

**FILED**

**AUG 31 2017**

**REAL ESTATE COMMISSION**  
**BY** *[Signature]*

BEFORE THE REAL ESTATE COMMISSION  
STATE OF NEVADA

SHARATH CHANDRA, Administrator,  
REAL ESTATE DIVISION, DEPARTMENT  
OF BUSINESS & INDUSTRY,  
STATE OF NEVADA,

Case No. 2016-2875

**STIPULATION FOR SETTLEMENT  
OF DISCIPLINARY ACTION**

Petitioner,

vs.

MATTHEW WILLIAM BROOKS,

Respondent.

This Stipulation for Settlement of Disciplinary Action ("Stipulation") is entered into between the Petitioner, State of Nevada, Department of Business and Industry, Real Estate Division ("Division"), through its Administrator, Sharath Chandra, and Respondent, Matthew William Brooks ("Respondent").

**JURISDICTION**

Respondent engaged in activities which require a license as a real estate broker, real estate broker-salesperson, or real estate salesperson, issued by the Division and is, therefore, subject to the jurisdiction of the Division and the Nevada Real Estate Commission, and the provisions of NRS and NAC 645.

**SUMMARY OF FACTUAL ALLEGATIONS SET FORTH IN THE COMPLAINT**

1. At all times relevant, Respondent was not licensed by the Division in any capacity.
2. Respondent is licensed with the California Bureau of Real Estate as a Salesperson, License No. 01976931.
3. At all times relevant, Respondent was employed with Faris Lee Investments ("Faris Lee"), in Irvine, California.
4. Faris Lee was previously credentialed with the Division on October 6, 2010, but terminated its credentialing on January 12, 2016.
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1           5.       On or about July 1, 2016, Respondent advertised himself, via Faris Lee's website, as one  
2 of the listing agents for a commercial property located at 120 S. Rainbow Blvd., in Las Vegas, Nevada,  
3 despite not having a Nevada real estate license.

4           6.       On or about July 5, 2016, the Division sent Respondent, via certified mail, an  
5 Investigation Opening Letter and a Cease & Desist Order.

6                           **SUMMARY OF VIOLATION OF LAW ALLEGED IN THE COMPLAINT**

7           7.       Respondent violated NRS 645.230(1)(a) and/or NRS 645.235(1)(a) by engaging in the  
8 business of, acting in the capacity of, or advertising or assuming to act as a real estate broker, real estate  
9 broker-salesperson, or real estate salesperson within the State of Nevada without first obtaining the  
10 appropriate license from the Division.

11   **SETTLEMENT**

12           8.       The Division was prepared to present its case based upon the Complaint filed with the  
13 Commission.

14           9.       Respondent admits to the facts as alleged in the Complaint. Respondent represents that  
15 he and Faris Lee were in the process of re-credentialing with the Division, but this process was not  
16 consummated for relevant purposes of this action. Respondent further represents that he and/or Faris  
17 Lee are actively seeking, or will seek, direct licensure with the Division, or indirect license status,  
18 through Certification under NRS 645.605.

19           10.       The Parties desire to compromise and settle the instant controversy upon the following  
20 terms and conditions.

21           11.       Respondent agrees to pay to the Division \$2,000.00 as an administrative fine and  
22 \$500.00 in costs, for a total of \$2,500.00, within 30 days of the effective date of the Commission's  
23 Order Approving Stipulation. No grace period is permitted. If full payment is not actually received by  
24 the Division on or before its due date, it shall be construed as an event of default by Respondent. Debt  
25 collection actions for unpaid monetary assessments in this case may be instituted by the Division.

26           12.       The Division agrees not to pursue any other or greater remedies or fines in connection  
27 with Respondent's alleged conduct referenced herein. Additionally, the Division agrees that this  
28 Stipulation is without prejudice to Respondent and/or Faris Lee's present and/or future application for

1 licensee and/or certificated status and this Stipulation will not be given adverse and/or negative  
2 consideration.

3 13. Respondent and the Division agree that by entering into this Stipulation, the Division  
4 does not concede any defense or mitigation Respondent may assert and that once this Stipulation is  
5 approved and fully performed, the Division will close its file in this matter.

6 14. Respondent agrees that if the administrative fine is not paid within the time period set  
7 forth hereinabove, the Division may, at its option, rescind this Stipulation and proceed with prosecuting  
8 the Complaint before the Commission.

9 15. Respondent agrees and understands that by entering into this Stipulation, Respondent is  
10 waiving his right to a hearing at which Respondent may present evidence in his defense, his right to a  
11 written decision on the merits of the complaint, his rights to reconsideration and/or rehearing, appeal  
12 and/or judicial review, and all other rights which may be accorded by the Nevada Administrative  
13 Procedure Act, the Nevada Real Estate Brokers and Salespersons statutes and accompanying  
14 regulations, and the federal and state constitutions. Respondent understands that this Agreement and  
15 other documentation may be subject to public records laws. The Commission members who review  
16 this matter for approval of this Stipulation may be the same members who ultimately hear, consider and  
17 decide the Complaint if this Stipulation is either not approved by the Commission or is not timely  
18 performed by Respondent. Respondent fully understands he has the right to be represented by legal  
19 counsel in this matter at his own expense.

20 16. Except as provided above, each party shall bear its or his own attorney's fees and costs.

21 17. Stipulation is Not Evidence. Neither this Stipulation nor any statements made  
22 concerning this Stipulation may be discussed or introduced into evidence at any hearing on the  
23 Complaint, if the Division must ultimately present its case based on the Complaint filed in this matter.

24 18. Approval of Stipulation. Once executed, this Stipulation will be filed with the  
25 Commission and will be placed on the agenda for approval at its August 2017 public meeting. The  
26 Division will recommend to the Commission approval of the Stipulation. Respondent agrees that the  
27 Commission may approve, reject, or suggest amendments to this Stipulation that must be accepted or  
28 rejected by Respondent before any amendment is effective.

1           19.    Withdrawal of Stipulation.  If the Commission rejects this Stipulation or suggests  
2 amendments unacceptable to Respondent, Respondent may withdraw from this Stipulation and the  
3 Division may pursue its Complaint before the Commission at the Commission's regular public meeting.

4           20.    Release.  In consideration of execution of this Stipulation, Respondent for himself, his  
5 heirs, executors, administrators, successors, and assigns, hereby release, remise, and forever discharge  
6 the State of Nevada, the Department of Business and Industry and the Division, and each of their  
7 respective members, agents, employees and counsel in their individual and representative capacities,  
8 from any and all manner of actions, causes of action, suits, debts, judgments, executions, claims, and  
9 demands whatsoever, known and unknown, in law or equity, that Respondent ever had, now has, may  
10 have, or claim to have, against any or all of the persons or entities named in this section, arising out of  
11 or by reason of the Division's investigation, this disciplinary action, and all other matters relating  
12 thereto.


13           21.    Indemnification.  Respondent hereby indemnifies and holds harmless the State of  
14 Nevada, the Department of Business and Industry, the Division, and each of their respective members,  
15 agents, employees and counsel in their individual and representative capacities against any and all  
16 claims, suits, and actions brought against said persons and/or entities by reason of the Division's  
17 investigation, this disciplinary action and all other matters relating thereto, and against any and all  
18 expenses, damages, and costs, including court costs and attorney fees, which may be sustained by the  
19 persons and/or entities named in this section as a result of said claims, suits, and actions.

20           22.    Respondent has signed and dated this Stipulation only after reading and understanding  
21 all terms herein.

22 Dated: 8/14/17

By:   
Matthew William Brooks, Respondent

23  
24 Dated: 8/25/17

State of Nevada  
Department of Business and Industry  
Real Estate Division  
By:   
Sharath Chandra, Administrator

1 Approved as to form:

2 Dated: 8/22/2017

3 ADAM PAUL LAXALT  
4 Attorney General

5 By: Keith E. Kizer  
6 Keith E. Kizer  
7 Senior Deputy Attorney General  
8 Attorney for the Real Estate Division

Approved as to form:

Dated: 8/17/17

FERRUZZO & FERRUZZO, LLP

By: Vasko R. Mitzev  
Vasko R. Mitzev, Esq.  
Attorney for Respondent

9 **ORDER APPROVING STIPULATION**

10 The Stipulation for Settlement of Disciplinary Action having come before the Real Estate  
11 Commission, Department of Business and Industry, State of Nevada, during its regular agenda on  
12 August 15, 2017, and the Commission being fully apprised in the premises, and good cause appearing,

13 IT IS ORDERED that the above Stipulation is approved in full.

14 This Order shall become effective on the \_\_\_\_\_ day of \_\_\_\_\_, 2017.

15 Dated this \_\_\_\_\_ day of August, 2017.

16 NEVADA REAL ESTATE COMMISSION

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18 By: \_\_\_\_\_  
19 President, Nevada Real Estate Commission  
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Approved as to form:  
Dated: 8/22/2017  
ADAM PAUL LAXALT  
Attorney General  
By: [Signature]  
Keith E. Kizer  
Senior Deputy Attorney General  
Attorney for the Real Estate Division

Approved as to form:  
Dated: 8/17/17  
FERRUZZO & FERRUZZO, LLP  
By: [Signature]  
Vasko R. Mitzev, Esq.  
Attorney for Respondent

**ORDER APPROVING STIPULATION**

The Stipulation for Settlement of Disciplinary Action having come before the Real Estate Commission, Department of Business and Industry, State of Nevada, during its regular agenda on August 15, 2017, and the Commission being fully apprised in the premises, and good cause appearing,

IT IS ORDERED that the above Stipulation is approved in full.

This Order shall become effective on the 8<sup>th</sup> day of October, 2017.

Dated this 29<sup>th</sup> day of August, 2017.

NEVADA REAL ESTATE COMMISSION

By: [Signature]  
President, Nevada Real Estate Commission