

KENNY C. GUINN
Governor

STATE OF NEVADA

GAIL J. ANDERSON
Administrator

SYDNEY H. WICKLIFFE, C.P.A.
Director



DEPARTMENT OF BUSINESS AND INDUSTRY
REAL ESTATE DIVISION

www.red.state.nv.us

October 3, 2005

Lorne Malkiewich
Director of Legislative Council Bureau
Legislative Building
401 S. Carson Street
Carson City, Nevada 89701

Re: Quarterly Report of Disciplinary Action

Dear Mr. Malkiewich:

Enclosed you will find the quarterly reports of the disciplinary actions that were assessed by the Nevada Real Estate Commission, Nevada Commission of Appraisers of Real Estate and the Administrator of the Real Estate Division for the period covering the 2nd, 3rd and 4th quarters of calendar year 2004 and the 1st and 2nd quarters of calendar year 2005. We anticipate that we will have the 3rd quarter of calendar year 2005 sent to you next month as required.

Please do not hesitate to contact me should you have any questions regarding this matter.

Sincerely,

A handwritten signature in cursive script, appearing to read "Gail J. Anderson".

Gail J. Anderson
Administrator

GJA/td

enclosures as indicated

Cc: Sydney Wickliffe, Director of Department of Business & Industry

State of Nevada, Department of Business & Industry REAL ESTATE DIVISION

Quarterly Summary of Disciplinary Actions Reporting for 3rd Quarter of calendar year 2004

REAL ESTATE COMMISSION DISCIPLINARY ACTIONS 7/1/04-9/30/04

NAME	LICENSE #	CASE #	HEARING DATE	CASE/STIP	FINE	DIV COSTS	EDUCATION	DUE DATE	DATE PAID	AMOUNT PAID	VIOLATION	OTHER
ELMORE, MICHAEL E	34409 B S	N04-02-04-077	7/21/2004	S	\$5,000		n/a	3/17/2005			NRS 645.235(1)(a) = Acted as a broker/salesman without a license	LICENSE SUSPENDED DUE TO FAILURE TO COMPLY W/ COMMISSION ORDER
HALLENBECK, MARK C.	22062 B I	N04-02-04-077	7/21/2004	S	\$1,500		6 Hrs C/E course on n/a broker supervision	Fine and C/E course due by 3/17/2005	Fine paid = 9/23/2004	Fine \$1,500.00	NRS 645.633(1)(b) = NAC 645.600(1) = Failure to adequately supervise	3 hours of education completed on 10/29/04 On 2/16/05 spoke with Hallenbeck's partner and advised that he register for the WEBOSK course at beginning of March and immediately get the certificate to mail in the mail afterward C/E COMPLETED AS OF 3/3/05
MCCELLER, WALTER S.	40554 B I	N04-09-09-030	7/21/2004	S	\$1,500		6 Hrs C/E course on n/a broker supervision	Fine and C/E course due by 3/17/2005	Fine paid = 10/05/2004 CHECK RETURNED 11/1/2004 - paid on 12/14/04		NRS 645.633(1)(a)(2)(3) Failure to supervise	CHECK RETURNED 11/1/2004 8/27/04 4 Hrs Law/Ethics CE3097LE - So the Seller Said No! 8/27/04 4 Hrs General CE2662 - Escrow the Process and Regional Customs
STRAND, MARSHA A	28584 B S	N04-09-09-30	7/21/2004	S	\$2,500		6 Hrs. C/E "What Every Licensee should know"	Fine and C/E course due by 3/17/2005	2/11/2005	\$2,500 commission	NRS 645.633(1)(b) & NRS 645.252(3)/2003) = Failure to have the Duties Owed signed by the Seller. NRS 645.630(1)(c)2003) = Accepting a buyer's credit in lieu of a	TOOK 8 HRS GENERAL COURSES THAT SHE CLAIMED WERE APPROVED BY CHARLES HENRY INSTEAD OF WELSK. PLAN TO HAVE HER ENROLL IN NEXT OFFERING OF WELSK. REQUEST ADVISE FROM AG OR COMMISSION ON WHETHER TO SUSPEND LICENSE UNTIL COURSE COMPLETED

JALLARD, JAMES J.	
18363 BS	54080 S
N04-08-10-019	504-08-10-019
8/20/2004	8/20/2004
\$1,500	\$7,000
S	S
N/A	N/A
due = 8/16/05	18 Hrs of c/e in Nevada CE=6/16/2005
11/22/2004	
1) NRS 645.633(1)(b) & NAC 645.175 (2003) = Doing business from a place where respondent was authorized to do so. 2) NRS 645.630(1)(a)(2003) = Representing on the documents that Respondent was the agent representing the buyer when Respondent was not the buyer's agent. 3) NRS 645.633(1)(h) & NAC 645.605(5) (2003) = Failure to keep informed of current real estate status.	1) NRS 645.633(1)(b) & NAC 645.252(3) (2003) = Failing to provide agency to former 2. NRS 645.633(1)(b) & NAC 645.637 (2003) = Failing to disclose relationship as the agent for the buyer. 3. NRS 645.635(3). NRS 645.633(1)(h) & NAC 645.605(7) (2003) = Failure to deliver initialed counter-offer. 4. NRS 645.633(1)(b) & NAC 645.630(2) (2003) = Failure to provide the buyer with copy of initialed counter-offer. 5. NRS 645.633(1)(h) & NAC 645.605(7) (2003) = Lossing the initialed
C/E COMPLETED AS OF 3/24/05	

HWAI-YU, "JILY" LIN	40544 S	S04-10-12-110	9/20/2004	S	\$1,200	n/a	3 hrs Contracts & 3 hrs Law/Ethics Edu=5/18/05	Fine= 11/17/05 Education=5/18/05	5/18/2008	\$3,000	1. Violated NRS 645.252(3)(2003) Failure to supply Duties owed form. 2. NRS 645.252(3)(2003) Failure to supply Confirmation form & R/E Agent relationship form. 3. NRS 645.630(1)(e) material misrepresentatio n on lease agreement. 4. NRS 645.633(1)(h) (2003) Failure to disclose that brother was property owner. 5. NRS 645.633(1)(h)(20 03 & NAC 645.605.(7) failure to give her broker a copy of	C/E COMPLETED AS OF 5/18/05
MARION, SHAWN	36268 S	S03-03-11-190	9/20/2004	S	\$3,000	n/a	6 Hrs C/E In Contracts	Fine & Education=5/18/05	5/18/2008	\$3,000	NRS 645.630(1)(a) (2003) Respondent was not in possession of earnest money deposit. NRS 645.633(1)(h) and NAC 645.605(e) Failure to ensure that escrow was opened within one business day. NRS 645.633(1)(i) and NAC 645.605(1)(2003) Failure to notify seller that deposit was returned for insufficient funds.	C/E COMPLETED AS OF 5/18/05

MICHAEL, ANDREW E.	34736 B C & 43552 B I	S03-06-19-291	9/20/2004	FF	\$15,000	\$	3,770.00	n/a	Licenses revoked 12/16/2004. Fines & costs due 6/16/05.				2 Counts NRS 645.630(1)(a) (2003) = 1 Submitted a falsified college transcript with his broker's application; and 2) Obtaining a license through false or fraudulent representation. 1 Count NRS 645.633(1)(j) (2003) Failure to disclose the Nursing Board's denial of licensure.	LICENSE REVOKED AS OF 12/16/04
													1) NRS 645.633(b) & NAC 645.252(2) = Failure to advise seller that no earnest money was deposited into escrow. 2) NRS 645.630(1)(a) = Signing a purchase agreement indicating he had received earnest money when he had not. 3) NRS 645.633(1)(j) = Failure to advise the seller that no earnest money was deposited into escrow.	
INARGI, ELVIS	43453 B C	S04-09-39-095	9/20/2004	S	\$15,000			30 hrs which must consist of 18 hrs NV law, 6 hrs WELSK, 6 hrs n/a contracts	Fines due 12/16/2005. Education due by 6/16/05				c/c not to count toward renewal credit 7/8/05 FAILURE TO COMPLY W/ COMMISSION ORDER LICENSE SUSPENDED	

QUITEVIS, FELY A.	38330 B1	S04-01-18-168	9/20/2004	\$	\$15,000	\$	1,180.00	45 hr Broker Mgmt.	Fine, cost and education due 5/17/05	3/23/2005 \$6000 5/18/05 \$5000	1. NRS 645.232(3) (2001) Failure to complete a Confirmation of Agency Relationship Form. 2. NRS 645.633(1)(h) (2001) & NAC 645.605(8) Failure to Indicate Counter Offer on the Agreement. 3. NRS 645.633(1)(h) (2001) & NAC 645.605(6) Gross negligence by having the sellers execute the Agreement when it didn't mention the Counter Offer. 4. NRS 645.633(1)(h) (2001) & NAC 645.605(9) Gross negligence due to misrepresentation of \$500 check. 5. NRS 645.633(1)(j) License to be suspended for failure to comply with Commission Order (Education not completed as of 5/17/05).	CIE COMPLETED AS OF 5/6/05. LICENSE TO BE SUSPENDED FOR FAILURE TO COMPLY WITH COMMISSION ORDER
QUITEVIS, PATRICK A.	48161 BS	S04-11-11-130	8/20/2004	\$	\$6,000	\$	1,302.50	6 Hrs CIE	Fines and education due 5/17/05	3/24/2005, 6/30/05 2302.50 5000	1. NRS 645.232(3) (2001) Failure to complete a Confirmation of Agency Relationship Form. 2. NRS 645.633(1) (2001) Misrepresentation of a check for \$500. 3. NRS 645.633(1)(h) (2001) & NAC 645.605(1) Gross negligence due to misrepresentation of \$500 check. 4. NRS 645.633(1)(j) (2001) & NAC 645.605(6) Gross negligence due to misrepresentation of \$500 check. 5. NRS 645.633(1)(j) License to be suspended for failure to comply with Commission Order (Education not completed as of 5/17/05).	LICENSE TO BE SUSPENDED FOR FAILURE TO COMPLY WITH COMMISSION ORDER (EDUCATION NOT COMPLETED AS OF 5/17/05).

5 Counts NRS									
645.633 (1)(h)(2001) - Gross negligent 1) NAC 645.605(1) Failure to state how earnest money was evidenced. 2) NAC 645.605(6) Failure to state how earnest money was evidenced. 3) NAC 645.605(1) Failure to specify how earnest money was to be deposited into the Valley Drive escrow. 4) NAC 645.605(6) Failure to specify how earnest money was to be deposited into the Valley Drive escrow. 5) NAC 645.605(10) Failure to disclose to									CIE COMPLETED AS OF 4/15/05.
MEGA, CARLOS	41845 B C	S03-06-18-200	9/20/2004	S	\$2,000	9/17/05 Fine & Education due =	12/3/2004	\$2,000	1. NRS (645.630(1)(e) (2003) Making a material misrepresentation in regarding non- existent \$18,145.14 CD 11/30/03. 2. NRS (645.630(1)(e) (2003) Making a material misrepresentation in regarding non- existent \$10,922.29 CD 11/30/03. 3 NRS (645.630(1)(e) (2003) Making a material misrepresentation in regarding non- existent \$34,014.53 CD 11/30/03. 4. NRS (645.630(1)(e) (2003) Making a material misrepresentation in regarding non- existent
WRATH, THOMAS J.	50467 B I	S04-02-10-200	9/20/2004	C	\$30,000	3,900.03 Fine and cost due n/a			License and Permits to be revoked as of 12/16/04.
REAL ESTATE ADMINISTRATOR ON BEHALF OF THE NEVADA REAL ESTATE COMMISSION PURSUANT TO NAC 645.695									
LICENSE #	NAME	CITY	DATE ISSUED	FINE \$ AMT.	DATE FINE PAID	AMOUNT PAID	BAL DUE	CIE	DATE CIE COMPLETED
	ROBERTSON, LAWRENCE 504- 02-05-195	HENDERSON	7/1/2004	\$			\$0	LAW ETHICS	9/1/2004
									NRS 645.252(2)(3)

BROWN JR, JOHN M S04-10-18-116	LAS VEGAS	7/6/2004	\$ 500.00	8/11/2004	7/27/2004	\$ 500.00	\$0	CE	11/11/2004	9/24/2004	NAC 645.660(3)
RUIZ, BRENDA S04-04-19-275	LAS VEGAS	7/6/2004	\$ 500.00	8/11/2004	8/11/2004	\$ 500.00	\$0	CE	9/11/2004	10/12/2004	NRS 645.633(1)(h) & NRS 645.262(2)
ROSENSTEIN, TEDD S05-07-01-001	LAS VEGAS	7/14/2004	\$ 1,000.00	9/19/2004	9/8/2004	\$ 1,000.00	\$0	NONE			NRS 645.310 (5)
PIKE, TANYA S04-02-11-201	PAHRUMP	8/5/2004	\$ 500.00	9/8/2004	8/19/2004	\$ 500.00	\$0	NONE			NRS 645.633(1)(h)
RYAN, J DAVID S04-06-28-332	LAS VEGAS	8/12/2004	\$ 500.00	9/8/2004	8/13/2004	\$ 500.00	\$0	NONE			NRS 645.262(2)
MASTERTON JR, CARRICK	PAHRUMP	8/31/2004	\$ 500.00	10/7/2004	10/8/2004	\$ 500.00	\$0	LAW/ETHIC	12/31/2004	12/1/2004	NRS 645.633 1.(h)
MUSI, MARCELO S05-07-02-002	LAS VEGAS NV	8/31/2004	\$ 750.00	10/7/2004	10/7/2004	\$ 750.00	\$0	LAW/ETHICS 6 HR	12/31/2004	12/1/2004	NRS 645.580 3
NALDER, ROLAND "RON" S05-08-05-045	LAS VEGAS	8/31/2004	NONE					LAW/ETHICS 9 HOURS	2/28/2005	12/29/2004	NRS 645.633 1(h)
NOTO, BARBARA J S05-08-06-046	LAS VEGAS	8/31/2004	\$ 500.00	10/7/2004	9/7/2004	\$ 500.00	\$0	NONE			NRS 645.633 1.(h)
EBERT, JACQUELINE CARROLL	HENDERSON	9/2/2004	\$ 500.00	10/8/2004	10/8/2004	\$ 500.00	\$0	NONE			NRS 645.262(2)
GRACE S05-07-27-027	HENDERSON	9/27/2004	\$ 1,500.00	12/1/2004	11/17/2004	\$ 1,500.00	\$0	6 HRS LAW/ETHICS	1/21/2005		NRS 645.633 1(h) & NRS 645.630 (1)
NUEFELD, LYNN GRAY S05-07-23-023	LAUGHLIN	9/27/2004	\$ 1,500.00	12/1/2004	11/30/2004	\$ 1,500.00	\$0	NONE			NRS 645.633 1 (h) & NRS 645.630 (1)
RODRIGUEZ, JOSE S05-08-07-047	LAS VEGAS	9/27/2004	\$ 500.00	11/1/2004	11/2/2004	\$ 500.00	\$0	LAW/ETHIC	12/1/2004	10/26/2004	NAC 645.633
STEWART, JERRA S05-08-07-047	LAS VEGAS	9/27/2004	\$ 500.00	11/1/2004	11/1/2004	\$ 500.00	\$0	NONE			NRS 645.633 1(h)
MARSH, GLENN	LAUGHLIN	9/28/2004	\$ 500.00	11/1/2004	10/25/2004	\$ 500.00	\$0	NONE			NRS 645.660

NEVADA COMMISSION OF APPRAISERS OF REAL ESTATE DISCIPLINARY ACTIONS 7/1/04-9/30/04

NAME	LIC #	CASE #	HEARING DATE	FINE	COSTS	EDUCATION	EFF DATE	DUE DATE	DATE PAID	AMOUNT PAID	VIOLATION	OTHER
STILLIAN, EDWARD	2845	02.044.S, 02.074.S & 02.080.S	5/25/2004	N/A	N/A	N/A	7/8/2004	N/A	N/A	N/A	N/A	Voluntary Surrender in Lieu of Disciplinary Action entered.
WHITLATCH, RONALD	2485	02.032.S, 02.033.S & 02.034.S	5/25/2004	\$8,000	N/A	15 hrs National USPAP	7/23/2004	7/23/05 c/o=prior to reinstatement	10/13/2004	\$8,000	USPAP VIOLATIONS	License suspended for 90 days effective 7/1/04 through 9/28/04. Education not to count toward renewal credits and must be taken by live instruction.