

BEFORE THE NEVADA STATE BOARD OF
MASSAGE THERAPY

In the Matter of:

Mengyi T. Ernsberger,
Licensed Massage Therapist
Nevada License No. NVMT.639,
Respondent.

Case No. NVMT-C-21028

**COMPLAINT AND
NOTICE OF HEARING**

The Nevada State Board of Massage Therapy (Board), by and through its Executive Director, Sandra Anderson, hereby notifies Mengyi T. Ernsberger (“Respondent”) of an administrative hearing, which is to be held pursuant to Chapters 233B, 622, 622A of the Nevada Revised Statutes (NRS) and 640C of the Nevada Revised Statutes (NRS) and the Nevada Administrative Code (NAC). The purpose of the hearing is to consider the allegations stated below and to determine if the Respondent should be subject to an administrative penalty as set forth in NRS 640C.710, if the stated allegations are proven at the hearing by the evidence presented.

Respondent is currently and at all times mentioned herein, licensed as a massage therapist in the State of Nevada and is therefore, subject to the jurisdiction of the Board and the provisions of NRS Chapter 640C.

IT IS HEREBY ALLEGED AND CHARGED AS FOLLOWS:

ALLEGED FACTS

1. Respondent is and was at the time of the allegations the owner of Sun City Spa (“establishment”) located at 2033 Paradise Rd., Las Vegas, Nevada 89104.
2. On or about August 8, 2017, Las Vegas Metropolitan Police Department (“LVMPD”) obtained a search warrant for the establishment based on probable cause of being a house of prostitution.
3. On or about August 8, 2017, LVMPD executed the search warrant at the establishment and found evidence of brothel activity, including:
 - a. Sixty-Nine Thousand Eight Hundred and Fifty-Seven Dollars (\$69,857) USD;
 - b. Videos on male genital massage; and
 - c. Six iPhones, two iPads, one laptop and one DVR system.

- 1 4. In 2006 and 2009, LVMPD investigated the establishment related to prostitution activity.
2 5. On or about March 5, 2018, Respondent was arrested and charged with **Accepted/Received**
3 **Earnings of a Prostitute, felony.**
4 6. On March 20, 2019, Respondent submitted an application for renewal of her massage
5 therapy license wherein Respondent responded “No” to the screening question if she has
6 been arrested in the previous twenty-four months of a “felony or for a crime involving
7 violence, prostitution or any other sexual offense.”

8 **VIOLATIONS OF LAW**

9 **COUNT ONE**

- 10 7. By responding “No” on the renewal application, Respondent submitted false, fraudulent or
11 misleading information to the Board, therefore, Respondent violated the provisions of NRS
12 640C.700(1) and/or NRS 640C.700(9). This is grounds for discipline pursuant to NRS
13 640C.700(2).

14 **PRAYER FOR RELIEF**

15 WHEREFORE, Executive Director, Sandra Anderson, prays as follows:

- 16 8. That the Board conduct a hearing on this complaint as provided by statute, and after such
17 hearing, that the Board impose upon Respondent the discipline permitted by NRS 640C.710,
18 which may include the following, (a) the imposition of an administrative fine of not more than
19 \$5,000.00 per violation, (b) recovery of reasonable investigative fees and costs incurred, (c)
20 recovery of attorney fees pursuant to NRS 622.400, (d) licensee be publicly reprimanded, (e)
21 suspend, revoke or place conditions on the licensee’s license, (f) place the licensee on
22 probation, and/or (g) such other impositions as may be permitted by Nevada law.

23
24 PLEASE TAKE NOTICE that a disciplinary hearing has been set to consider this
25 Administrative Complaint against the above-named Respondent in accordance with Chapters 233B,
26 622, 622A and 640C of the Nevada Revised Statutes.

27 THE HEARING WILL TAKE PLACE on **Wednesday, October 27, 2021, commencing at**
28 **9:00 a.m.** or as soon thereafter as the Board is able to hear the matter with video conferencing by Zoom.

Zoom sign-in available at 8:30 a.m.

1 Register in advance for this meeting:

2 https://us06web.zoom.us/meeting/register/tZUvd-GsrTltHNdpKoazc_fXcopS9_Becp0F

3 Meeting ID: 812 0843 9763

4 Password: 227133

5 PURSUANT TO NRS 622A.320, Respondent may, but is not required to, file an answer to this
6 Complaint with the Board.

7 PURSUANT TO NRS 622A.330, Respondent may seek limited discovery from the Board.

8 As the Respondents, you are specifically informed that you have the right to appear and be
9 heard in your defense, either personally or through counsel of your choice. You have the right to
10 respond and to present relevant evidence and argument on all issues involved. You have the right to
11 call and examine witnesses, introduce exhibits, and cross-examine opposing witnesses on any matter
12 relevant to the issues involved.

13 You have the right to request that the Board issue subpoenas to compel witnesses to testify
14 and/or evidence to be offered on your behalf. In making this request, you may be required to
15 demonstrate the relevancy of the witnesses' testimony and/or evidence.

16 The purpose of the hearing is to determine if the Respondent has violated the provisions of
17 Chapter 640C of NRS and if the allegations contained herein are substantially proven by the evidence
18 presented to further determine what administrative penalty is to be assessed against the Respondent, if
19 any, pursuant to NRS 640C.710.

20 Should the Respondent fail to appear at the hearing, a decision may still be reached by the
21 Board. As the Respondent, you are further advised that you may be charged with the attorney's fees
22 and/or costs associated with the hearing pursuant to NRS 622.400.

23 Pursuant to NRS 233B.121(5), informal disposition of this case may be made by stipulation,
24 agreed settlement, consent order, or default. Any attempt to negotiate this case should be made by
25 contacting Sandra Anderson, (775) 687-9951 or sjanderson@lmt.nv.gov.

26 Pursuant to NRS 241.033(2)(b), the Nevada State Board of Massage Therapy may, without
27 further notice, take administrative action against your license and/or certificate to practice within the
28 State of Nevada if the Board determines that such administrative action is warranted after considering
your character, alleged misconduct, professional competence, or physical or mental health.

1 Dated this 24 day of September, 2021.
2

3 **NEVADA STATE BOARD OF MASSAGE THERAPY**

4 
5 SANDRA ANDERSON, Executive Director
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7 **CERTIFICATE OF SERVICE**

8 I HEREBY CERTIFY that on September 24, 2021, I deposited for mailing at Reno, Nevada,
9 via Certified U.S. Mail, with return receipt and postage prepaid, a true and correct copy of the foregoing
10 **COMPLAINT AND NOTICE OF HEARING**, properly addressed as follows:
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12
13 Mengyi T. Ernsberger
14 8154 Azura Falls Court
15 Las Vegas, NV 89117

16 **NEVADA STATE BOARD OF MASSAGE THERAPY**

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