BEFORE THE REAL ESTATE COMMISSION

STATE OF NEVADA

SHARATH CHANDRA, Administrator, REAL ESTATE DIVISION, DEPARTMENT OF BUSINESS AND INDUSTRY, STATE OF NEVADA, Petitioner, vs. WILLIAM FRANCIS BEAUBIEN, (B.1002427.INDV, PM.0167754.BKR) Respondent.	Case No. 2024-521 FILED NOV 27 2024 REAL ESTATE COMMISSION BY

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 November 19, 2024 (the "Hearing"). RESPONDENT William Francis Beaubien ("RESPONDENT") appeared on his own behalf. 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").

After hearing testimony presented in this matter, and careful consideration of all papers on file herein, for good cause appearing, the Commission now enters its Findings of Fact, Conclusions of Law, and Order against RESPONDENT as follows:

JURISDICTION

RESPONDENT, at all relevant times mentioned in this Complaint, was actively licensed as a broker (B.1002427.INDV). 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 unanimous vote enters the finding of the following facts:

RESPONDENT'S broker's license was first issued in April of 2020. *NRED 000003.*

In 2021, RESPONDENT timely submitted a completed 546A Form. *NRED 000004.*

On or about May 13, 2022, as a courtesy, the Division informed the RESPONDENT of his requirement as a broker to submit the 546 or 546A Form. *NRED 000005.*

That day, the RESPONDENT submitted his tardy Form 546A to the Division. *NRED 000004.*

In 2023, RESPONDENT timely submitted a completed 546A Form. *NRED 000004.*

But in 2024, the RESPONDENT failed to submit his Form 546A to the Division. *NRED 000006 – NRED 000010.*

Therefore, on or about June 7, 2024, the Division sent the RESPONDENT a Notice of Violation requesting the required Form 546A and payment of the administrative fine of $250. *NRED 000008 – NRED 000012.*

In response, on or about July 23, 2024, the RESPONDENT claimed to not be familiar with this form. *NRED 000017.*

The RESPONDENT also asked to "get off this requirement permanently". *NRED 000017.*

The RESPONDENT also stated if he was subject to this legal requirement he "may just let my license expire and never do business again in Nevada." *NRED 000017.*

Lastly, the RESPONDENT stated: "I certainly don't need threatening letters and fines." *NRED 000017.*

After making his dissents known, RESPONDENT submitted his signed Form 546A to the Division and stated: "Let me know if this solves the problem." *NRED 000016.*

On or about July 24, 2024, the Division informed the RESPONDENT he still needed to remit payment of the $250 fine. *NRED 000015.*

On or about August 21, 2024, the Division informed the RESPONDENT that it would proceed formally due to his failure to remit the form due in April of 2024 or the fine. *NRED 000011.*

On or about August 26, 2024, the Division's letter was delivered to the RESPONDENT'S mailing address. *NRED 000012 – NRED 000013.*

CONCLUSIONS OF LAW

Whereas the Commission found that the Division proved by a preponderance of the evidence the foregoing findings of fact, and by unanimous vote, concludes that the RESPONDENT committed the following violations of law, as presented in the Complaint:

1. RESPONDENT violated NRS 645.633(1)(b) pursuant to NAC 645.806(3) for failing to submit his Form 546A by the last day of his real estate license expiration month.

2. RESPONDENT violated NRS 645.633(1)(b) pursuant to NAC 645.695 for failing to pay the $250 administrative fine levied by the Division for failure to timely submit the 2024 Form 546A Affidavit.

ORDER

The Commission, being fully apprised in the premises, and good cause appearing to the Commission, unanimously ORDERS as follows:

1. Respondent shall pay an administrative fine to the Division in the total amount of Four Thousand Four Hundred Eighty-Three Dollars and Sixty Cents ($4,483.60) ("Amount Due"), which includes the outstanding administrative fine of $250 and $4,233.60 for the Division's costs and attorney's fees, within thirty (30) days from the effective date of this Order.

2. If payment is not actually received by the Division on or before its due date, it shall be a default by RESPONDENT. In the event of default, 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 (10) calendar days of the date of default, and the Division may obtain a judgment for the amount owed, including collection fees and costs.

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

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4. This Order shall become effective thirty (30) days after the date of this Order.

Dated this 27th day of November, 2024.

NEVADA REAL ESTATE COMMISSION

By: _____
President, Nevada Real Estate Commission

Dated this 21st day of November, 2024.

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