



"NRS BASEBALL"



3 Hours of Law/Legislative Update
Continuing Education

Approved by the Division on Behalf of the Commission

Participant Outline

JOSEPH R. FITZPATRICK

MEET JOE:

Joe Fitzpatrick graduated from The University of Nevada, Las Vegas in 1985 and began his career with Coldwell Banker in Margate, Florida, listing and selling real estate. Joe went on to manage the North Miami office and opened Century 21 Fitzpatrick Realty with family. The firm became the top-ranked Century 21 company in Broward County, Florida.



In 1991, Joe returned to Las Vegas where he began teaching and authoring real estate courses. He also continued on as Vice-President of Century 21 MoneyWorld, which was consistently ranked among the top 10 Century 21 firms in the world where he led the education division among other duties.

Joe has authored and published over 30 real estate licensing textbooks and courses available on Amazon.com and which have been approved for utilization in several states. He made a few stops along the way including being the Education Director at LVR. You may recognize his voice from other online sites. Living through sellers' markets and buyer's markets, Joe has experienced interest rate fluctuations of 17.5% and 2%. He knows what it takes to stay successful in the business no matter what the market conditions may be.

In 2021, Joe opened Fitzpatrick Real Estate School and continues to practice real estate in addition to his other responsibilities. We trust you will find Mr. Fitzpatrick's courses to be informative, interesting, and entertaining too.

HOW IT WORKS

The student participant must:

- view all 3 hours of the video presentation (links are located on the website under the Internet course title).
- direct attention to the instruction being provided and refrain from engaging in activities unrelated to the instruction and distracting.
- complete the “Online Video Worksheet” included in the course outline as you view the presentation, filling in the 10 Checkpoints as they are displayed throughout the videos.
- take the 10-question quiz found in the outline.
- complete the course evaluation upon the conclusion of the course.
- submit the (1) Quiz answers, (2) Online View Worksheet, and the (3) Course Evaluation using the links provided directly above the 3 videos.
- obtain score of 80% or more on the quiz and a score of 80% must be obtained on the Online Video Worksheet. A student, who tries to skip through the course and not devote the required 3 hours, will not pass. The answers for the worksheet are sprinkled throughout the presentation.
- With a passing score on the quiz and worksheet, along with the submitted evaluation, a certificate will be emailed to you promptly.

ONLINE VIDEO WORKSHEET

The Nevada Real Estate Division, on behalf of the Commission, holds CE course sponsors such as Fitzpatrick Real Estate School accountable for the following regarding online/distance learning courses:

- verify that students watch the complete three-hour presentation and spend the three hours required to earn a three-hour certificate;
- verify that students did not start the presentation and leave the presentation to run on its own without the student viewing it;
- evaluate the student mastery of the material;
- provide the student with support services and interaction;
- having a method to assess student performance during instruction.

To accomplish these goals, we have developed this “Online Video Worksheet” to accompany the videos we use to teach CE courses online. Throughout the videos, have embedded “checkpoints” that will prompt you to fill in the answers below.

In order to receive credit for the online course, you must answer the checkpoints correctly with a score of 80% and submit using the Online Video Worksheet link located above the three videos.

CHECKPOINT #1: _____

CHECKPOINT #2: _____

CHECKPOINT #3: _____

CHECKPOINT #4: _____

CHECKPOINT #5: _____

CHECKPOINT #6: _____

CHECKPOINT #7: _____

CHECKPOINT #8: _____

CHECKPOINT #9: _____

CHECKPOINT #10: _____

Student Name: _____ Date: _____

Course Title: NRS Baseball

PLEASE SUBMIT USING THE LINK ABOVE THE 3 VIDEOS ON THE WEBSITE.

How We Play

- Batters (offense) choose play:
 - Single
 - Double
 - Triple
 - Homerun
- Batters are asked questions of NRS 645, NAC 645 and other real estate laws
- Difficulty of the question matches the play called “Automatic Forces”

- Fielders (defense) can get an out:
 - if batter misses question (no strikes)
 - 3 Outs – change sides

- Pick Sides

- Who’s Up?

- LET’S PLAY BALL!



- **NRS 645.630 Authorized disciplinary action; grounds for disciplinary action; orders imposing discipline deemed public records.**
 1. The Commission may require a licensee, property manager or owner-developer to pay an administrative fine of not more than \$10,000 for each violation he or she commits or suspend, revoke, deny the renewal of or place conditions upon his or her license... is found guilty of:
 - (a) Making any material misrepresentation.
 - (b) Making any false promises of a character likely to influence, persuade or induce.
 - (c) Accepting a commission or valuable consideration as a real estate broker-salesperson or salesperson for the performance of any of the acts specified in this chapter or chapter 119 or 119A of NRS from any person except the licensed real estate broker with whom he or she is associated or the owner-developer by whom he or she is employed.
 - (d) Representing or attempting to represent a real estate broker other than the broker with whom he or she is associated, without the express knowledge and consent of the broker with whom he or she is associated.
 - (e) Failing to maintain, for review and audit by the Division, each brokerage agreement and property management agreement governed by the provisions of this chapter and entered into by the licensee.
 - (f) Failing, within a reasonable time, to account for or to remit any money which comes into his or her possession and which belongs to others.
 - (g) If he or she is required to maintain a trust account:
 - (1) Failing to balance the trust account at least monthly; and
 - (2) Failing to submit to the Division an annual accounting of the trust account as required in NRS 645.310.
 - (h) Commingling the money or other property of his or her clients with his or her own or converting the money of others to his or her own use.
 - (i) In the case of a broker-salesperson or salesperson, failing to place in the custody of his or her licensed broker or owner-developer, as soon as possible, any deposit...
 - (j) Accepting other than cash as earnest money unless that fact is communicated to the owner before his or her acceptance of the offer to purchase and that fact is shown in the receipt for the earnest money.
 - (k) Upon acceptance of an agreement, in the case of a broker, failing to deposit any check or cash received as earnest money before the end of the next banking day unless otherwise provided in the purchase agreement.
 - (l) Inducing any party to a brokerage agreement, property management agreement, agreement of sale or lease to break it in order to substitute a new brokerage agreement, property management agreement, agreement of sale or lease with the same or another party if the inducement to make the substitution is offered to secure personal gain to the licensee or owner-developer.

- **NRS 645.633 Additional grounds for disciplinary action: Improper trade practices; violations of certain orders, agreements, laws and regulations; criminal offenses; other unprofessional and improper conduct; reciprocal discipline; violations relating to property management; log of complaints; reports.**
 1. The Commission may take action pursuant to NRS 645.630 against any person subject to that section who is guilty of any of the following acts:
 - (a) Willfully using any trade name, service mark or insigne of membership in any real estate organization of which the licensee is not a member, without the legal right to do so.
 - (b) Violating any order of the Commission, any agreement with the Division, any of the provisions of this chapter...
 - (c) Paying a commission, compensation or a finder’s fee to any person for performing the services of a broker, broker-salesperson or salesperson who has not secured a license...
 - (d) A conviction of, or the entry of a plea of guilty, guilty but mentally ill or nolo contendere to:
 - (1) A felony relating to the practice of the licensee, property manager or owner-developer; or
 - (2) Any crime involving fraud, deceit, misrepresentation or moral turpitude.
 - (e) Guaranteeing, or having authorized or permitted any person to guarantee, future profits which may result from the resale of real property.
 - (f) Failure to include a fixed date of expiration in any written brokerage agreement or failure to leave a copy of such a brokerage agreement or any property management agreement with the client.
 - (g) Accepting, giving or charging any undisclosed commission, rebate or direct profit on expenditures made for a client.
 - (h) Gross negligence or incompetence ...
 - (i) Any other conduct which constitutes deceitful, fraudulent or dishonest dealing.
 - (j) Any conduct which took place before the person became licensed which was in fact unknown to the Division and which would have been grounds for denial of a license had the Division been aware of the conduct.
 - (k) Knowingly permitting any person whose license has been revoked or suspended to act as a real estate broker, broker-salesperson or salesperson, with or on behalf of the licensee.
 - (l) Recording or causing to be recorded a claim pursuant to the provisions of NRS 645.8701 to 645.8811, inclusive, that is determined by a district court to be frivolous and made without reasonable cause pursuant to NRS 645.8791.

- **NRS 645.635 Additional grounds for disciplinary action: Unprofessional and improper conduct relating to real estate transactions. The Commission may take action pursuant to NRS 645.630 against any person subject to that section who is guilty of:**
 1. Offering real estate for sale or lease without the knowledge and consent of the owner or the owner’s authorized agent or on terms other than those authorized by the owner or the owner’s authorized agent.
 2. Negotiating a sale, exchange or lease of real estate, or communicating after such negotiations but before closing, directly with a client if the person knows that the client has a brokerage agreement in force ...
 3. Failure to deliver within a reasonable time a completed copy of any purchase agreement or offer to buy or sell real estate to the purchaser or to the seller, except as otherwise provided in subsection 4 of NRS 645.254.
 4. Purposely omitted (closing statement)
 5. Representing to any lender, guaranteeing agency or any other interested party, verbally or through the preparation of false documents, an amount in excess of the actual sale price of the real estate or terms differing from those actually agreed upon.
 6. Failure to produce any document, book or record in his or her possession or under his or her control, concerning any real estate transaction under investigation by the Division.
 7. Failure to reduce a bona fide offer to writing where a proposed purchaser requests that it be submitted in writing, except as otherwise provided in subsection 4 of NRS 645.254.
 8. Failure to submit all written bona fide offers to a seller when the offers are received before the seller accepts an offer in writing and until the broker has knowledge of that acceptance...
 9. Refusing because of race, color, national origin, sex or ethnic group to show, sell or rent any real estate for sale or rent to qualified purchasers or renters.
 10. Knowingly submitting any false or fraudulent appraisal to any financial institution or other interested person.

Quiz

1. A Nevada licensee must give the Seller's Real Property Disclosure to prospective purchasers:
 - A. at the time of writing the offer.
 - B. at the close of escrow.
 - C. during the due diligence period.
 - D. at least 10 days prior to closing.

2. Should the Commission determine misconduct on the part of a licensee, the Commission may impose a suspension or revocation of license plus a fine of up to \$_____ per offense.
 - A. \$1,000
 - B. \$5,000
 - C. \$10,000
 - D. \$25,000

3. A salesperson could be disciplined with a suspension, revocation, or fine in which of the following pertaining to an exclusive right to sell listing agreement?
 - A. no broker protection clause
 - B. no automatic renewal clause
 - C. no specific termination date
 - D. Any of these

4. A licensee who terminates her affiliation with the broker must associate with a new broker within:
 - A. 10 days.
 - B. 30 days.
 - C. 60 days.
 - D. 90 days.

5. Salesperson Mary Williams gets married in June and changes her legal name to Mary Carter. Mary must notify the Division of her name change within:
 - A. 10 days.
 - B. 30 days.
 - C. 45 days.
 - D. 60 days.

6. A broker charged with the supervision of a licensee must notify the Division within ____ days of termination of the relationship.
- A. 5
 - B. 10
 - C. 30
 - D. 60
7. An exclusive brokerage agreement in Nevada must:
- A. be in writing.
 - B. have a fixed expiration date.
 - C. not have automatic renewal language.
 - D. All of the Above
8. A salesperson affiliated with a brokerage firm must submit all paperwork for a new transaction to the employing broker within:
- A. 24 hours.
 - B. 1 business day.
 - C. 5 calendar days.
 - D. 10 days.
9. When one Nevada brokerage has procured both the buyer and seller, there are several options for representation. Which of the following is NOT an option?
- A. disclosed dual agency with consent to act
 - B. assign an agent to the buyer and an agent to the seller
 - C. refer one of the parties to another brokerage for independent representation
 - D. transaction brokerage
10. A Nevada licensee must give the Duties Owed by a Nevada Licensee form to prospective purchasers/tenants:
- A. before they are shown any properties.
 - B. at an open house.
 - C. at the close of escrow
 - D. no later than the time of entering an agreement to purchase or lease.

**PLEASE SUBMIT USING THE LINK ABOVE THE 3 VIDEOS ON THE WEBSITE.
PLEASE ALSO SUBMIT YOUR COURSE EVALUATION.**