BEFORE THE COMMISSION OF APPRAISERS OF REAL ESTATE

STATE OF NEVADA

SHARATH CHANDRA, Administrator, REAL ESTATE DIVISION, DEPARTMENT OF BUSINESS AND INDUSTRY, STATE OF NEVADA, Petitioner, vs. DAVID ALAN PERKINS, (License No. A.0206151-CR), Respondent.	**Case No. 2024-1021** **STIPULATION AND ORDER FOR SETTLEMENT OF DISCIPLINARY ACTION**

FILED

JAN 23 2025

NEVADA COMMISSION OF APPRAISERS

This Stipulation and Order for Settlement of Disciplinary Action (the "Stipulation") is entered into by and between the State of Nevada, Department of Business and Industry, Real Estate Division ("the Division"), through its Administrator Sharath Chandra ("Petitioner"), by and through their attorney of record, Phil W. Su, Senior Deputy Attorney General, and Respondent David Alan Perkins, ("RESPONDENT"), representing himself.

The Respondent is a Certified Residential Appraiser licensed by the Division, License No. A.0206151-CR), and therefore is subject to the Jurisdiction of the Division and the provisions of NRS and NAC Chapter 645C. By availing himself of the benefits and protections of the laws of the State of Nevada, the Respondent has submitted to the jurisdiction of the Division.

SUMMARY OF FACTUAL ALLEGATIONS AS SET FORTH IN THE COMPLAINT (CASE 2024-1021)

The Complaint filed by the Division alleges the following Factual Allegations against RESPONDENT:

1. On October 22, 2024, as part of an appraisal license renewal from Respondent DAVID ALAN PERKINS, the Nevada Real Estate Division ("Division" or "NRED") received a self-reported copy of a July 3, 2023, stipulated disciplinary agreement between RESPONDENT and the Bureau of Real Estate Appraisers of California. ("BREA Disciplinary Order") [NRED 0001-0014].

2. The BREA Disciplinary Order states "IT IS HEREBY ORDERED that Respondent's Real Estate Appraisers License No. 031262 is revoked. However, the revocation of Respondent's License shall be stayed, and Respondent's License shall be publicly reproved. Respondent's License shall be restricted and monitored on probation for two (2) years from the effective date of the Decision and Order on the terms and conditions described below. If Respondent fails to comply with the terms and conditions of probation, as set forth below, the Bureau may revoke Respondent's License." [NRED 0008.]

3. The BREA Disciplinary Order further ordered, under the section entitled "Restricted License – Supervision," that "Respondent shall not supervise any individual in the practice of real estate appraisal for the entire term of probation from the effective date of the Decision and Order." [NRED 0008].

4. On or about December 5, 2024, the Division's investigator, James Silva, recommended this matter be forwarded to the Commission for consideration of reciprocal discipline. [NRED 0015-0017].

SUMMARY OF VIOLATIONS OF LAW AS ALLEGED IN THE COMPLAINT (CASE 2024-1021)

The Complaint filed by the Division alleges that RESPONDENT committed the following violation of law:

1. RESPONDENT violated NRS 645C.460(1)(e) when he stipulated to subject himself to revocation (subsequently stayed) in another jurisdiction, the State of California, pursuant to the July 3, 2023, BREA Disciplinary Order.

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PROPOSED SETTLEMENT AGREEMENT

By entering into this Stipulation, the RESPONDENT does not admit the above factual allegations and alleged violations of law as set forth in the Complaint for Case 2024-1021, but nevertheless agrees to waive his right to contest the above-alleged facts and legal violations if this Stipulation is approved by the Commission. Accordingly, in an effort to avoid the time and expense of litigating these legal and factual issues before the Commission, as well as any possible further legal appeals from any such decision, and the parties desire to compromise and settle the instant controversy upon the following terms and conditions:

1. RESPONDENT'S Nevada Residential Appraisal License ("No. A.0206151-CR"), is hereby revoked (hereinafter, "the Nevada Reciprocal Stayed Revocation"), in reciprocal fashion to the stayed revocation imposed upon his California Real Estate Appraisers License (No. 031262), pursuant to the terms of the July 3, 2023, BREA Disciplinary Order. However, the Nevada Reciprocal Stayed Revocation shall be stayed until the first of either of the following events occur:

   a. the stayed revocation of RESPONDENT'S California Real Estate Appraisers License No. 031262 is lifted due to his full compliance with the terms of the July 3, 2023, BREA Disciplinary Order, and RESPONDENT thereafter provides written proof and notice of the lifted stay for License No. 031262 to the Division; or

   b. for a period of two (2) years from the effective date of order approving this settlement stipulation.

2. If RESPONDENT fails to comply with the terms and conditions of this settlement stipulation, as set forth below, the Commission may revoke RESPONDENT'S Nevada Residential Appraisal License (No. A.0206151-CR).

3. RESPONDENT shall not supervise any interns in the practice of real estate appraisal in Nevada until the Nevada Reciprocal Stayed Revocation has been lifted.

4. RESPONDENT agrees to pay the Division a total amount of ONE

THOUSAND SIX HUNDRED SIXTEEN DOLLARS and 32/100 cents ($1,616.32) ("Amount Due"), consisting of zero administrative fines imposed by the Division and the Division's pre-hearing attorney's fees in the amount of ONE THOUSAND TWO HUNDRED FIFTY SIX DOLLARS and 32/100 cents ($1,256.32), and investigative costs incurred in the total amount of THREE HUNDRED SIXTY DOLLARS AND NO CENTS ($360.00).

a. The Amount Due shall be payable to the Division within thirty (30) days of the effective date of the order approving this settlement stipulation.

b. No grace period is permitted. If the payment is not actually received by the Division on or before its due date, it shall be construed as an event of default by the RESPONDENT.

5. RESPONDENT and the Division agree that once this Agreement is approved and fully performed, the Division will close its file in this matter and the Division agrees not to pursue any other or greater remedies or fines in connection with RESPONDENT'S alleged conduct referenced herein. The Division further agrees that unless RESPONDENT fails to make timely payment, the Division will not bring any claim or cause directly or indirectly based upon any of the facts, circumstances, or allegations discovered during the Division's investigation and prosecution of this case.

6. RESPONDENT agrees and understands that by entering into this Stipulation, RESPONDENT is waiving his right to a hearing in each matter at which RESPONDENT may present evidence in his defense, his right to a written decision on the merits of the complaint, his rights to reconsideration and/or rehearing, appeal and/or judicial review, and all other rights which may be accorded by the Nevada Administrative Procedure Act, the Nevada Real Estate Appraisers statutes and accompanying regulations, and the federal and state Constitutions.

7. RESPONDENT understands that this Agreement and other documentation may be subject to public records laws. The Commission members who review this matter for approval of this Stipulation may be the same members who ultimately hear, consider,

and decide the Complaints if this Stipulation is either not approved by the Commission or is not timely performed by RESPONDENT.

8. RESPONDENT fully understands that he has the right to be represented by legal counsel in these matters at his own expense.

9. Each party shall bear their own attorney's fees and costs, except as provided above.

10. Approval of Stipulation. Once executed, this Stipulation will be filed with the Commission and will be placed on the agenda for approval at its next public meeting. The Division will recommend to the Commission approval of the Stipulation. RESPONDENT agrees that the Commission may approve, reject, or suggest amendments to this Stipulation that must be accepted or rejected by RESPONDENT before any amendment is effective.

11. Withdrawal of Stipulation. If the Commission rejects this Stipulation or suggests amendments unacceptable to RESPONDENT, RESPONDENT may withdraw from this Stipulation, and the Division may pursue its Complaint before the Commission. This Stipulation then shall become null and void and unenforceable in any manner against either party.

12. Release. In consideration of the execution of this Stipulation, RESPONDENT for himself, his heirs, executors, administrators, successors, and assigns, hereby releases, remises, and forever discharges the State of Nevada, the Department of Business and Industry, and the Division, and each of their respective members, agents, employees, and counsel in their individual and representative capacities, from any and all manner of actions, causes of action, suits, debts, judgments, executions, claims, and demands whatsoever, known and unknown, in law or equity, that RESPONDENT ever had, now has, may have, or claim to have against any or all of the persons or entities named in this section, arising out of or by reason of the Division's investigations, these disciplinary actions, and all other matters relating thereto.

13. Indemnification. RESPONDENT hereby agrees to indemnify and hold

harmless the State of Nevada, the Department of Business and Industry, Petitioner, the Division, and each of their respective members, agents, employees, and counsel, in their individual and representative capacities, against any and all claims, suits, and actions brought against said persons and/or entities by reason of the Division's investigations, these disciplinary actions, and all other matters relating thereto, and against any and all expenses, damages, and costs, including court costs and attorney fees, which may be sustained by the persons and/or entities named in this section as a result of said claims, suits, and actions.

14. Default. In the event of default under this Stipulation, RESPONDENT agrees that his license shall be immediately suspended, and the unpaid balance of the administrative fine and costs, together with any attorneys' fees and costs that may have been assessed, shall be due in full to the Division within ten calendar days of the date of default. Debt collection actions for unpaid monetary assessments in this case may be instituted by the Division or its assignee.

15. RESPONDENT has signed and dated this Stipulation only after reading and understanding all terms herein.

IT IS SO STIPULATED.

Dated: January, ___, 2025.

NEVADA REAL ESTATE DIVISION
Dept. of Business and Industry, State of Nevada

By: _____
SHARATH CHANDRA, Administrator
3300 West Sahara Avenue, Suite 350
Las Vegas, Nevada 89102

Dated: January, ___, 2025.

By: _____
DAVID ALAN PERKINS
Respondent, License No. A.0206151-CR

named in this section as a result of said claims, suits, and actions.

14. Default. In the event of default under this Stipulation, RESPONDENT agrees that his license shall be immediately suspended, and the unpaid balance of the administrative fine and costs, together with any attorneys' fees and costs that may have been assessed, shall be due in full to the Division within ten calendar days of the date of default. Debt collection actions for unpaid monetary assessments in this case may be instituted by the Division or its assignee.

15. RESPONDENT has signed and dated this Stipulation only after reading and understanding all terms herein.

IT IS SO STIPULATED.

Dated: January, 16, 2025.

NEVADA REAL ESTATE DIVISION
Dept. of Business and Industry, State of Nevada

By: _____
SHARATH CHANDRA, Administrator
3300 West Sahara Avenue, Suite 350
Las Vegas, Nevada 89102

Dated: January, 16, 2025. By: David Alan Perkins
DAVID ALAN PERKINS
Respondent, License No. A.0206151-CR

Approved as to form:

AARON D. FORD
Attorney General

By: /s/ Phil W. Su
PHIL W. SU (Bar No. 10450)
Senior Deputy Attorney General
1 State of Nevada Way, Ste. 100
Las Vegas, Nevada 89119
(702) 486-3655

Approved as to form:

AARON D. FORD
Attorney General

By: /s/ Phil W. Su
PHIL W. SU (Bar No. 10450)
Senior Deputy Attorney General
1 State of Nevada Way, Ste. 100
Las Vegas, Nevada 89119
(702) 486-3655
Attorneys for Real Estate Division

ORDER
Case No. 2024-1021

IT IS ORDERED that the foregoing Stipulation for Settlement of Disciplinary Action, submitted by Petitioner and Respondent, is approved in full.

Dated: this 23rd day of January, 2025.

COMMISSION OF APPRAISERS OF REAL ESTATE

By: _____
President, Commission of Appraisers of Real Estate

Submitted by:

AARON D. FORD
Attorney General

By: /s/ Phil W. Su
PHIL W. SU (Bar No. 10450)
Senior Deputy Attorney General
1 State of Nevada Way, Ste. 100
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