

BEFORE THE REAL ESTATE COMMISSION

STATE OF NEVADA

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

Case No. 2022-601

Petitioner,

FILED

vs.

APR 12 2024

ADRIAN SANCHEZ,
S.0190586 (Expired),

REAL ESTATE COMMISSION

BY Kelley Valadez

Respondent.

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 ADRIAN SANCHEZ ("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.0190586).¹ RESPONDENT is, therefore, subject to the jurisdiction of the Division and the Commission, and the provisions of NRS chapter 645 and NAC chapter 645.

¹ Respondent's salesperson license expired on August 31, 2023.

FACTUAL ALLEGATIONS

1
2 1. RESPONDENT was associated as a salesperson with Commercial &
3 Residential Investment Realty from November 22, 2021, to August 29, 2022. [NRED0002].

4 2. On January 24, 2022, RESPONDENT provided Complainant Carl Sullenger
5 (“Complainant”) with a signed duties owed form and buyer brokerage agreement to
6 represent Complainant in the search for, and purchase of, a new residence. [NRED0030-
7 0033; 0055; 0063].

8 3. In February 2022, the RESPONDENT induced Complainant to wire
9 \$205,000.00 to RESPONDENT’S personal business, Brand Global Enterprise, to
10 purportedly qualify Complainant for a \$800,000.00 short-sale of a multi-million dollar
11 home at 54 Innisbrook Ave., Las Vegas, Nevada. [NRED0009-0010; 0019; 0027; 0039].

12 4. Complainant subsequently discovered, on or about May 2022, that the
13 Innisbrook property had been sold to another buyer and requested repayment of the
14 \$205,000.00 wired to Brand Global Enterprise. [NRED0015;0017-0018; 0043].

15 5. In a follow-up email exchange with Complainant on July 2022,
16 RESPONDENT continued to maintain that the Innisbrook property was available as a
17 short-sale opportunity. [NRED0022].

18 6. In a subsequent July 15, 2022, email, RESPONDENT indicated that he had
19 “reached out to court administrator [sic] about you canceling your interest in the deal” and
20 that “those funds should be sent back to you on or before 8/30/2022. [NRED0037].

21 7. RESPONDENT did not return the funds to Complainant by the 8/30/2022
22 date indicated in his email. [NRED0008-0011].

23 8. On August 22, 2022, the Division received a Statement of Fact from
24 Complainant, setting forth the above allegations regarding the \$205,000.00 wire to
25 RESPONDENT’S personal company and RESPONDENT’S failure to return the funds
26 when requested. [NRED0008-0011].

27 9. On August 23, 2023, the Division issued an open investigation letter to
28 RESPONDENT regarding the Statement of Fact and requested his response via affidavit.

1 [NRED0051].

2 10. That same day, the Division issued an open investigation letter to
3 RESPONDENT'S broker of record at Commercial & Residential Investment Realty,
4 Matthew Kalb. [NRED0052].

5 11. On September 8, 2022, Broker Kalb submitted an affidavit stating that:

6 a. On August 29, 2022, Kalb was contacted by the RESPONDENT, "who
7 indicated that he had just spent six days in the hospital undergoing tests and needed to
8 immediately resign from Broker's brokerage due to medical reasons. The Respondent added
9 that he was moving back home for treatment."

10 b. Kalb told the RESPONDENT that he was sorry to hear this and then
11 asked if the RESPONDENT was working on any real estate deals to which he responded,
12 "not at all."

13 c. Per Kalb, "Respondent stated that he needed to be terminated right
14 away, wanting to pick up his license as quickly as possible and hand carry it to the
15 Division."

16 d. The very next day, Tuesday, August 30, 2022, the Broker received the
17 Division's complaint, "for which I thought the timing was rather coincidental, given Mr.
18 Sanchez's sudden departure from my firm the day prior."

19 [NRED0053-0056].

20 12. In his affidavit, Broker Kalb noted that he also reached out to RESPONDENT
21 for additional information to help him prepare his affidavit, to which RESPONDENT
22 stated: "My attorney, is addressing all of his (Complainant) allegations which several are
23 completely inaccurate. Additionally, I advised him that I wasn't going to represent him
24 anymore (2/15/2022) as I felt it was a conflict of interest based on our other business
25 relationships. This has become a civil matter which my attorney is
26 addressing. [NRED0057].

27 13. On September 20, 2022, RESPONDENT submitted his affidavit, wherein he:

28 a. Denied "any such claim that the \$205,000.00 was for any real estate

1 transaction. Mr. Sullenger may have misunderstood information that was provided not as
2 his real estate agent [sic] about a subject property there was never any actual
3 documentation supplied to the Sullengers that would indicate any negotiations.”

4 [NRED0061]

5 b. Contended that “all of the claims and supporting information to the
6 division are all civil issue that have nothing to do with the Real Estate Division.”

7 [NRED0063].

8 14. On September 22, 2023, the Division mailed an NRS 233B letter via certified
9 mail to RESPONDENT’s then-current address of record, stating the Division’s intent to file
10 a complaint with the Commission for violations of NRS 645.633(1)(i) pursuant to NAC
11 645.605(1). [NRED0065-0066].

12 15. On November 7, 2023, the Division mailed a second NRS 233B letter via
13 certified mail to RESPONDENT’s then-current address of record. [NRED0067-0068].

14 VIOLATIONS OF LAW

15 RESPONDENT has committed the following violations of law:

16 1. RESPONDENT violated NRS 645.633(1)(i) pursuant to NAC 645.605(1) by
17 engaging in deceitful, fraudulent and dishonest dealing by inducing the Complainant to
18 wire transfer \$205,000.00 into Respondent’s personal business account for the subject real
19 estate transaction.

20 2. RESPONDENT violated NRS 645.633(1)(i) pursuant to NAC 645.605(1) by
21 engaging in deceitful, fraudulent and dishonest dealing by misleading Complainant to
22 believe that the subject property was still available even after the Complainant indicated
23 his belief that the property had already been sold to another buyer.

24 3. RESPONDENT violated NRS 645.633(1)(i) pursuant to NAC 645.605(1) by
25 engaging in deceitful, fraudulent and dishonest dealing by failing to return the \$205,000.00
26 in wired funds for the failed real estate transaction.

1 103, Carson City, Nevada 89706, until the business of the Commission is
2 concluded.

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

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

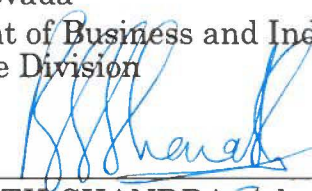
17 As the Respondent, you are specifically informed that you have the right to appear
18 and be heard in your defense, either personally or through your counsel of choice. At the
19 hearing, the Division has the burden of proving the allegations in the complaint and will
20 call witnesses and present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

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

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

6 DATED this 11 day of APRIL, 2024.

7 State of Nevada
8 Department of Business and Industry
9 Real Estate Division

10 By: 
11 SHARATH CHANDRA, Administrator
12 3300 West Sahara Avenue, Suite 350
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14 AARON D. FORD
15 Attorney General

16 By: /s/ Phil W. Su
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