

BEFORE THE REAL ESTATE COMMISSION

APR 1 2 2018

STATE OF NEVADA

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

Case No. 2016-3930

STATE OF NEVADA.

Petitioner,

VS.

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WILLIAM A. GAYLER,

Respondent.

DECISION

This matter came on for hearing before the Nevada Real Estate Commission, State of Nevada ("Commission") on Tuesday, March 20, 2018, at the Nevada State Business Center, 3300 West Sahara Avenue, 4th Floor - Nevada Room, Las Vegas, Nevada. Respondent William A. Gayler ("Respondent") did not appear. Keith E. Kizer, Senior Deputy Attorney General, appeared and prosecuted the Complaint on behalf of petitioner Sharath Chandra, 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 was licensed as a broker, license number B.0018030.LLC, from August 24, 1994, until August 31, 2016, and that license is currently in expired status.
- On or about May 10, 2016, before the Eighth Judicial District Court for Clark County, 2. Nevada, Respondent entered into a plea agreement in which he pled "GUILTY to one (1) count of Securities Fraud in violation of NRS 90.570."

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- 3. On or about November 3, 2016, the Eighth Judicial District Court for Clark County, Nevada sentenced Respondent to (a) pay \$1,292,103.00 in restitution, (b) serve 364 days of imprisonment, and (c) serve five years of probation.
- 4. Respondent failed to notify the Division in writing within 10 days after his plea of guilty that he had entered that plea of guilty.

CONCLUSIONS OF LAW

The Commission, based upon the preponderance of the evidence, makes the following legal conclusions:

- 1. Respondent received proper notice of the hearing pursuant to NRS Chapters 645 and 233B and NAC Chapter 645.
- 2. Respondent violated NRS 645.633(1)(d)(2) by being convicted of a felony involving fraud, deceit, misrepresentation or moral turpitude.
- 3. Respondent violated NRS 645.615(1)(b) and (2)(a) by failing to notify the Division in writing that he entered a plea of guilty to a crime involving fraud, deceit, misrepresentation or moral turpitude within 10 days after the plea of guilty.

ORDER

IT IS HEREBY ORDERED that Respondent shall pay to the Division a total fine of \$20,461.59. The total fine reflects a fine of \$10,000.00 for committing each of the above violations of law, plus \$461.59 for hearing and investigative costs. Respondent shall pay the total fine to the Division within ninety (90) days of the effective date of this Order. The Division may institute debt collection proceedings for failure to timely pay the total fine.

IT IS FURTHER ORDERED that Respondent's real estate license is hereby REVOKED.

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1	The Commission retains jurisdiction for correcting any errors that may have occurred in the
2	drafting and issuance of this Decision.
3	This Order shall become effective on the 2300 day of May, 2018.
4	DATED this 12 Hay of April , 2018.
5	REAL ESTATE COMMISSION
6	STATE OF NEVADA
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9	By: President, Nevada Real Estate Commission
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