

1 **BEFORE THE REAL ESTATE COMMISSION**  
2 **STATE OF NEVADA**

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

Case No. 2024-749

**FILED**

FEB 24 2025

REAL ESTATE COMMISSION

BY Kelly Valadez

Petitioner,

7 vs.

8 JAMES SHARKEY,  
9 (S.0195534 – REVOKED,  
10 BUSB.0007200 – REVOKED, B – DENIED,  
11 PROV.0001300-TSA – CLOSED,  
12 TS.3007674-AGEN – CLOSED,  
13 TS.3012578-REP – CLOSED,  
14 TS.3017714-REP - CLOSED),

Respondent.

14 **FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER**

15 This matter came on for hearing before the Real Estate Commission, Department of Business and  
16 Industry, State of Nevada (the “Commission”), during a regular agenda set for a three-day stack  
17 commencing February 11, 2025 and heard through February 12, 2025 (the “Hearing”). RESPONDENT  
18 James Sharkey (“RESPONDENT”) appeared, with his counsel Tony M. May (Bar No. 8563) with May  
19 Brock Law Group. Christal Park Keegan, Esq., Deputy Attorney General with the Nevada Attorney  
20 General’s Office, appeared on behalf of the Real Estate Division of the Department of Business and  
21 Industry, State of Nevada (the “Division”).

22 The Commission heard preliminary matters on the pending motion. The Commission considered  
23 the oral arguments presented and the filed documents, and proceeded with hearing the parties  
24 presentations during which the Division’s documents bate stamped pages NRED 000001 – 000334 and  
25 Respondents documents bate stamped pages RESP 000001 – 000002, 000006 – 000007, 000027,  
26 000038-000042, 000044, 000055-000071, 000090-000092, 000097, 000188-000189, 000191, 000193-  
27 000194, 000195, 000197 were admitted into the record.

1 After hearing testimony presented in this matter and for good cause appearing, the Commission  
2 now enters its Findings of Fact, Conclusions of Law, and Order against RESPONDENT as follows:

3 **JURISDICTION**

4 RESPONDENT, at all relevant times mentioned in this Complaint, held himself out and/or  
5 otherwise performed acts as a person licensed as a broker, salesperson, and/or business broker permit  
6 holder. RESPONDENT is, therefore, subject to the jurisdiction of the Division and the Commission, and  
7 the provisions of NRS Chapter 645 and NAC Chapter 645.

8 **FINDINGS OF FACT**

9 The Commission, based on the evidence presented during the Hearing, by unanimous vote enters  
10 the finding of the following facts:

11 1. Starting from about April 30, 2024, the RESPONDENT'S business broker permit was  
12 inactive. NRED 000005, and NRED 000006.

13 2. Starting from about June 13, 2024, the RESPONDENT'S real estate salesperson license  
14 was inactive. NRED 000003 – NRED 000004, and NRED 000006.

15 3. Yet, on or about July 19, 2024, the RESPONDENT reached out to the listing agent  
16 (Complainant #1) to show his client the commercial property located at 229 S. Las Vegas Blvd., Las  
17 Vegas, NV (the "Property"). NRED 000191, and NRED 000183.

18 4. The inactive licensed RESPONDENT also negotiated the commercial lease with the  
19 listing agent by text: "Can we do 3 years?" NRED 000192.

20 5. Further, the next day, on July 20, 2024, the RESPONDENT requested the Property  
21 brochure from the listing agent and stated, "**I'm gonna draw up the LOI.**" (emphasis added). NRED  
22 000193, NRED 000186, and NRED 000128 – NRED 000130.

23 6. On or about July 23, 2024, the RESPONDENT texted the listing agent stating, "I am  
24 still working on getting the LOI signed by the tenant. We might have a deal here but has some work."  
25 NRED 000194.

26 7. On July 24, 2024, the listing agent sent RESPONDENT "the LOI with all of the changes"  
27 and stated, "Please have your client sign." NRED 000189.

1           8.       Approximately 1.5 hours later, the RESPONDENT sent the listing agent the Signed LOI  
2 “See attached”. NRED 000188, and NRED 000238.

3           9.       About Thirty (30) minutes thereafter, the RESPONDENT emailed the listing agent along  
4 with Audrey Sharkey (S.0195760), stating his broker’s application was still being processed but that his  
5 wife would be processing all transactions through the brokerage Viking REI. NRED 000190.

6           10.      But the RESPONDENT’S email also stated, “I will be remaining the point of contact.”  
7 NRED 000190.

8           11.      Furthermore, the RESPONDENT’S email was erroneously signed in the capacity as  
9 “Principle Broker.” NRED 000190, NRED 000006, NRED 000178, and NRED 000239.

10          12.      Importantly, the RESPONDENT’S email also included his real estate salesperson license  
11 number and business broker permit number, both of which were inactive at the time. NRED 000189,  
12 NRED 000177, NRED 000003 – NRED 000005, and NRED 000239.

13          13.      On or about July 29, 2024, the listing agent asked another agent (Complainant #2)  
14 to handle the commercial Property transaction while she was out of the country for two weeks.  
15 NRED 000203.

16          14.      That day, the RESPONDENT texted the agent covering: “did you guys develop the lease  
17 yet?” NRED 000204.

18          15.      When the agent responded “No”, the RESPONDENT texted: “**If you need to have me**  
19 **draw up a commercial lease, I can absolutely do that.** If you guys prefer to drop the lease yourself,  
20 let me know let’s get a closing...” (**emphasis added**). NRED 000204, and NRED 000205.

21          16.      Towards the end of the transaction, on or about August 5, 2024, the agent texted the  
22 RESPONDENT: “First of all, why am I even dealing with you if you are not the agent on this? You need  
23 to have your wife call me.” NRED 000227, and NRED 000216 – NRED 000219.

24          17.      In response, the RESPONDENT texted: “If you want me to have my wife call you while  
25 I sit next to her and speak I will when she gets home.” NRED 000227.

26          18.      On August 23, 2024, the Division sent an opening investigation letter to  
27 RESPONDENT’S broker (Complainant #3). NRED 000009 – NRED 000010.

1           19.     On or about September 3, 2024, the Broker allegedly informed RESPONDENT'S wife he  
2 would not pay an entity that does not have a licensed broker, a real estate commission. NRED 000230,  
3 and NRED 000232.

4           20.     Thereafter, on September 11, 2024, the RESPONDENT sent the Broker an attacking  
5 email calling him "a weak broker" and threatening "Your welcome for not filing a complaint against you,  
6 for not going after our commission and leaving us out to dry." NRED 000230.

7           21.     Importantly, in this email the RESPONDENT acknowledged his expectation of receiving  
8 a commission on the commercial Property: "**We had a verbal commission agreement** I want to  
9 acknowledge for 10% to Viking REI and **90% to James Sharkey INC. for the leasing of commercial**  
10 **property.**" (emphasis added). NRED 000230.

11          22.     Also, on or about August 23, 2024, the Division sent an opening investigation letter to  
12 RESPONDENT. NRED 000007.

13          23.     Suddenly, the RESPONDENT switched from using his james@sharkeyfamilyrealtor.com  
14 email to his MasterTrade Painters email. NRED 000198, and NRED 000083.

15          24.     But his construction email included a link to his MasterTrade Painters website  
16 which displayed a giant logo claiming to be a broker: "Broker – Sharkey Realty Group James Sharkey  
17 [sic]". NRED 000051, NRED 000053 – NRED 000054, NRED 000060 – NRED 000065, NRED 000068  
18 – NRED 000072, NRED 000074, NRED 000076 – NRED 000080, NRED 000085 – NRED 000088,  
19 NRED 000091 – NRED 000094, NRED 000095 – NRED 000097, NRED 000097 – NRED 000099,  
20 NRED 000102 – NRED 000103, NRED 000107 and NRED 000135.

21          25.     Accordingly, on or about September 13, 2024, the Division issued a Cease-and-Desist  
22 Order against the RESPONDENT. NRED 000014 – NRED 000015.

23          26.     Despite the Cease-and-Desist, the RESPONDENT continued to hold himself out as an  
24 active real estate licensee. NRED 000112, NRED 000135, NRED 000156, and NRED 000163.

25          27.     The RESPONDENT also continued to make misrepresentations that the  
26 RESPONDENT was actually a Las Vegas REALTOR member Public ID#874250527  
27 NRDS#629069762. NRED 000112, NRED 000142, NRED 000163, NRED 000172, and NRED 000174.







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

4. The Commission retains jurisdiction for correcting any errors that may have occurred in the drafting and issuance of this document.

5. This Order shall become effective thirty (30) days after the date of this Order.


Dated this 24<sup>th</sup> day of February, 2025.

NEVADA REAL ESTATE COMMISSION

By:   
President, Nevada Real Estate Commission

DATED this 21st day of February, 2025.

AARON D. FORD  
Attorney General

By:   
CHRISTAL P. KEEGAN (Bar No. 12725)  
Deputy Attorney General  
5420 Kietzke Lane, Suite 202  
Reno, Nevada 89511  
(775) 687-2141

*Attorneys for Real Estate Division*