

BEFORE THE REAL ESTATE COMMISSION

STATE OF NEVADA

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

Petitioner,

vs.

DANE C. BROOKS,
(B.0062410.LLC- Expired,
PM.0163550.BKR- Expired),

Respondent.

Case No. 2024-540

FILED

JAN 10 2025

REAL ESTATE COMMISSION

BY *Kelly 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 DANE C. BROOKS ("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 645.806 (3), and the discipline to be imposed, if violations of law are proven.

JURISDICTION

RESPONDENT, at all relevant times mentioned in this Complaint, was actively licensed as a Broker (B.0062410.LLC) and held a property management permit (PM.0163550.BKR).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 allowed both his broker license and PM permit to expire on October 31, 2024.

1 **FACTUAL ALLEGATIONS**

2 1. At all times relevant to this Complaint, RESPONDENT was registered as a
3 broker of record with Valleywide Properties and Management. [NRED0084, Exh. B].

4 **Valerie Jahner- 6450 Stone Dry #101**

5 2. On or about June 10, 2024, the Division received a Statement of Fact from
6 COMPLAINANT Valerie Jahner (“Complainant Jahner”), alleging that she did not receive
7 rental payments for her tenant-occupied rental property, 6450 Stone Dry #101, (the Stone
8 Dry property) managed by RESPONDENT. [NRED0001-0082, Exh. A.01].

9 3. Complainant Jahner alleged that RESPONDENT failed to deposit rental
10 payments for at least ten (10) months between March 2023 and April 2024, despite rental
11 payments being deposited by the tenant with RESPONDENT. [NRED0002-0007, Exh.
12 A.01].

13 4. Meeting with RESPONDENT on May 21, 2024, Complainant Jahner alleged
14 that RESPONDENT told her “[t]here was a maintenance issue that cause my bookkeeper
15 to pause your deposits,” but that he also assured her that the issues would be resolved and
16 she could count on her future deposits being deposited no later than the 10th of each month.
17 [NRED0002-0003, Exh. A.01].

18 **Perry Sotiropoulos Complaint- 2615 W. Gary Ave #2064**

19 5. On or about October 30, 2024, the Division received a Statement of Fact from
20 COMPLAINANT Perry Sotiropoulos (“Complainant Sotiropoulos”), alleging that they did
21 not receive rental payments for a tenant-occupied rental property, 2615 W. Gary Ave.
22 #2064, (the Gary Property) managed by RESPONDENT. [NRED0026-0082, Exh. A.02].

23 6. Complainant Sotiropoulos alleged that RESPONDENT owed \$5,865.00 in
24 missing rents from 2024, despite consistent rental payments being deposited by the tenant
25 with RESPONDENT. [NRED0026-0038, Exh. A.02].

26 **Division Investigation and Respondent Response**

27 7. On June 17, 2024, Division Investigator Shannon Goddard issued an open
28 investigation email communication to RESPONDENT regarding the Statements of Fact

1 received in the Jahner Statement of Fact/Complaint and requested his responsive affidavit
2 by July 1, 2024. [NRED0086, Exh. B].

3 8. On July 3, 2024, the Division received RESPONDENTS responsive affidavit
4 and statement for the Jahner Statement of Fact, consisting of three (3) total pages.
5 [NRED0216, Exh. C].

6 9. On October 21, 2024, RESPONDENT provided his workfile for the Stone Dry
7 property, consisting of owner statements [NRED0179-0183, Exh. C], vendor invoices
8 [NRED0155-0163, Exh. C], the property management agreement [NRED0164-0178, Exh.
9 C], and tenant lease agreement and ledger [NRED0184-0221, Exh. C].

10 10. On October 30, 2024, Investigator Shannon Goddard sent a second, follow-up
11 email communication to RESPONDENT, attaching the additional Sotiropoulos complaint
12 for the Gary property, requesting his response via affidavit by November 13, 2024.
13 [NRED0087, Exh. B].

14 11. RESPONDENT did not provide a timely response to the additional
15 Sotiropoulos complaint for the Gary property.

16 12. On or about November 12, 2024, the Division mailed an NRS 233B letter via
17 certified mail to RESPONDENT, stating the Division's intent to file a complaint with the
18 Commission for violations of NRS 645.630(1)(f); NRS 645.633(1)(h) pursuant to NAC
19 645.605(1); and NRS 645.310(5). [NRED0128-0130, Exh. B].

20 VIOLATIONS OF LAW

21 RESPONDENT has committed the following violations of law:

22 1. RESPONDENT violated NRS 645.630(1)(f) on two separate occasions, by
23 failing, within a reasonable time, to account for or to remit rents on the Stone Dry and Gary
24 properties.

25 2. RESPONDENT violated NRS 645.633(1)(h) pursuant to NAC 645.605(6) on
26 two separate occasions by committing gross negligence and/or incompetence in breaching
27 his obligation of absolute fidelity to his principals' interest when he failed to timely
28

1 communicate with, and remit monies due to, his clients as to the Stone Dry and Gary
2 properties.

3 DISCIPLINE AUTHORIZED

4 Pursuant to NRS 645.630, the Commission is empowered to impose an
5 administrative fine of up to \$10,000 per violation and suspend, revoke, or place conditions
6 on RESPONDENT'S license if warranted.

7 Additionally, under NRS 622.400, the Commission is authorized to impose costs of
8 the proceeding upon RESPONDENT, including investigative costs and attorney's fees, if
9 the Commission otherwise imposes discipline on RESPONDENT.

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

12 NOTICE OF HEARING

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

17 **THE HEARING WILL TAKE PLACE on February 11, 2025, commencing at 9:00 a.m., or**
18 **as soon thereafter as the Commission is able to hear the matter, and each day thereafter**
19 **commencing at 9:00 a.m. through February 13, 2025, or earlier if the business of the Commission**
20 **is concluded. The Commission meeting will be held on February 11, 2025, and February 12, 2025,**
21 **at the Nevada State Business Center, 3300 W. Sahara Avenue, 4th Floor – Nevada Room, Las**
22 **Vegas, Nevada 89102 with video conferencing to the Nevada Division of Insurance, 1818 E. College**
23 **Parkway, Suite 103, Carson City, Nevada 89706. The Commission meeting will continue February**
24 **13, 2025, at the Nevada State Business Center, 3300 W. Sahara Avenue, 4th Floor – Tahoe Room,**
25 **Las Vegas, Nevada 89102 with video conferencing to the Nevada Division of Insurance, 1818 E.**
26 **College Parkway, Suite 103, Carson City, Nevada 89706 until the business of the Commission is**
27 **concluded.**

1 **STACKED CALENDAR:** Your hearing is one of several hearings scheduled
2 at the same time as part of a regular meeting of the Commission that is expected
3 to last from February 11, 2025, through February 13, 2025, or earlier if the
4 business of the Commission is concluded. Thus, your hearing may be continued
5 until later in the day or from day to day. It is your responsibility to be present
6 when your case is called. If you are not present when your hearing is called, a
7 default may be entered against you and the Commission may decide the case as
8 if all allegations in the complaint
9 were true. If you have any questions, please call Kelly Valadez, Commission
10 Coordinator, at (702) 486-4606.

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

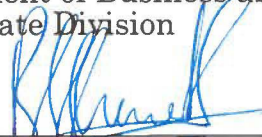
16 As the Respondent, you are specifically informed that you have the right to appear
17 and be heard in your defense, either personally or through your counsel of choice. At the
18 hearing, the Division has the burden of proving the allegations in the complaint and will
19 call witnesses and present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

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

1 The purpose of the hearing is to determine if the Respondent has violated NRS 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, pursuant to NRS 645.235, 645.633 and or 645.630.

5 DATED the 9 day of January, 2025.

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

9 By: 
10 SHARATH CHANDRA, Administrator
11 3300 West Sahara Avenue, Suite 350
12 Las Vegas, Nevada 89102

13 AARON D. FORD
14 Attorney General

15 By: /s/ Phil W. Su
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