

BEFORE THE REAL ESTATE COMMISSION

STATE OF NEVADA

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

Petitioner,

vs.

NICOLE ELENA CHAVARIN,
(B.1002461.INDV, PM.0167780.BKR)

Respondent.

Case No. 2024-964

FILED

JAN 10 2025

REAL ESTATE COMMISSION

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 NICOLE ELENA CHAVARIN ("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 NAC 645.806 (3), and the discipline to be imposed, if violations of law are proven.

JURISDICTION

RESPONDENT was at all relevant times mentioned in the Complaint licensed as a Broker under license number B.1002461.INDV and holds a property management permit PM.0167780.BKR, 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 has been broker of record of Maad Realty. [NRED0001-0005]
2. RESPONDENT'S broker's license was first issued in August 20, 2020. [NRED0002]
3. In calendar year 2022, RESPONDENT failed to submit her mandatory 546 Trust Account

1 Reconciliation Form by the last day of the expiration month of her broker's license. [NRED0003-0004]

2 4. On September 19, 2022, the Division sent a courtesy email to RESPONDENT reminding
3 her of her obligation to annually submit a Trust Account Reconciliations form 546 or 546A and reminding
4 RESPONDENT of the annual deadline for submitting that form. [NRED0004]

5 5. In calendar year 2024, RESPONDENT again failed to submit her mandatory 546 Trust
6 Account Reconciliations form by the expiration month of her broker's license. [NRED0006-0007]

7 6. On October 15, 2024, the Division sent a Notice of Violation letter to RESPONDENT at
8 her business address of record, notifying her that the Division was imposing a \$1,000.00 fine pursuant to
9 NAC 645.695, requesting her to complete and submit the 546 form for calendar year 2024, and advising
10 her of her appeal rights if she disagreed with the finding of violation and/or imposition of the
11 fine. [NRED0006-0011]

12 7. Although on or about November 21, 2024, RESPONDENT sent a response to the
13 Division's investigation regarding a separate, unrelated complaint, RESPONDENT did not respond to
14 the Division's Notice of Complaint for the 546 violation, which had been sent contemporaneously, in
15 October. [NRED0013-0015]

16 8. On November 27, 2024, the Division Investigator sent RESPONDENT a second reminder
17 email reminding her to comply with her reporting obligations and to pay the fine. [NRED0016-0017]

18 9. On December 13, 2024, the Division Investigator sent RESPONDENT a NRS 233B letter
19 via certified mail, informing RESPONDENT of the Division intent to refer the matter for hearing before
20 the Real Estate Commission. [NRED0018-0019]

21 VIOLATIONS OF LAW

22 RESPONDENT has committed the following violations of law:

23 1. RESPONDENT violated NRS 645.633(1)(b) pursuant to NAC 645.806(2) by failing
24 to timely submit her annual Form 546 Trust Account ReconciliationForm to the Division for 2024, due
25 by the last day of the expiration month for her broker license.

26 2. RESPONDENT violated NRS 645.633(1)(b) pursuant to NAC 645.695 by failing to
27 pay the \$1,000.00 administrative fine levied by the Division for failure to timely submit the 2024 Form
28 546 Trust Account Reconciliations.

1 **DISCIPLINE AUTHORIZED**

2 Pursuant to NRS 645.630(g)(2), the Commission is empowered to impose an administrative fine
3 of up to \$10,000 per violation and suspend, revoke, or place conditions on RESPONDENT'S license if
4 warranted.

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

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

10 **NOTICE OF HEARING**

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

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

25 **STACKED CALENDAR: Your hearing is one of several hearings scheduled at the same**
26 **time as part of a regular meeting of the Commission that is expected to last from February 11,**
27 **2025, through February 13, 2025, or earlier if the business of the Commission is concluded. Thus,**
28 **your hearing may be continued until later in the day or from day to day. It is your responsibility**

1 **to be present when your case is called. If you are not present when your hearing is called, a default**
2 **may be entered against you and the Commission may decide the case as if all allegations in the**
3 **complaint**
4 **were true. If you have any questions, please call Kelly Valadez, Commission Coordinator, at (702)**
5 **486-4606.**

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

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

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

21 The purpose of the hearing is to determine if the Respondent has violated NRS 645 and/or NAC
22 645 and if the allegations contained herein are substantially proven by the evidence presented and
23 to further determine what administrative penalty is to be assessed against the RESPONDENT, if any,

24 ///

25 ///

26 ///

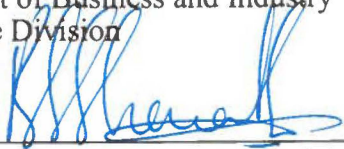
27 ///

28 ///

1 pursuant to NRS 645.235, 645.633 and or 645.630.

2 DATED the 8 day of January, 2025.

3 State of Nevada
4 Department of Business and Industry
5 Real Estate Division

6 By: 
7 SHARATH CHANDRA, Administrator
8 3300 West Sahara Avenue, Suite 350
9 Las Vegas, Nevada 89102

10 AARON D. FORD
11 Attorney General

12 By: /s/ Phil W. Su
13 PHIL W. SU (Bar No. 10450)
14 Senior Deputy Attorney General
15 1 State of Nevada Way, Ste. 100
16 Las Vegas, Nevada 89119
17 psu@ag.nv.gov
18 (702) 486-3655
19 *Attorneys for Real Estate Division*

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