FILED
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REAL ESTATE COMMISSION
BY

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BEFORE THE REAL ESTATE COMMISSION

STATE OF NEVADA

SHARATH CHANDRA, Administrator, REAL ESTATE DIVISION, DEPARTMENT OF BUSINESS AND INDUSTRY, STATE OF NEVADA, Petitioner, vs. JENNIFER LEE, License No. S.0191685.LLC, Respondent.	**Case No.: 2025-546** **ANSWER TO COMPLAINT FOR DISCIPLINARY ACTION AND NOTICE OF HEARING**

Respondent JENNIFER LEE ("Respondent"), by and through her attorney of record, MILAN CHATTERJEE, ESQ. of MILAN'S LEGAL, hereby answers the Complaint for Disciplinary Action and Notice of Hearing filed herein on July 9, 2026, pursuant to *NRS 645.685*, and admits, denies and alleges as follows. Except as expressly admitted herein, each and every allegation of the Complaint is denied.

JURISDICTION

1. Respondent does not contest the jurisdiction of the Division and the Commission over this proceeding pursuant to NRS Chapter 645 and NAC Chapter 645. Respondent refers to the licensing records of the Division, which speak for themselves.

ANSWER TO FACTUAL ALLEGATIONS

2. Answering Paragraph 1 of the Complaint, Respondent refers to the licensing records of the Division, which speak for themselves, and otherwise DENIES the allegations contained therein.

3. Answering Paragraph 2, Respondent refers to the records of the Division, which speak for themselves, DENIES the truth of the matters asserted in the Statement of Fact referenced therein, and DENIES the remaining allegations of Paragraph 2.

4. Answering Paragraph 3, Respondent refers to the documents referenced therein, which speak for themselves, and otherwise DENIES the allegations contained therein.

5. Answering Paragraph 4, Respondent refers to the recorded instruments referenced therein, which speak for themselves, and otherwise DENIES the allegations contained therein.

6. Answering Paragraph 5, Respondent DENIES the allegations contained therein and demands strict proof thereof.

7. Answering Paragraph 6, Respondent refers to the licensing records of the Division as to the permits held by Respondent, which speak for themselves, and otherwise DENIES the allegations contained therein.

8. Answering Paragraph 7, Respondent DENIES the allegations contained therein. As to the document produced at NRED0008–0009, Respondent is without sufficient information to admit or deny the circumstances of its preparation and execution, and on that basis DENIES the same and demands strict proof of its authenticity and execution.

9. Answering Paragraph 8, Respondent refers to the lease agreements referenced therein, which speak for themselves, and otherwise DENIES the allegations contained therein.

10. Answering Paragraph 9, Respondent DENIES the allegations contained therein and demands strict proof thereof.

11. Answering Paragraph 10, Respondent DENIES the allegations contained therein and demands strict proof thereof.

12. Answering Paragraph 11, Respondent DENIES the allegations contained therein.

13. Answering Paragraph 12, Respondent is without sufficient information to admit or deny the allegations contained therein and on that basis DENIES the same.

14. Answering Paragraph 13, Respondent refers to the licensing records of the Division as to the permits held by Respondent, which speak for themselves, and otherwise DENIES the allegations contained therein.

15. Answering Paragraph 14, Respondent DENIES the allegations contained therein and demands strict proof thereof.

16. Answering Paragraph 15, Respondent refers to the documents referenced therein, which speak for themselves, and otherwise DENIES the allegations contained therein.

17. Answering Paragraph 16, Respondent DENIES the allegations contained therein and demands strict proof thereof.

18. Answering Paragraph 17, Respondent refers to the records of her former broker, which speak for themselves, and otherwise DENIES the allegations contained therein.

19. Answering Paragraph 18, Respondent refers to the documents referenced therein, which speak for themselves, and otherwise DENIES the allegations contained therein.

20. Answering Paragraph 19, Respondent is without sufficient information to admit or deny the allegations contained therein and on that basis DENIES the same.

21. Answering Paragraph 20, Respondent refers to the documents referenced therein, which speak for themselves, and otherwise DENIES the allegations contained therein.

22. Answering Paragraph 21, Respondent refers to the correspondence and affidavit referenced therein, which speak for themselves, and otherwise DENIES the allegations contained therein.

23. Answering Paragraph 22, Respondent refers to the letter dated April 21, 2026, which speaks for itself, and otherwise DENIES the allegations contained therein.

ANSWER TO VIOLATIONS OF LAW

24. Answering Count One, alleging a violation of *NRS 645.633(1)(i)*, Respondent DENIES the allegations contained therein and demands strict proof thereof. Respondent denies that she engaged in any conduct that was deceitful, dishonest or fraudulent, denies that she misrepresented herself as a property manager, and denies that any agreement to rebate a portion of a commission was concealed from her broker.

25. Answering Count Two, alleging a violation of *NRS 645.235(1)(a)*, Respondent DENIES the allegations contained therein and demands strict proof thereof. Respondent refers to the licensing records of the Division as to the permits held by Respondent, which speak for themselves, DENIES

that she performed duties exclusively within the domain of a licensed property manager, and DENIES that she acted knowingly within the meaning of the statute.

26. Answering Count Three, alleging a violation of *NRS 645.280(2)*, Respondent DENIES the allegations contained therein and demands strict proof thereof.

27. Answering Count Four, alleging a violation of *NRS 645.280(1)*, Respondent DENIES the allegations contained therein and demands strict proof thereof. Respondent denies that a rebate of a portion of a commission to the buyer, who was the principal in the transaction and who performed no services, constitutes a violation of the statute.

AFFIRMATIVE DEFENSES

28. Each of the affirmative defenses set forth below is pleaded in the alternative, and none constitutes an admission of any allegation of the Complaint or of any fact, liability or violation. Respondent denies each and every allegation of the Complaint except as expressly stated herein.

FIRST AFFIRMATIVE DEFENSE

(Failure to State a Violation — Count Four)

29. NRS 645.280(1) prohibits a licensee from paying or promising to pay any part of a commission to a person who is not licensed, in consideration of services performed or to be performed by that unlicensed person. The person to whom the rebate was promised was the buyer and principal in the transaction and performed no services for Respondent. A rebate of a portion of a commission to one's own principal is not a payment in consideration of services and does not fall within the prohibition. Count Four fails as a matter of law. Count Four is further internally inconsistent, in that it charges Respondent both with promising the rebate and with failing to pay it.

SECOND AFFIRMATIVE DEFENSE

(Elements of Property Management Not Established — Count Two)

30. NRS 645.019 defines property management as the physical, administrative or financial maintenance and management of real property, or the supervision of such activities, for a fee, commission or other compensation or valuable consideration, pursuant to a property management agreement. Each element is required. The Division's own production at NRED0003 contains the

complaining principal's written statement that Respondent did not have a monthly management fee, as this was a service she provided to her clients. The leasing activity for the River Hawk property was performed in September 2024, months before the date appearing on the document produced at NRED0008–0009. NRS 645.235(1)(a) further requires that a person act knowingly. The Division cannot establish the elements of the charge.

THIRD AFFIRMATIVE DEFENSE

(Activity Within the Scope of License)

31. The rental and leasing of real property, and the listing and solicitation of prospective lessees and renters, are activities enumerated at NRS 645.030(1)(a), separate and distinct from the business of property management enumerated at NRS 645.030(1)(c). A licensed real estate salesperson acting under the supervision of a broker may lawfully list, market, show, screen and lease residential property without a permit to engage in property management. On each lease within the Division's production, the owner and not Respondent appears upon the LANDLORD/OWNER signature line, and Respondent did not execute either lease as a Landlord's Authorized NRS 645 Permitted Property Manager.

FOURTH AFFIRMATIVE DEFENSE

(Absence of Scienter — Count One)

32. NRS 645.633(1)(i) reaches conduct that is deceitful, fraudulent or dishonest in dealing. The provision imports a culpable state of mind. Conduct that is at most negligent, disorganized or mistaken does not satisfy the standard, and the Division has alleged no facts establishing intent to deceive.

FIFTH AFFIRMATIVE DEFENSE

(Disclosure to Broker — Count One)

33. The Complaint alleges that the agreement to rebate a portion of Respondent's commission was never confirmed or communicated to her broker. The Division's own production at NRED0007 contains a Berkshire Hathaway HomeServices Nevada Properties Request for Variance of Company Procedures dated November 28, 2024, identifying the property, the client, the nature of

the variance and the exact sum of $8,199.50. The allegation of concealment is refuted by the Division's own exhibit.

SIXTH AFFIRMATIVE DEFENSE

(Lack of Notice — Due Process)

34. The pre-complaint notice issued April 21, 2026 (NRED0069) identified alleged violations of NAC 645.605(1), NRS 645.235(1)(a), NRS 645.280(2) and NRS 645.630(1)(b), and further identified the underlying complaint as one filed by a person unconnected to this matter. The Complaint charges NRS 645.633(1)(i) and NRS 645.280(1), neither of which was noticed. The Notice of Hearing separately recites NRS 645.633(1)(h) and NAC 645.605(11)(a) and (b), which appear nowhere among the charges. An administrative body must give the party charged notice of the issues upon which decision will turn and the factual material upon which it relies, and it deprives a respondent of due process by finding violations for which the factual basis does not appear in the complaint. Respondent objects to any finding upon any charge not pleaded in the Violations of Law section of the Complaint.

SEVENTH AFFIRMATIVE DEFENSE

(Failure to Plead With Particularity — Count One)

35. The Complaint does not identify which specific acts or representations are alleged to constitute deceitful, fraudulent or dishonest dealing. Respondent is thereby unable to prepare a defense to Count One, and objects to the presentation of any theory of deceit not disclosed within the four corners of the Complaint.

EIGHTH AFFIRMATIVE DEFENSE

(Right to Confrontation and Cross-Examination)

36. Respondent is entitled to cross-examine opposing witnesses on any matter relevant to the issues. NRS 233B.123(4). Evidence may be received in written form only where the hearing will thereby be expedited and the interests of the parties will not be substantially prejudiced. NRS 233B.123(3). Respondent objects to the admission of, and to any reliance upon, the written

statements, letters and electronic mail of the complainant and of the complaining principal in the absence of their appearance and availability for cross-examination.

NINTH AFFIRMATIVE DEFENSE

(Right to an Impartial Tribunal)

37. Commissioner Forrest L. Barbee was Respondent's designated broker at the time of the conduct alleged, his supervision is placed directly at issue by the Complaint, and he is required to attend this hearing pursuant to NAC 645.855. Respondent objects to his participation as a member of the Commission in the adjudication of this matter and preserves the objection for review pursuant to NRS 233B.135.

TENTH AFFIRMATIVE DEFENSE

(Separate Findings Required as to Each Charge)

38. The Commission must make findings of fact as to each provision Respondent is charged with violating. A decision that fails to make separate findings as to each charge is arbitrary and capricious.

ELEVENTH AFFIRMATIVE DEFENSE

(Duplicative Charging — Single Course of Conduct)

39. NRS 645.630 authorizes an administrative fine of not more than $10,000 for each violation committed. The four counts pleaded arise from a single course of dealing with a single client. Counts One and Two rest upon the same alleged holding out as a property manager, and Counts Three and Four are both brought under NRS 645.280. Respondent objects to the imposition of cumulative fines for what is in substance one alleged course of conduct.

TWELFTH AFFIRMATIVE DEFENSE

(Disproportionate Sanction)

40. In determining the amount of any administrative fine, the Commission must consider the severity of the violation, the harm caused, the nature and amount of any gain or economic benefit derived, and the licensee's history of other violations. NRS 645.235(3). Any fine grossly

disproportionate to the conduct established would constitute an excessive fine, and Respondent preserves that objection.

THIRTEENTH AFFIRMATIVE DEFENSE

(Mitigation)

41. Respondent has no prior disciplinary history, as the Division's own Certificate of Licensure (NRED0073) reflects. She responded to the Division's investigation by sworn affidavit rather than by silence. The conduct alleged involves a single client and two transactions over a limited period. Respondent received no property management fee and derived no significant economic benefit from the conduct alleged, and did not personally retain the benefit of all sums the Division alleges to be outstanding. The sum alleged in the Complaint is further unsupported by any accounting within the Division's production and is irreconcilable with the complaining principal's own tabulation appearing at NRED0004 and NRED0006. Respondent reserves the right to present evidence in mitigation at hearing.

FOURTEENTH AFFIRMATIVE DEFENSE

(Reservation)

42. Respondent has had limited opportunity to investigate the allegations of the Complaint prior to the deadline to answer, and reserves the right to amend this Answer and to assert such additional defenses as may become known through further investigation and the production of records by third parties.

REQUEST FOR HEARING WITHIN THE SOUTHERN DISTRICT

43. Pursuant to NRS 645.690(1), Respondent hereby requests in writing that the hearing upon these charges be held within the southern district as defined in NRS 645.100, within which Respondent's principal place of business is situated.

REQUEST REGARDING PARTICIPATION OF COMMISSIONER

44. Respondent respectfully requests written confirmation that Commissioner Forrest L. Barbee, who was Respondent's designated broker at the time of the conduct alleged, whose supervision is placed directly at issue by the Complaint, and who is required to attend this hearing

pursuant to NAC 645.855, will not sit as a member of the Commission in the adjudication of this matter.

PRAYER FOR RELIEF

WHEREFORE, Respondent prays as follows:

45. That the Complaint be dismissed in its entirety;

46. In the alternative, that Counts One, Two and Four be dismissed;

47. That no administrative fine be imposed, or that any fine imposed be proportionate to the conduct actually established;

48. That Respondent's license not be suspended or revoked; and

49. For such other and further relief as the Commission deems just and proper.

DATED this 9th day of August, 2026.

MILAN'S LEGAL

By: */s/ Milan Chatterjee*
MILAN CHATTERJEE, ESQ.
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Attorney for Respondent

CERTIFICATE OF SERVICE

I hereby certify that on the 9th day of August 2026, I caused a true and correct copy of the foregoing **ANSWER TO COMPLAINT FOR DISCIPLINARY ACTION AND NOTICE OF HEARING** to be served by certified mail, return receipt requested, and by electronic mail, upon the following:

Real Estate Division, State of Nevada
Attn: Legal Administrative Officer
3300 W. Sahara Avenue, Suite 350
Las Vegas, Nevada 89102

Amy Reveyrand, Commission Coordinator
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/s/ Milan Chatterjee
An employee of MILAN'S LEGAL