

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

**AMENDED 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.a 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.a
- 2.a On or about August 8, 2017, Las Vegas Metropolitan Police Department (“LVMPD”)a obtained a search warrant for the establishment based on probable cause of being a house of prostitution.a
- 3.a On or about August 8, 2017, LVMPD executed the search warrant at the establishment and found evidence of brothel activity, including:a
 - a.a Sixty-Nine Thousand Eight Hundred and Fifty-Seven Dollars (\$69,857) USD;a
 - b.a Videos on male genital massage; anda
 - c.a Six iPhones, two iPads, one laptop and one DVR system.a

1 4.e In 2006 and 2009, LVMPD investigated the establishment related to prostitution activity.e

2 5.e On or about March 5, 2018, Respondent was arrested and charged with **Accepted/Received**
3 **Earnings of a Prostitute, felony.**

4 6.e On or about May 10, 2018, Respondent pled guilty to **conducting a business with the**
5 **required license, misdemeanor.**

6 7.e On March 20, 2019, Respondent submitted an application for renewal of her massage
7 therapy license wherein Respondent responded “No” to the screening question if she has
8 been arrested in the previous twenty-four months of a “felony or for a crime involving
9 violence, prostitution or any other sexual offense.”e

10 **VIOLATIONS OF LAW**

11 **COUNT ONE**

12 8.e By responding “No” on the renewal application, Respondent submitted false, fraudulent or
13 misleading information to the Board, therefore, Respondent violated the provisions of NRS
14 640C.700(1) and/or NRS 640C.700(9). This is grounds for discipline pursuant to NRS
15 640C.700(2).e

16 **COUNT TWO**

17 9.e By failing to notify the Board within 10 days of Respondent’s March 5, 2018 arrest and
18 criminal charge, Respondent violated the provisions of NRS 640C.700(9) as it relates to
19 NAC 640C.090(2). This is grounds for discipline pursuant to NRS 640C.700(2).e

20 **COUNT THREE**

21 10.e By failing to notify the Board within 10 days of Respondent’s March 20, 2019 criminal
22 conviction, Respondent violated the provisions of NRS 640C.700(9) as it relates to NAC
23 640C.090(3). This is grounds for discipline pursuant to NRS 640C.700(2).e

24 **COUNT FOUR**

25 11.e By failing to report to the Board the August 8, 2017 action by a law enforcement agency
26 on the premises of the massage establishment, Respondent violated the provisions of NRS
27 640C.700(9) as it relates to NAC 640C.093(1). This is grounds for discipline pursuant to
28 NRS 640C.700(2).e

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PRAYER FOR RELIEF

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

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

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

THE HEARING WILL TAKE PLACE on **Wednesday, January 12, 2022, commencing at 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.
Register in advance for this meeting:

<https://us06web.zoom.us/j/86981107368?pwd=cVhxOFhuVGRNOTV3dHvTnRPOUZKdz09>

Meeting ID: 869 8110 7368

Password: 627930

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

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

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

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

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

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

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

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

18 Dated this 9 day of September, 2021.

19 **NEVADA STATE BOARD OF MASSAGE THERAPY**

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21 SANDRA ANDERSON, Executive Director

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on December 9, 2021, I deposited for mailing at Reno, Nevada, via Certified U.S. Mail, with return receipt and postage prepaid, a true and correct copy of the foregoing **AMENDED COMPLAINT AND NOTICE OF HEARING**, properly addressed as follows:

Mengyi T. Ernsberger
8154 Azura Falls Court
Las Vegas, NV 89117

NEVADA STATE BOARD OF MASSAGE THERAPY



Employee

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