

1 BEFORE THE REAL ESTATE COMMISSION

2 STATE OF NEVADA

3 SHARATH CHANDRA, Administrator,
4 REAL ESTATE DIVISION, DEPARTMENT
5 OF BUSINESS & INDUSTRY,
6 STATE OF NEVADA,

7 Petitioner,

8 vs.

9 TYSON R. DELACRUZ,

10 Respondent.

Case No. 2017-1345

FILED

JUL 16 2019

REAL ESTATE COMMISSION
Julia Talle

11 **DECISION**

12 This matter came on for hearing before the Nevada Real Estate Commission, State of Nevada
13 (“Commission”) on Wednesday, June 11, 2019, at the Nevada State Business Center, 3300 W. Sahara
14 Avenue, Las Vegas, Nevada 89102. Respondent Tyson R. Delacruz (“Respondent”) appeared in his own
15 behalf. Dennis L. Belcourt, Deputy Attorney General, appeared and prosecuted the Complaint on behalf
16 of Petitioner Sharath Chandra, Administrator of the Real Estate Division, Department of Business &
17 Industry, State of Nevada (“Division”).

18 This matter submitted for decision based upon the allegations of the Complaint and evidence
19 received, the Commission now enters its Findings of Fact and Conclusions of Law as follows:

20 **FINDINGS OF FACT**

- 21 1. RESPONDENT has been licensed by the Division as a Salesperson since March 17, 2015.
- 22 2. RESPONDENT is currently licensed by the Division as a Salesperson under license
23 number S.0176538, and is in active status.
- 24 3. On or about June 13, 2017, the Division received a Complaint and Statement of Facts
25 (“the Complaint”) concerning RESPONDENT’s involvement with efforts to purchase or sell property
26 located at 1244 S. 9th Street, Las Vegas, Nevada (“the Property”) that was facing an impending
27 foreclosure auction.
- 28 4. In the course of investigating the Complaint, the Division requested copies of certain
agreements from RESPONDENT.

- 1 5. RESPONDENT failed to produce one or more agreements in response to the request.
- 2 6. RESPONDENT falsely stated in an affidavit submitted to the Division that he was not an
3 agent concerning the Property.
- 4 7. Agreement 1, a copy of which was provided to the Division by the Complainant, has
5 RESPONDENT as representing both buyer and seller in a transaction concerning the Property.
- 6 8. RESPONDENT provided a copy of Agreement 1 to a lender/loan servicer to delay the
7 foreclosure auction.
- 8 9. RESPONDENT failed to provide his Broker, Andrew Fonfa, ASF Realty and Investment,
9 Inc., B.0006019.CORP, with a copy of Agreement 1.
- 10 10. Agreement 2 was a subsequent agreement for the sale of the Property and listed GFYS,
11 LLC as the buyer.
- 12 11. RESPONDENT was and is a managing member of GFYS, LLC.
- 13 12. RESPONDENT did not disclose to the seller that he was a managing member of GFYS,
14 LLC, and thus had an interest in the Property.

CONCLUSIONS OF LAW

RESPONDENT has committed the following violations of law:

- 17 13. RESPONDENT violated NRS 645.633(1)(h) or NRS 645.635(6) by failing to provide a
18 copy of one or more requested agreement.
- 19 14. RESPONDENT violated NRS 645.633(h) or (i) or NAC 645.605(11)(c) by providing the
20 Division with a notarized affidavit which falsely stated that he was not providing representation as a real
21 estate agent on either side, dated July 6, 2017.
- 22 15. RESPONDENT violated NAC 645.650(2) by failing to submit to his broker Agreement
23 1.
- 24 16. RESPONDENT violated NRS 645.252(1), NAC 645.637, or NAC 645.640(1)(a) or (b)
25 by failing to disclose that he was a managing member of GFYS, LLC, which is listed as the buyer on
26 Agreement 2.

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1 **ORDER**

2 17. IT IS HEREBY ORDERED that RESPONDENT pay to the Division a fine of \$10,000.00
3 and \$1,753.95 in investigative costs and attorneys' fees due one year from the effective date of this Order.
4 If the payment is not actually received by the Division on or before its due date, it shall be construed as
5 an event of default by Respondent. In the event of default, Respondent's license shall be immediately
6 suspended, and the unpaid balance of the administrative fine and costs, together with any attorney's fees
7 and costs that may have been assessed, shall be due in full to the Division within ten calendar days of the
8 date of default. The State of Nevada may institute debt collection proceedings for failure to timely pay
9 fines or costs, and may reduce the amount owed to judgment. RESPONDENT may be liable for collection
10 fees and costs.

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

13 This Order shall become effective on the 15th day of August, 2019.

14 DATED this 16th day of July, 2019.

15 REAL ESTATE COMMISSION
16 STATE OF NEVADA

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18 By: 
19 President, Nevada Real Estate Commission
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