BEFORE THE REAL ESTATE COMMISSION

STATE OF NEVADA

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

Petitioner,

vs.

VICTOR REZA VALANEJAD,

Respondent.

Case No. 2018-631

FILED

JAN 07 2020

REAL ESTATE COMMISSION

BY Evelyn Patten

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 Dennis L. Belcourt, Deputy Attorney General, hereby notifies RESPONDENT VICTOR REZA VALANEJAD ("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 sales person under license number S.0179948, 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 sales person under license number S.0179948, which license is active. His broker at the times of violations mentioned in this Complaint was Eric J. Humes ("Humes"), Rooftop Realty, license no. B.0056963.LLC.

2. On or about October 25, 2017, Jean-Michel and Pascale Millot ("Complainants") and RESPONDENT met and agreed that RESPONDENT would provide services for Complainants.

3. Thereafter, RESPONDENT issued Complainants an invoice for $5,000, reflecting receipt by him of an initial payment made in the amount of $2,500 and describing the services as "Consulting et Suivi de projet professionel et immobilier," which translates to "consulting and follow-up of a professional and real estate project."

4. According to the invoice, the remaining balance was to be paid "A la signature du Business Lease," which translates to "on signature of the business lease."

5. Complainants contacted RESPONDENT to buy a business and rent a house.

6. Per Complainants, RESPONDENT justified the $5,000 fee because he would not get any money from the rental or the purchase of the business.

7. In response to the Division forwarding Complainant's complaint, RESPONDENT stated that the consulting was to help with paperwork, finding an immigration lawyer, help open a bank account, and help find a car, help find a business through a broker,.

8. RESPONDENT further stated that "if any commission was received by any business party (business broker for ex(ample)) it would be deducted from the remaining balance…".

9. RESPONDENT did not notify his broker of or obtain his permission to enter into the transactions with Complainants.

10. RESPONDENT advertises using social media under the name MVB Group Real Estate.

VIOLATIONS

RESPONDENT has committed the following violations of law:

11. RESPONDENT violated NRS 645.630(1)(c) by accepting payment for the performance of an act or acts specified in NRS Chapter 645 other than through a licensed broker.

12. RESPONDENT violated NRS 645.633(1)(i), pursuant to NAC 645.605(11)(c), by falsely telling the Division that his consultation was only assisting Complainants on non-real estate matters, whereas in fact his consultation was linked to getting a real property project.

13. RESPONDENT violated NAC 645.611(4) by advertising his business under the name of a team or group that does not use the last name of a member of the team or group.

DISCIPLINE AUTHORIZED

14. 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.

15. 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.

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

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 March 10, 2020 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 March 12, 2020 or earlier if the business of the Commission is concluded. The Commission meeting will be held on March 10, 2020, at the Grant Sawyer Building, 555 East Washington Avenue, Room 4401, Las Vegas, Nevada 89101. The meeting will continue on March 11, 2020 at the Grant Sawyer Building, 555 East Washington Avenue, Room 4401, Las Vegas, Nevada 89101, commencing at 9:00 a.m., and on March 12, 2020, should business not be concluded, starting at 9:00 a.m. at the Grant Sawyer Building, 555 East Washington Avenue, Room 4401, Las Vegas, Nevada 89101.

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 March 10, 2020, through March 12, 2020, 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 (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 645.920.

The purpose of the hearing is to determine if the Respondent has violated NRS 645 or NAC 645 and if the allegations contained herein are substantially proven by the evidence presented and to further

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determine what administrative penalty, if any, is to be assessed against the Respondent, pursuant to NRS 645.633 or 645.630.

DATED this 6 day of January, 2020.

State of Nevada
Department of Business and Industry
Real Estate Division

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

AARON D. FORD
Attorney General

By: _____
DENNIS L. BELCOURT (Bar. No. 2658)
Deputy Attorney General
555 E. Washington Avenue, Suite 3900
Las Vegas, Nevada 89101
(702) 486-3326
Attorneys for Real Estate Division