BEFORE THE REAL ESTATE COMMISSION

STATE OF NEVADA

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

Petitioner,

vs.

TERRI JO HOOK,

Respondent.

Case No. 2017-647

FILED
OCT 04 2019
REAL ESTATE COMMISSION
BY: Emily Tattle

COMPLAINT AND NOTICE OF HEARING

The REAL ESTATE DIVISION OF THE DEPARTMENT OF BUSINESS AND INDUSTRY OF THE STATE OF NEVADA ("Division"), by and through its counsel, Aaron D. Ford, Attorney General of the State of Nevada, and Karissa D. Neff, Deputy Attorney General, hereby notifies RESPONDENT TERRI JO HOOK ("RESPONDENT") of an administrative hearing before the STATE OF NEVADA REAL ESTATE COMMISSION. The hearing will be held pursuant to Chapters 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 NRS 645.633, NRS 645.630 and NRS 622.400, and the discipline to be imposed, if violations of law are proven.

JURISDICTION

RESPONDENT was at all relevant times mentioned in this Complaint licensed by the Division as a salesperson under license number S.0069235, 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. RESPONDENT has been licensed as a salesperson under license number S.0069235 beginning on January 10, 2006, which license is currently active.

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2. NAC 645.448 requires that a licensee satisfy certain continuing education requirements and provide proof to the Division of satisfying those requirements within the required time period set forth in the administrative code to renew his or her license.

3. NAC 645.448(1) states, in relevant part, "a real estate salesperson who wishes to renew his or her license must complete at least 48 hours of continuing education at approved educational courses, seminars or conferences during the license renewal period. Twenty-four of the hours must be completed before the end of each 2-year period. Each licensee must provide the Division with proof of completion before the end of each 2-year period.

4. RESPONDENT failed to complete and provide proof to the Division of her completed mid-point education requirements by January 31, 2015.

5. DUE to RESPONDENT's failure to complete and submit proof to the Division of her completed mid-point education requirements by January 31, 2015, RESPONDENT's license became involuntarily inactive on February 1, 2017.

6. On or around February 27, 2017 RESPONDENT went to the Nevada Real Estate Division office to reinstate her license.

7. On or around February 27, 2017, RESPONDENT submitted proof of completion of her required education requirements to the Division.

8. The proof of completion of education requirements submitted to the Division also showed that 12 hours of RESPONDENT's required education were completed after her license went on inactive status.

9. On or about March 24, 2017, the Administrator of the Real Estate Division issued RESPONDENT a Notice of Violation with the Imposition of Administrative Fine in the amount of $250.00 for a violation of NAC 645.448 for failing to provide proof to the Division of her satisfying the continuing education requirements to renew her license within the required time period set forth in the administrative code.

10. The Notice of Violation with Imposition of Administrative Fine was properly served upon RESPONDENT.

11. The Notice of Violation with Imposition of Administrative Fine and accompanying letter from

the Division advised that the fine must be remitted to the Division by April 24, 2017.

12. The Notice of Violation with Imposition of Administrative Fine and accompanying letter contained notice to RESPONDENT advising RESPONDENT of her appeal rights if she disagreed with the finding of violation and/or imposition of the fine.

13. The Notice of Violation also advised RESPONDENT of the proper address to send any notification to the Division that Respondent desired to appeal the violation and/or imposition of the fine.

14. On April 25, 2017, the Division received a letter from RESPONDENT via facsimile stating that RESPONDENT desired to appeal the Notice of Violation with Imposition of Administrative Fine.

15. RESPONDENT has failed to timely and properly request an appeal.

16. To date, RESPONDENT has failed to pay the administrative fine of $250 dollars imposed by the Division.

VIOLATION

RESPONDENT has committed the following violations of law:

17. RESPONDENT violated NAC 645.448 by failing to provide the Division with proof of her satisfying the necessary continuing education requirements to renew her license during the required time period set forth in the administrative code and failed to timely pay the Division imposed fine of $250 dollars and/or otherwise timely respond to the Division regarding her desire to request an appeal.

DISCIPLINE AUTHORIZED

18. Pursuant to NRS 645.630 and NRS 645.633, the Commission is empowered to impose an administrative fine of up to $10,000 per violation against RESPONDENT and further to suspend, revoke or place conditions on the license of RESPONDENT. Additionally, under NRS Chapter 622, the Commission is authorized to impose costs of the proceeding upon RESPONDENT, including investigative costs and attorney's fees, if the Commission otherwise imposes discipline on RESPONDENT.

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

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NOTICE OF HEARING

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

THE HEARING WILL TAKE PLACE on November 5, 2019, commencing at 9:00 a.m., or as soon thereafter as the Commission is able to hear the matter, and each day thereafter commencing at 9:00 a.m. through November 7, 2019, or earlier if the business of the Commission is concluded. The Commission meeting will be held on November 5, 2019, at the Nevada State Business Center, 3300 West Sahara Avenue, 4th Floor – Nevada Room, Las Vegas, Nevada 89102. The meeting will continue on November 6, 2019 at the Nevada State Business Center, 3300 West Sahara Avenue, 4th Floor – Nevada Room, Las Vegas, Nevada 89102, commencing at 9:00 a.m., and on November 7, 2019, should business not be concluded, starting at 9:00 a.m. at Nevada State Business Center, 3300 West Sahara Avenue, 4th Floor – Tahoe Room, Las Vegas, Nevada 89102.

STACKED CALENDAR: Your hearing is one of several hearings scheduled at the same time as part of a regular meeting of the Commission that is expected to last from November 5, 2019 through November 7, 2019, or earlier if the business of the Commission is concluded. Thus, your hearing may be continued until later in the day or from day to day. It is your responsibility to be present when your case is called. If you are not present when your hearing is called, a default may be entered against you and the Commission may decide the case as if all allegations in the complaint were true. If you have any questions please call Evelyn Pattee, Commission Coordinator at (702) 486-4074.

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

As the Respondent, you are specifically informed that you have the right to appear and be heard in your defense, either personally or through your counsel of choice. At the hearing, the Division has the

burden of proving the allegations in the complaint and will call witnesses and present evidence against you. You have the right to respond and to present relevant evidence and argument on all issues involved. You have the right to call and examine witnesses, introduce exhibits, and cross-examine opposing witnesses on any matter relevant to the issues involved.

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

The purpose of the hearing is to determine if the Respondent has violated NRS 645 and/or NAC 645 and if the allegations contained herein are substantially proven by the evidence presented and to further determine what administrative penalty is to be assessed against the RESPONDENT, if any, pursuant to NRS 645.235, 645.633 and or 645.630.

DATED this 2nd day of October, 2019.

State of Nevada
Department of Business and Industry
Real Estate Division

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