

BEFORE THE REAL ESTATE COMMISSION

FILED

STATE OF NEVADA

DEC 30 2015

JOSEPH R. DECKER, Administrator,
REAL ESTATE DIVISION, DEPARTMENT
OF BUSINESS & INDUSTRY,
STATE OF NEVADA,

Case No. 2015-2200

REAL ESTATE COMMISSION
BY *[Signature]*

Petitioner,

vs.

DECISION

MATTHEW DERCOLE,

Respondent.

This matter came on for hearing before the Nevada Real Estate Commission, State of Nevada on Wednesday, December 16, 2015, at the Department of Employment, Training, and Rehabilitation, 2800 East St. Louis Avenue, Conference Room A-C, Las Vegas, Nevada. Respondent Matthew Dercole ("RESPONDENT") appeared and testified under oath at the hearing. Keith E. Kizer, Deputy Attorney General, appeared and prosecuted the Complaint on behalf of petitioner Joseph R. Decker, Administrator of the Real Estate Division, Department of Business & Industry, State of Nevada ("Division").

The matter having been submitted for decision based upon the allegations of the Complaint, the Commission now enters its Findings of Fact and Conclusions of Law as follows:

FINDINGS OF FACT

The Commission, based upon the evidence presented during the hearing, finds that there is substantial evidence in the record to establish each of the following Findings of Fact.

1. RESPONDENT is licensed as a Salesperson, under license number S.0062613 since July 27, 2004, and is currently in active status.

2. At all times relevant to the Complaint, RESPONDENT was associated with broker Deborah Emley at Prominent Realty Group LLC.

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1 16. RESPONDENT received proper notice of the hearing pursuant to NRS Chapters
2 645 and 233B and NAC Chapter 645.

3 17. Pursuant to NAC 645.860, the Commission finds that the following charges
4 specified in the Complaint are true and supported by substantial evidence.

5 18. RESPONDENT violated NRS 645.633(1)(h) and/or (i) by entering the Property
6 for an unauthorized purpose unrelated to a real estate transaction.

7 19. RESPONDENT violated NRS 645.633(1)(i) by engaging in sexual activity at the
8 Property without authorization.

9 **ORDER**

10 IT IS HEREBY ORDERED, upon a three to two vote, that RESPONDENT shall pay to
11 the Division a total fine of \$10,610.00. The total fine reflects a fine of \$10,000.00 for
12 committing the above violations of law plus \$610.00 for hearing and investigative costs.
13 RESPONDENT shall pay the total fine to the Division within six (6) months of the effective
14 date of this Order. The Division may institute debt collection proceedings for failure to timely
15 pay the total fine.

16 IT IS FURTHER ORDERED that RESPONDENT's real estate license is hereby
17 REVOKED.

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

20 This Order shall become effective on the 5th day of February, 2016.

21 DATED this 20th day of November, 2015.

22 REAL ESTATE DIVISION
23 STATE OF NEVADA

24
25 By: [Signature]
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