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5 *Counsel for Victoria L. Nelson, Chapter 7 Trustee*

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7
8 **UNITED STATES BANKRUPTCY COURT**
9 **DISTRICT OF NEVADA**

10 In re:
11 AMERI-DREAM REALTY, LLC,
12 Debtor.

Case No. BK-S-15-10110-LED
Chapter 7

DECLARATION OF JOSEPH R. DECKER IN SUPPORT OF MOTION FOR (1) TURNOVER OF SECURITY DEPOSITS HELD IN TRUST ACCOUNT OF MACDONALD CARANO WILSON PURSUANT TO 11 U.S.C. § 542 AND (2) AUTHORITY TO ADMINISTER SECURITY DEPOSITS THROUGH THE DEBTOR'S BANKRUPTCY ESTATE PURSUANT TO 11 U.S.C. § 105(a)

Date of Hearing: November 3, 2015
Time of Hearing: 11:00 a.m.
Place: Courtroom No. 3, Third Floor
Foley Federal Building
300 Las Vegas Blvd., S.
Las Vegas, NV 89101

Judge: Honorable Laurel E. Davis

22 I, Joseph R. Decker, declare under penalty of perjury as follows:

23 1. I am over the age of 18 and mentally competent. Except where stated on
24 information and belief, I have personal knowledge of the facts in this matter and if called upon to
25 testify, could and would do so.

26 2. I am the Administrator of the Nevada Real Estate Division ("NRED"), the
27 government entity charged with regulating real estate brokers and agents in Nevada.

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1 3. I make this declaration in support of the *Motion For (1) Turnover of Security*
2 *Deposits Held In Trust Account of MacDonald Carano Wilson Pursuant to 11 U.S.C. §542 and*
3 *(2) Authority to Administer Security Deposits Through the Debtor's Bankruptcy Estate Pursuant*
4 *to 11 U.S.C. § 105(a) (the "Motion")*.¹

5 4. Prior to the bankruptcy filing of Ameri-Dream Realty, LLC (the "Debtor"), my
6 office was informed that Elsie Peladas-Brown ("E. Brown"), the spouse of the Debtor's principal,
7 had allegedly embezzled security deposits (the "Security Deposits") that were required to be held
8 in trust for the benefit of landowners and tenants under Nevada law.

9 5. Since the commencement of the Debtor's bankruptcy case, the Trustee has been in
10 communication with NRED regarding the disposition of the Security Deposits.

11 6. My office has informed the Trustee that it will not be administering the remaining
12 Security Deposits.

13 7. The administration of the remaining balance of the Security Deposits through the
14 Debtor's bankruptcy estate is consistent with Nevada law governing real estate brokers including,
15 but not limited to, the provisions of Chapter 645 of the Nevada Revised Statutes and the Nevada
16 Administrative Code.

17 8. I have no objection to the Trustee seeking to have the Security Deposits transferred
18 to the Debtor's bankruptcy estate so that they can be administered for the benefit of creditors.

19 I declare under penalty of perjury under the laws of the United States that the foregoing is
20 true and correct.

21 Executed this 30TH day of September, 2015.

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23 
24 Joseph R. Decker, Administrator
25 Nevada Real Estate Division

26 ¹ Unless otherwise indicated, all chapter and section references are to the Bankruptcy Code, 11
27 U.S.C. §§ 101-1532, and to the Federal Rules of Bankruptcy Procedure, Rules 1001-9037. The
28 Federal Rules of Civil Procedure will be referred to as "FRCP" and the Federal Rules of
Bankruptcy Procedure will be referred to as "FRBP." Unless otherwise stated herein, all
undefined, capitalized terms shall have the meaning ascribed to them in the Motion.