service upon Roger Baldwin.

#### State's Witness

Kelly Valadez, Commission Coordinator, testified regarding service of the complaint.

Commissioner Plummer moved that this Commission pursuant to NAC 645.860 finds that the State has proven sufficient service of notice to Roger Baldwin case# 2023-151. Seconded by Commissioner Ruthe. Motion carried.

Mr. Su moved that the notice of complaint and notice of documents with documents bates stamped NRED 0001-0042 be admitted into the record.

President Gurr stated so moved.

Mr. Su summarized the complaint and read the violations of law into the record.

Commissioner Barbee moved in the matter of NRED v Roger Baldwin case# 2023-151 that the factual allegation and violations of law have been proven. Seconded by Commissioner Tina. Motion carried.

### Division Recommendations

Jan Holle presented this:

- \$1,000.00 administrative fine plus the costs of the hearing and investigation in the amount of \$4,975.89 payable within 30 days of the effective date of the order.
- Revocation of all licenses and permits.

Commissioner Plummer moved in the matter of NRED v Roger Baldwin case# 2023-151 that the respondent pay a fine of \$1,000.00 plus the costs of the hearing and investigation in the amount of \$4,975.89 to be paid within 30 days of the effective date of the order, and that all respondent's licenses and permits be revoked. Seconded by Commissioner Ruthe. Motion carried.

### **7-H) NRED v Frank Gary Villani, for possible action** **Case No. 2023-939**

#### Parties Present

Frank Gary Villani was not present.

Phil W. Su, Senior Deputy Attorney General, was present representing the Division

#### Preliminary Matters

Mr. Su stated that Mr. Villani has not provided an answer to the complaint and his license is currently in active status. Mr. Su stated that this case involves Mr. Villani's repeated failure to submit his 526A form, trust account reconciliation, to the Division for the calendar year 2023. Mr. Su stated that in August 2023, Mr. Villani appeared before the Commission for failure to submit his 526A form, trust account reconciliation, for the calendar year 2022. Mr. Su stated that since Mr. Villani is not present today, the Division would like to proceed with a default pursuant to NAC 645.810(13).

Mr. Su stated that the Division would submit that there was proper service upon Frank Gary Villani.

#### State's Witness

Kelly Valadez, Commission Coordinator, testified regarding service of complaint.

Commissioner Ruthe moved that this Commission pursuant to NAC 645.860 finds that the State has proven sufficient service of notice to Frank Gary Villani case# 2023-939. Seconded by Commissioner Plummer. Motion carried.

Mr. Su moved that the notice of complaint and notice of documents with documents bates stamped NRED 0001-0069 be admitted into the record.

President Gurr stated so moved.

Mr. Su summarized the complaint and violations of law.

Commissioner Tina moved in the matter of NRED v Frank Gary Villani case# 2023-939 that the factual allegation and violations of law have been proven. Seconded by Commissioner Barbee. Motion carried.

### Division Recommendations

Jan Holle presented this:

- \$20,000.00 fine plus the costs of the hearing and investigation in the amount of \$4,393.95 within 60 days of the effective date of the order.
- Revocation of respondent's property management permit.
- No property management can be conducted under the respondent's brokerage.

Commissioner Plummer stated that Mr. Villani was previously before the Commission in August 2023 when the Division recommended a \$10,000.00 fine which was reduced by the Commission to \$5,000.00.

Shareece Bates, Administration Section Manager, stated that in the previous case#2022-677, Mr. Villani was ordered to pay a fine of \$5,000.00, plus the costs of the hearing and investigation in the amount of \$5,692.63 which has been paid in full.

Commissioner Barbee stated that he has grievous issues with this case because it seems like the disciplinary fines are not being effective. Commissioner Barbee stated that he manages at least 35 trust accounts in Nevada and several in other states and can say with a lot of certainty that the only way you get in a mess is if you are not doing fully functional monthly reconciliations using the 546 Form. Commissioner Barbee stated that there should be a more thorough investigation into the trust accounts, or perhaps an audit conducted at the broker's expense to find out if the public is at risk from the failure to reconcile.

President Gurr asked Commissioner Barbee if he was contemplating spontaneous audits or is it if someone has multiple violations for failure to file their annual trust account reconciliations that would call for an audit.

Commissioner Barbee stated that an audit could occur at any time but in this case, it begs the issue because of the failure to address these accounts.

Commissioner Plummer stated that when the respondent was before the Commission in August 2023, it was recommended that the property management permit be revoked, which the Commission did not do. Commissioner Plummer stated that if the Commission were to impose a fine, revoke the respondent's property management permit and not allow any property management through his business, that would send a strong message.

Commissioner Plummer moved in the matter of NRED v Frank Gary Villani case# 2023-939 that this Commission impose a fine of \$20,000.00 plus the costs of the hearing and investigation in the amount of \$4393.95 payable within 60 days of the effective date of the order, the revocation of the respondent's property management permit, and no property management may be conducted under the respondent's brokerage firm. Seconded by Commissioner Ruthe. Motion carried.



**5-A) For Possible Action: Discussion and Decision Regarding Respondent's Request for a Payment Plan.**

**NRED v Marshall Carrasco, for possible action**

**Case Nos. 2021-1122 and 2022-120**

**Parties Present**

Marshall Carrasco was present.

Christal P. Keegan, Deputy Attorney General, was present representing the Division.

Marshall Carrasco stated that he is requesting a payment plan of \$1,000.00 per month to be paid in full in 36 months and the State to provide proof that he violated 645.235(1)(e) and with this global settlement, he will drop all his cases, hearings, judicial reviews, and his conflict of interest.

Ziwei Zheng, Commission Counsel, recapitulated to the Commission that during the hearing held on February 20, 2024, the Commission affirmed the total amount due of \$103,366.77 to be paid by the respondent within 90 days.

President Gurr stated that the Commission cannot negotiate or change the total amount due but can discuss and act on a payment plan of the total amount due.

Mr. Carrasco asked if he still had the right to dispute the total amount due in District Court.

President Gurr stated yes. President Gurr asked Mr. Carrasco if his request was for a payment plan of \$1,000.00 per month.

Mr. Carrasco stated yes.

Ms. Keegan stated that Mr. Carrasco has not met his burden of proof to demonstrate a repayment plan that totals the amount due, therefore he has failed NRS 233B.135(2) and the Commission should deny his request for a repayment plan.

Commissioner Plummer stated that a payment plan is a typical request by a respondent, but in this request, there was nothing stated as to the reason why the request was being made, but there were new terms, a new amount, and conditions stated and that is not what the Commission typically considers with a request for a payment plan.

President Gurr asked Ms. Keegan to restate the objections in a statutory summary.

Ms. Keegan stated that Mr. Carrasco has not met his burden of proof to demonstrate a repayment plan that totals the amount due, therefore he has failed NRS 233B.135(2) and the Commission should deny his request for a repayment plan. Ms. Keegan stated that pursuant to NRS 241.020, the Commission should not be taking action on items not listed on the agenda because this request was not noticed on the agenda as a reconsideration of disciplinary terms, and three times now, the Commission has ordered Mr. Carrasco to pay \$103,366.77.

Commissioner Tina moved that in the matter of NRED v Marshall Carrasco case numbers 2021-1122 and 2022-120 that the Commission allow payments of \$1,000.00 per month until the amount prescribed by the cases has been paid in full.

Motion failed due to a lack of a second.

Commissioner Tina moved that in the matter of NRED v Marshall Carrasco case numbers 2021-1122 and 2022-120 that the Commission approve a payment plan of \$1,000.00 per month until the total amount due of \$103,366.77 is paid in full. Seconded by Commissioner Ruthe. Motion carried.

**3-H) Discussion Regarding Topics Discussed During the ARELLO Mid-Year Conference.**

Commissioner Plummer stated that he attended the Association of Real Estate License Law Officials (ARELLO) mid-year meeting, which is an international organization comprised of commissioners, attorneys, Deputy Attorney Generals, Administrators, and other individuals from State associations. Commissioner Plummer stated that some of the committee meetings that he attended were education, the commission roundtable, and a general session with a keynote speaker, Russ Cofano whose presentation, *Anti-Trust, the DOJ and Agency Laws – The residential real estate industry transformed*, was a hot topic and drew a lot of interest by everyone. Commissioner Plummer stated that there was a law and regulation committee, a fair housing committee, and another keynote speaker, Dr. Elliot Eisenberg, talking about the economy. Commissioner Plummer stated that some of the topics discussed were the NAR settlement, AI and its impact to the industry, broker supervision, commercial supervision, clear cooperation policy, potential of an off MLS network, statute changes for an equal playing field with all licensees, fair housing, MV Realty and the 40-year listings, Airbnb issues, land scams, dual agency, and the buyer representation agreement. Commissioner Plummer stated that the annual ARELLO conference will be held in Chicago, Illinois in September 2024 which will be a larger gathering with similar but different content.

**6) For Possible Action: Discussion and Decision Regarding License Denial Appeal Pursuant to NAC 645.335.**

**Kevin Jackson**

**File No.: S-LDA-24-004**

Parties Present

Kevin Jackson was present.

Mr. Jackson requested that the Commission go into closed session.

Commissioner Plummer moved that the Commission go into closed session. Seconded by Commissioner Ruthe. Motion carried.

The Commission went into closed session.

Commissioner Ruthe moved that the Commission go back into open session. Seconded by Commissioner Tina. Motion carried.

The Commission went back into open session.

Commissioner Ruthe moved to approve Kevin Jackson's appeal file number S-LDA-24-004 and grant him a license. Seconded by Commissioner Barbee. Motion carried.

**8) Public Comment**

Marshall Carrasco stated that it is his understanding from reading the statutes that brokers are held liable for their licensees' actions and as a consumer and professional, he is shocked after hearing four or five extreme cases where not one broker was held liable. Mr. Carrasco stated that he believes that this Commission cares about the community and is trying to do the right thing. Mr. Carrasco stated that if the Commission is going to hold brokers accountable for their licensees' actions it should be fair and just across the board.

**9) For Possible Action: Adjournment**

Meeting adjourned at 2:14 p.m. on May 16, 2024.

Minutes prepared by:   
Kelly Valadez  
Commission Coordinator