BEFORE THE REAL ESTATE COMMISSION

STATE OF NEVADA

FILED

MAY 04 2023

REAL ESTATE COMMISSION

BY Kelly Valadez

SHARATH CHANDRA, Administrator, REAL ESTATE DIVISION, DEPARTMENT OF BUSINESS & INDUSTRY, STATE OF NEVADA, Petitioner, vs. FRED GLICK, Respondent.	**Case No. 2021-819** **STIPULATION AND ORDER FOR SETTLEMENT OF DISCIPLINARY ACTION**

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 Fred Glick ("RESPONDENT") by and through his counsel of record, Donna DiMaggio, Esq.

RESPONDENT, at all relevant times mentioned in this Complaint, held himself out and/or otherwise performed acts as a person licensed as a Broker/Salesperson, and/or property manager permit holder, in the State of Nevada. RESPONDENT 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 to this Complaint, RESPONDENT did not hold a real estate license and/or property manager permit in the State of Nevada. *NRED 000003.*

2. At all times relevant, RESPONDENT was the Broker and Vice President of Real Estate for Onerent, Inc. dba Poplar Homes, and is a licensed real estate broker in California. *NRED 000004 – 000008, and NRED 000060.*

3. The RESPONDENT'S website advertised that it provided the property management for a fee in Las Vegas, Nevada. *NRED 000019 - 000020, NRED 000023, NRED 000026 - 000027, NRED 000036, and NRED 000060.*

4. The RESPONDENT's website included the license number of a Nevada Broker. *NRED 000038, and NRED 000002.*

5. But Poplar Homes is not licensed to do property management in Nevada. *NRED 000004, NRED 000053, NRED 000037 – 000038, and NRED 000060.*

6. On or about July 20, 2021, a fully executed Renewal Addendum for Residential Lease Agreement for the real property located at 1371 Airglow Ct., Henderson, NV 89014 (the "Property"), did not provide Poplar Homes as Manager. *NRED 000054.*

7. On or about July 27, 2021, property management services for the Property appeared to be assigned to RESPONDENT'S company Poplar Homes. *NRED 000055.*

8. In a letter dated August 2, 2021, Complainant requested termination of property management services for the Property because she did know or authorize the transfer to RESPONDENT'S California Company. *NRED 000056.*

9. On August 5, 2021, Poplar Homes confirmed the contract for the Property was terminated and would transfer all funds back to Complainant within 30 days. *NRED 000057 – 000058.*

10. On October 7, 2021, RESPONDENT submitted an affidavit to the Division explaining he did not handle real estate or property management in Nevada for Poplar; Marshall Stearns Real Estate, LLC and Sean Marshall handle the real estate and property management in Nevada; none of the property management agreements were transferred to Poplar Homes; and neither he nor Poplar Homes engage in any licensed activities in Nevada. *NRED000060.*

SUMMARY OF ALLEGED VIOLATIONS

1. RESPONDENT violated NRS 645.230(1)(a) when he offered to engage in the business of property management, rental and/or lease of, for a fee, in Nevada, without a license.

2. RESPONDENT violated NRS 645.230(1)(b) when, pursuant to a property management agreement, for a fee, engaged in property management activities without a license.

3. RESPONDENT violated NRS 645.235(1)(a) when, pursuant to a property management agreement, for a fee, engaged in property management activities without a license.

PROPOSED SETTLEMENT

In an effort to avoid the time and expense of litigating these issues before the Commission, the RESPONDENT does not contest the violations alleged, and the parties desire to compromise and settle the instant controversy upon the following terms and conditions:

1. RESPONDENT agrees to pay the Division a total amount of $4,570.00 ("Amount Due"), consisting of a $2,500 fine imposed by the Division, the Division's pre-hearing costs and fees in the amount of $440, and the Attorney's pre-hearing costs and fees in the amount of $1,630.

a. The Amount Due shall be payable to the Division in full within thirty (30) days after approval of this Stipulation by the Commission.

2. 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. 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.

3. 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.

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

5. 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.

6. 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.

7. 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.

8. 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.

9. Default. In the event of default, RESPONDENT agrees that 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.

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

DATED this 27th day of April 2023.

By: _____
FRED GLICK
Respondent

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 89511

Attorney for Real Estate Division

DATED this 28 day of April 2023.

NEVADA DEPARTMENT OF BUSINESS & INDUSTRY, REAL ESTATE DIVISION

By: _____
SHARATH CHANDRA
Administrator

Approved as to form:

JONES LOVELOCK

By: _____
DONNA DIMAGGIO
(Bar. No. 9794)
6600 Amelia Earhart Court, Suite C
Las Vegas, Nevada 89119

Attorney for Respondent

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SHARATH CHANDRA, Administrator, REAL ESTATE DIVISION, DEPARTMENT OF BUSINESS & INDUSTRY, STATE OF NEVADA, Petitioner, vs. FRED GLICK, Respondent.	**Case No. 2021-819** **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 May 2- 4, 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 and shall become effective immediately.

Dated: May 2, 2023.

NEVADA REAL ESTATE COMMISSION

By: David Tinn
President, Nevada Real Estate Commission

AARON D. FORD
Attorney General

By: epkeegar

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