BEFORE THE REAL ESTATE COMMISSION

STATE OF NEVADA

SHARATH CHANDRA, Administrator, REAL ESTATE DIVISION, DEPARTMENT OF BUSINESS & INDUSTRY, STATE OF NEVADA, Petitioner, vs. KENNETH DAVIDSON, (B.0144990.LLC) Respondent.	**Case No. 2021-1116** **STIPULATION AND ORDER FOR SETTLEMENT OF DISCIPLINARY ACTION**

FILED

FEB 28 2023

REAL ESTATE COMMISSION

BY

This Stipulation for Settlement of Disciplinary Action ("Stipulation") is entered into by and between the State of Nevada, Department of Business and Industry, Real Estate Division ("Division"), through its Administrator Sharath Chandra ("Petitioner"), by and through their attorney of record, Christal Park Keegan, and Kenneth Davidson ("RESPONDENT").

RESPONDENT was a licensed Broker under NRS Chapter 645, license B.0144990.LLC, and is therefore subject to the jurisdiction of the Division and the Commission and the provisions of NRS Chapter 645 and NAC Chapter 645.

SUMMARY OF FACTUAL ALLEGATIONS SET FORTH IN THE COMPLAINT

1. At all times relevant, RESPONDENT was the broker for Quantified Investment Group ("Quantified"). NRED 000003.

2. On November 15, 2021, the Division received information regarding Quantified's unlicensed property management operations and advertising violations on its website while RESPONDENT was Quantified's broker of record. NRED 000036 – NRED 000039.

3. On or about November 29, 2021, the Division received a formal Complaint against RESPONDENT and his agent, Ajay Gerald Dayal, alleging fraudulent and misleading advertising on Quantified's website (https://www.thequantifiedgroup.com/). NRED 000020 – NRED 000025.

4. The Division notified RESPONDENT it was in receipt of information against him, and requested his compliance, but RESPONDENT failed to comply with the Division's numerous requests

(Division's letters dated November 17, 2021, March 4, 2022, March 22, 2022, April 28, 2022). NRED 000004 – NRED 000005, NRED 000006 – NRED 000007, and NRED 000016.

5. On March 22, 2022, the Division issued a Notice of Violation with Imposition of Administrative Fine to RESPONDENT in the amount of $1,000 which RESPONDENT failed to pay and still has not paid. NRED 000008 – NRED 000012, NRED 000015.

SUMMARY OF ALLEGED VIOLATIONS

6. RESPONDENT violated NRS 645.633(1)(h) pursuant to NAC 645.605(11)(a) when he impeded or attempted to impede any investigation of the Division by failing to comply or delay his compliance with numerous requests by the Division to provide documents.

7. RESPONDENT violated NRS 645.633(1)(h) pursuant to NAC 645.605(11)(b) when he failed to provide a written response as requested by the Division on numerous occasions.

PROPOSED SETTLEMENT

8. In an effort to avoid the time and expense of litigating these issues before the Commission, the parties desire to compromise and settle the instant controversy upon the following terms and conditions:

a. RESPONDENT agrees to pay the Division a total amount of $3,460.00 ("Amount Due"), consisting of a $1,000 fine imposed by the Division, the Division's pre-hearing costs and fees in the amount of $830.00, and the Attorney's pre-hearing costs and fees in the amount of $1,630.

b. RESPONDENT agrees to pay $1,000 upfront, and the remainder of the Amount Due shall be payable to the Division in monthly payments of $150.00 beginning on **April 1, 2023**, and ending on **September 1, 2023**, as follows:

April 1, 2023	**$150.00**
May 1, 2023	**$150.00**
June 1, 2023	**$150.00**
July 1, 2023	**$150.00**
August 1, 2023	**$150.00**
September 1, 2023	**$150.00**
October 1, 2023	**$150.00**

November 1, 2023	**$150.00**
December 1, 2023	**$150.00**
January 1, 2024	**$150.00**
February 1, 2024	**$150.00**
March 1, 2024	**$150.00**
April 1, 2024	**$150.00**
May 1, 2024	**$150.00**
June 1, 2024	**$150.00**
July 1, 2024	**$150.00**
August 1, 2024	**$150.00**
September 1, 2024	**$60.00**

At any time, RESPONDENT may elect to pay the Amount Due in full and/or may make monthly payments towards any monthly payment due, so long as the monthly amount due is satisfied in full on the quarterly due date specified above.

9. RESPONDENT and the Division agree that by entering into this Stipulation, the Division does not concede any defense or mitigation RESPONDENT may assert and that once this Stipulation is approved and fully performed, the Division will close its file in this matter.

10. RESPONDENT agrees and understands that by entering into this Stipulation RESPONDENT is waiving his right to a hearing 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 Brokers and Salespersons statutes and accompanying regulations, and the federal and state Constitutions. 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 Complaint if this Stipulation is either not approved by the Commission or is not timely performed by RESPONDENT. RESPONDENT fully understands that he has the right to be represented by legal counsel in this matter at his own expense.

11. The parties hereby stipulate to the Division's exhibits, numbered NRED 000001 – NRED 000046.

12. Each party shall bear their own attorney's fees and costs, ***except*** as the Division's Attorney's pre-hearing costs provided above.

13. 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.

14. 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.

15. 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 investigation of this action, this disciplinary action, and all matters related thereto.

16. 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 investigation, this disciplinary action, 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.

17. Default. In the event of default, RESPONDENT agrees that his license shall be immediately suspended, and the unpaid balance of the administrative fine and costs, together with any attorney's 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. RESPONDENT agrees that the foregoing suspension of his license shall continue until the unpaid monetary assessments are paid in full. RESPONDENT agrees that his license shall also be immediately suspended if he fails to timely attend and complete the above continuing education. RESPONDENT agrees that the suspension of his license shall continue until the continuing education is completed.

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

DATED this 17 day of February 2023.

By: Kenneth R Davidson 02 / 17 / 2023
KENNETH DAVIDSON

DATED this 28 day of February 2023.

NEVADA DEPARTMENT OF BUSINESS & INDUSTRY, REAL ESTATE DIVISION

By: _____
SHARATH CHANDRA
Administrator

signed with prejudice

Approved as to form:

AARON D. FORD
Attorney General

By: epkeegan
CHRISTAL P. KEEGAN (Bar No. 12725)
Deputy Attorney General
5420 Kietzke Lane #202
Reno, Nevada 89509
(775) 687-2141
Attorneys for Real Estate Division

BEFORE THE REAL ESTATE COMMISSION

STATE OF NEVADA

SHARATH CHANDRA, Administrator, REAL ESTATE DIVISION, DEPARTMENT OF BUSINESS & INDUSTRY, STATE OF NEVADA, Petitioner, vs. KENNETH DAVIDSON, (B.0144990.LLC) Respondent.	**Case No. 2021-1116** **ORDER FOR SETTLEMENT OF DISCIPLINARY ACTION**

The Stipulation for Settlement of Disciplinary Action having come before the Real Estate Commission, Department of Business and Industry, State of Nevada, during its regular agenda on February 21, 2023, and the Commission being fully apprised of terms and good cause appearing.

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

This Order shall become effective on the 28th day of February, 2023

Dated: February 17, 2023.

NEVADA REAL ESTATE COMMISSION

By: _____
President, Nevada Real Estate Commission

AARON D. FORD
Attorney General

By: epkeegan
_____
CHRISTAL P. KEEGAN (Bar No. 12725)
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