BEFORE THE REAL ESTATE COMMISSION

STATE OF NEVADA

SHARATH CHANDRA, Administrator, REAL ESTATE DIVISION, DEPARTMENT OF BUSINESS & INDUSTRY, STATE OF NEVADA, Petitioner, vs. LINDA ABRAMS, B.0037670.INDV, Respondent.	**Case No. 2024-236** FILED AUG 2 8 2024 REAL ESTATE COMMISSION BY Kelly Valadez

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

This matter came on for hearing before the REAL ESTATE COMMISSION OF THE STATE OF NEVADA (the "Commission") on Tuesday, August 13, 2024 (the "Hearing"). RESPONDENT LINDA ABRAMS ("RESPONDENT") did not appear in person, through counsel, or otherwise. Phil W. Su, Deputy Attorney General, appeared on behalf of Petitioners SHARATH CHANDRA, Administrator, REAL ESTATE DIVISION, DEPARTMENT OF BUSINESS & INDUSTRY, STATE OF NEVADA ("Division").

Mr. Su advised the Commission that the RESPONDENT did not provide an answer to the properly filed Complaint and that her broker license is currently in active status. Thereafter, the Division proceeded with a default pursuant to NAC 645.810(13). The Division's Section Coordinator, Kelly Valadez, testified that proper service via certified mail was given to the RESPONDENT at both her last known business and residential address. After further discussion, the Commission found that the Division issued effective notice of the hearing, the Complaint and notice thereof, the Notice of Documents with documents bates stamped NRED 0001-0016, and took all efforts required by law to inform the RESPONDENT of the matter before the Commission.

Therefore, the Commission, having considered the evidence introduced by the Division and being fully advised, enters the following Findings of Fact, Conclusions of Law, and Order:

JURISDICTION

RESPONDENT was at all relevant times mentioned in the Complaint licensed as a Broker under license number B.0037670.INDV 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

The Commission unanimously finds that the following factual allegations have been proven by default:

1. At all times relevant to this Complaint, RESPONDENT has been broker of record of ABL Real Estate and Property Management.

2. RESPONDENT'S broker's license was first issued in 2001.

3. In 2022, RESPONDENT failed to submit her mandatory 546A Affidavit form by the expiration month of her broker's license (January 31, 2022).

4. On February 28, 2022, the Division sent a courtesy email to RESPONDENT reminding her of her obligation to annually submit a Trust Account Reconciliation form 546 or 546A and reminding RESPONDENT of the annual deadline for submitting these.

5. On March 14, 2022, the Division mailed a courtesy letter to RESPONDENT reminding her of her obligation to annually submit a Trust Account Reconciliation form.

6. On September 19, 2022, RESPONDENT submitted her late 2021 Form 546A.

7. On February 1, 2023, RESPONDENT submitted her 2022 Form 546A.

8. In 2024, RESPONDENT again failed to submit her mandatory 546A Affidavit form by the expiration month of her broker's license.

9. On March 13, 2024, the Division sent a Notice of Violation letter to RESPONDENT at both her business and personal addresses of record, notifying her that the Division was imposing a $250 fine pursuant to NAC 645.695, requesting her to complete her 546A form, and advising her of her appeal rights if she disagreed with the finding of violation and/or imposition of the fine.

10. Because both copies of the March 13, 2024, letter were returned by USPS as undelivered, the Division investigator emailed the March 13, 2024, letter to RESPONDENT.

11. On April 23, 2024, the Division Investigator sent RESPONDENT a second reminder email reminding her to comply with her reporting obligations and to pay the fine.

12. On May 6, 2024, the Division Investigator sent RESPONDENT a NRS 233B letter via certified mail, informing RESPONDENT of the Division intent to refer the matter for hearing before the Real Estate Commission.

13. As of May 6, 2024, RESPONDENT had not submitted her 2023 Form 546A or paid her fine.

VIOLATIONS OF LAW

The Commission finds that based upon a preponderance of the evidence, the following violations of law have been proved by default:

1. RESPONDENT violated NRS 645.633(1)(b) pursuant to NAC 645.806(3) by failing to timely submit her annual Form 546A Affidavit to the Division for 2024, due by the last day of the expiration month for her broker license.

2. RESPONDENT violated NRS 645.633(1)(b) pursuant to NAC 645.695 by failing to pay the $250.00 administrative fine levied by the Division for failure to timely submit the 2024 Form 546A Affidavit.

ORDER (2024-236)

The Commission, being fully apprised of the premises and good cause appearing, hereby **ORDERS:**

1. Respondent Linda Abrams' license (License No. B.0037670.INDV) is hereby revoked;

2. Respondent shall pay to the Division administrative fines totaling two hundred fifty dollars ($250.00);

3. Respondent shall pay pre-hearing costs and fees in the amount of One Thousand Six Hundred Ninety Eight Dollars and 45/100 cents ($1,698.45), which are actual, reasonable, and necessary;

4. The total amount of One Thousand Nine Hundred Forty-Eight Dollars and 45/100 cents ($1,948.45), is to be paid in full within thirty (30) days of the effective date of this Order;

5. 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 Respondent. In the event of default, the unpaid balance of the costs and fees, together with any attorney's fees and costs that may have been assessed, shall be due in full to the Division within ten (10) calendar days of the date of default. The Division may institute debt collection proceedings for failure to timely pay the total fine; and

6. The Commission retains jurisdiction for correcting any errors that may have occurred in the drafting and issuance of this document.

DATED this 28 day of August 2024.

NEVADA REAL ESTATE COMMISSION

By: _____
President, Lee Rix Gurr
Nevada Real Estate Commission

Submitted by:
By: /s/ Phil W. Su
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