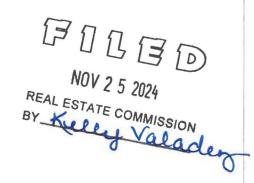
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Attorneys for Respondents



BEFORE THE REAL ESTATE COMMISSION

STATE OF NEVADA

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

Case Nos.: 2023-

2023-959; 2023-960

Petitioner.

VS.

ZARBOD ZANGANEH, (B.1000811.LLC- Case No. 2023-959), ALICIA PRESCOTT-LARIVIERE, (S.0172839, Case No. 2023-960),

Respondents.

RESPONDENTS' ANSWER TO COMPLAINT

Respondents ZARBOD ZANGANEH, (B.1000811.LLC- Case No. 2023-959), and ALICIA PRESCOTT-LARIVIERE, (S.0172839, Case No. 2023-960), (collectively "Respondents") by and through their attorneys of record, the law firm of Marquis Aurbach, hereby answers Petitioner's Complaint as follows:

FACTUAL ALLEGATIONS

1. In answering Paragraph 1, Respondents admit the licensed broker allegation and serving as broker for The Agency Las Vegas and are without knowledge or information sufficient to form a belief as to the truth of the remaining allegations and therefore deny the same—the referenced documents speak for themselves.

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- 2. In answering Paragraph 2, Respondents admit the licensed salesperson under the supervision of Zanganeh and are without knowledge or information sufficient to form a belief as to the truth of the remaining allegations and therefore deny the same—the referenced documents speak for themselves.
- 3. In answering Paragraphs 3 and 4 of Petitioner's Complaint, Respondents admit Killackey submitted a Statement of Fact with the Division and are without knowledge or information sufficient to form a belief as to the truth of the remaining allegations and therefore deny the same—the referenced documents speak for themselves.

BACKGROUND FACTS

4. In answering Paragraphs 5-42 of Petitioner's Complaint, Respondents are without knowledge or information sufficient to form a belief as to the truth of the allegations contained therein, and therefore, deny the same—the referenced documents speak for themselves, whether true or not.

RESPONDENTS' RESPONSES AND ADDITIONAL STATEMENTS OF FACT

5. In answering Paragraphs 43-47 of Petitioner's Complaint, Respondents are without knowledge or information sufficient to form a belief as to the truth of the allegations contained therein, and therefore, deny the same—the referenced documents speak for themselves, whether true or not.

VIOLATIONS OF LAW

6. In answering Paragraphs 1-4 of this section of Petitioner's Complaint, Respondent is without knowledge or information sufficient to form a belief as to the truth of the allegations contained therein, and therefore, deny the same—the allegations amount to legal conclusions applying fact to statutes and sections of administrative code.

DISCIPLINE AUTHORIZED

7. This section of Petitioner's Complaint does not set forth numbered allegations, but, instead, asserts that discipline against Respondent is authorized and requesting relief. Considering the circumstances, Respondent is without knowledge or information sufficient to

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form a belief as to the truth of the allegations contained therein, and therefore, deny the same the allegations amount to legal conclusions.

GENERAL DENIAL

As to any remaining allegations not specifically responded to, Respondents deny 8. the same.

AFFIRMATIVE DEFENSES

- On information and belief, Respondents pursued an LVR complaint against the 1. other parties/entities involved related to the commission involved and LVR found in favor of Respondents awarding them the related commissions—not in favor of Killackey and the associated individuals and entities.
- Petitioner's Complaint fails to state a claim upon which relief may be granted or a 2. sanction assessed against the Respondents.
 - On information and belief, the offer was non-contingent on pre-approval. 3.
- On information and belief, some of the individuals and/or entities participating in 4. pursuing Respondents in this matter violated ethical considerations, were unsuccessful with LVR complaints/circumstances, and/or were simply pursuing Respondents for personal reasons with the intent to harm Respondents.
- 5. Individuals and parties had an opportunity to conduct due diligence and independently verify information.
- Respondents alleges that the Petitioner's claims are barred by the equitable 6. doctrines of laches, unclean hands, and failure to do equity.
- 7. Respondents alleges that the Petitioner's claims were waived and/or it is estopped from asserting the claims the Complaint alleges.
- 8. Respondents alleges that the Petitioner's Complaint was not filed within a reasonable time, as the events surrounding the allegations occurred in or about 2022.
- 9. Petitioner's claims are barred in whole or in part due to ratification, acquiescence, and/or consent.

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- 10. If damages were suffered, others' actions or inactions were the cause of the damages.
 - 11. Any violations were the result of mistake of fact or law.
- 12. Respondents did not knowingly or intentionally violate the law or any related duties.
 - 13. Respondents substantially complied.
- 14. Sellers did not rely to detriment on any information provided and buyers were not harmed.
- 15. Any harm was the result of others' actions. For example, refusal to allow payment of procuring cause commissions to which Respondents were entitled.
- 16. The party who initiated the action with the Commission has not suffered any harm or damages caused by Respondents.
- 17. Respondents hereby incorporate by reference any other affirmative defenses which may be available under the facts, law, and administrative rules governing these proceedings as if fully set forth herein. In the event further investigation or discovery reveals the applicability of any such defenses, Respondents reserve the right to seek leave of the Commission to amend this Answer to specifically assert any such defense. Such defenses are herein incorporated by reference for the specific purpose of not waiving any such defense.

PRAYER FOR RELIEF

WHEREFORE, all material allegations of Petitioner's Complaint have been denied and affirmative defenses asserted. Respondents hereby request as follows:

- 1. Respondents pray for a ruling in their favor.
- 2. That Petitioner's take nothing by way of the Complaint and that the Complaint be dismissed.
 - 3. That no discipline be taken.

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4. For such other and further relief as the Commission may deem just and proper. Dated this 25th day of November, 2024.

MARQUIS AURBACH

By /s/ Tye S. Hanseen
Tye S. Hanseen, Esq.
Nevada Bar No. 10365
10001 Park Run Drive
Las Vegas, Nevada 89145
Attorneys for Respondent

MARQUIS AURBACH

CERTIFICATE OF SERVICE

I hereby certify that on the 25th day of November, 2024, I served a copy of the foregoing

RESPONDENTS' ANSWER TO COMPLAINT upon each of the parties via email to:

Kelly Valadez
Commission Coordinator
Nevada Real Estate Division
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/s/ Rosie Wesp an employee of Marquis Aurbach

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