BEFORE THE REAL ESTATE COMMISSION

STATE OF NEVADA

SHARATH CHANDRA, Administrator, REAL ESTATE DIVISION, DEPARTMENT OF BUSINESS AND INDUSTRY, STATE OF NEVADA, Petitioner, vs. IVAN ALARCON, (BS.0143962, Active) Respondent.	Case No. 2023-954 FILED MAY 28 2024 REAL ESTATE COMMISSION BY Kelley Valadez

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

This matter came on for hearing before the Real Estate Commission, Department of Business and Industry, State of Nevada (the "Commission"), during a regular agenda set for a three-day stack commencing May 14, 2024 (the "Hearing"). RESPONDENT Ivan Alarcon ("RESPONDENT") appeared, with his counsel Janeen V. Isaacson (Bar No. 6429) with Lipson Neilson, P.C. Christal Park Keegan, Esq., Deputy Attorney General with the Nevada Attorney General's Office, appeared on behalf of the Real Estate Division of the Department of Business and Industry, State of Nevada (the "Division").

The Commission heard preliminary matters on the pending motions. The Commission considered the oral arguments presented during the hearing and the filed documents. The Commission DENIED RESPONDENT'S Motion for Partial Summary Judgment filed May 1, 2024. The Commission GRANTED DIVISION'S Motion *in Limine* to Exclude Repetitious Witnesses and Irrelevant Witnesses filed May 8, 2024, and limited RESPONDENT'S Witness List to five witnesses including the RESPONDENT with testimony not to exceed 15 minutes each and excluded Exhibits 7-12, and 15-16.

After hearing testimony presented in this matter and for good cause appearing, the Commission now enters its Findings of Fact, Conclusions of Law, and Order as follows:

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JURISDICTION

RESPONDENT, at all relevant times mentioned in this Complaint, was actively licensed as a broker-salesperson under license number BS.0143962. RESPONDENT is, therefore, subject to the jurisdiction of the Division and the Commission, and the provisions of NRS Chapter 645 and NAC Chapter 645.

FINDINGS OF FACT

The Commission, based on the evidence presented during the Hearing, by majority vote enters the finding of the following facts:

1. On Valentine's Day in 2022, the RESPONDENT was the driver causing a vehicle accident that ultimately led to his felony conviction. *NRED 021, and NRED 026 – 034.*

2. On or about June 15, 2023, RESPONDENT signed a Guilty Plea Agreement, by way of an *Alford* plea, to attempted reckless driving resulting in substantial bodily harm, a Category C Felony. *NRED 026 – 031, NRED 031.*

3. On June 15, 2023, the Guilty Plea Agreement was filed in Open Court. *NRED 026, and NRED 008.*

4. On or about October 12, 2023, REPONDENT was sentenced. *NRED 009, and NRED 014 – 015.*

5. But it was not until November 6, 2023, RESPONDENT reported his felony conviction to the Division. *NRED 020 – 021.*

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CONCLUSIONS OF LAW

Whereas the Commission found that the Division proved by a preponderance of the evidence the foregoing findings of fact, the Commission, by the vote that carried, found that the RESPONDENT did not commit the violations of law alleged in the complaint.

DATED this 28 day of May, 2024.

NEVADA REAL ESTATE COMMISSION

By: _____
President, Nevada Real Estate Commission

DATED this 17th day of May, 2024.

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