

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,

Case No. 2021-405

Petitioner,

7 vs.

8 ERIS ATAR-KRUPSKI,
(S.0192427)

Respondent.

FILED

MAR 03 2023

REAL ESTATE COMMISSION
BY 

11
12
13 **FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER**

14
15 This matter came on for hearing before the Real Estate Commission, Department of
16 Business and Industry, State of Nevada (the "Commission"), during a regular agenda set
17 for a three-day stack commencing February 21, 2023 (the "Hearing"). RESPONDENT Eris
18 Atar-Krupski ("RESPONDENT") appeared on her own behalf. Christal Park Keegan, Esq.,
19 Deputy Attorney General with the Nevada Attorney General's Office, appeared on behalf
20 of the Real Estate Division of the Department of Business and Industry, State of Nevada
21 (the "Division"). After hearing testimony presented in this matter and for good cause
22 appearing, the Commission now enters its Findings of Fact, Conclusions of Law, and Order
against RESPONDENT as follows:

23 **JURISDICTION**

24 RESPONDENT, at all relevant times mentioned in this Complaint, held herself out
25 and/or otherwise performed acts as a person required to have a license, and is presently
26 licensed as a Salesperson under S.0192427. RESPONDENT is, therefore, subject to the
27 jurisdiction of the Division and the Commission, and the provisions of NRS chapter 645
28 and NAC chapter 645.

1 **FINDINGS OF FACT**

2 The Commission, based on the evidence presented during the Hearing and the vote
3 that carried, enters the finding of the following facts:

4 RESPONDENT'S real estate salesperson license (S.0192427) was issued on
5 February 03, 2021, to the Brokerage Pacific Group with Broker Gregory A. Hartline
6 (B.0067304.INDV, B.0036741.LLC, PM.0136741.BKR, BUSB.0000345.BKR,
7 BUSB.0006819.BKR). NRED 000002 – NRED 000004.

8 On or about December 7, 2020, Complainants and/or Complainant's family members
9 ("Complainants") allege, they were in search of a real estate agent in Las Vegas, Nevada,
10 and reached out to their sister-in-law for a recommendation, who in turn reached out to a
11 close family friend, RESPONDENT'S mother, who recommended her daughter
12 RESPONDENT. NRED 000054 - NRED 000056.

13 On December 7, 2020, the real property located at 4894 Stavanger Lane, Clark
14 County, Las Vegas, Nevada 89147 (the "Property"), was listed for sale in the Las Vegas
15 Realtors Multiple Listing Service ("MLS") by real estate salesperson Alla Margaryan
16 (S.0186534), of eXp Realty, 10845 Griffith Peak Drive #2, Las Vegas 89135, with Broker
17 Spencer Walden (B.0144881), offering a 2.00 % cooperating commission pursuant to the
18 terms of the listing agreement dated December 1, 2020, at 15:41 PM. NRED 000013, NRED
19 000032-NRED 000044.

20 On January 12, 2021, at 6:06 p.m. GMT, RESPONDENT,
21 <eris.atarkrupski@gmail.com> allegedly emailed Complainant, the real property located at
22 2880 S Tenaya Way, Las Vegas, 89117, and represented it was not on the market yet and
23 in "section 10 which is a very good area." NRED 000057 and NRED 000082.

24 On January 15, 2021, at 6:57 PM EST. RESPONDENT allegedly emailed
25 Complainant, the real property for sale located at 5232 Great Horizon, and represented
26 that she was providing information at their request, including purchase price opinions: "I
27 think we can get it for around 800k, maybe less Would you like me to start with an offer
28 for 750k?" NRED 000058 - NRED 000059, and NRED 000083.

1 On January 17, 2021, Complainant allegedly emailed RESPONDENT, a list of
2 prospective homes, and relayed 1031 exchange requirements, specifically that the purchase
3 of two homes must be in escrow on or before February 27, 2021. The next day, on January
4 18, 2021, RESPONDENT allegedly responded via email to the Complainant that out of the
5 eight houses, only three were available:

6 "5183 n miller is available for showing I am trying to get you a video

7 5111 crown cypress is vacant and available

8
9 9261 spruce under contract

10 7782 abalone is available – trying to get you a video

11 9524 summer cypress under contract

12 1004 royal plum under contract

13 8225 irish eyes no shows at this time

14 2421 rice flower under contract"

15 NRED 000060, NRED 000089, and NRED 000091.

16 Also on January 18, 2021, RESPONDENT allegedly forwarded MLS listing
17 information "on the other 4" from her broker, Mr. Hartline, to Complainant. NRED 000089
18 - NRED 000090.

19 On January 30 at 4:46 PM, RESPONDENT allegedly texted Complainant about an
20 offering on a property and provided the monthly payment calculation: "Greg wrote to me
21 Are we proceeding with Abernethy?; "Total pymt: P & I \$1847.29 Hoi \$175 (est) Property
22 taxes \$657.83 Hoa \$73.66, Total pymt \$2753.78" NRED 000062 and NRED 000096.

23 RESPONDENT allegedly texted Complainant eliciting a bid on a property and
24 agreed to prepare the offer: At 8:42 AM "Do you want to bid on Marion Village?" At 8:58
25 AM Complainant responds "Yes, please prepare the offer." At 8:59 AM RESPONDENT
26 replies "Ok" NRED 000111.

27 On February 1, 2021, at 1:02 AM, RESPONDENT allegedly texted Complainant
28 with an update on a property: "I haven't heard from the agent for emerald. I texted her but

1 didn't get a reply I will call her tomorrow morning". NRED 000098.

2 On February 1, 2021, at 12:24 PM, RESPONDENT allegedly texted Complainant
3 confirming showings on properties: "They changed for 1:30pm tomorrow" "Please put a note
4 for you" "Please keep a record" "2:45 is cancelled No showings" NRED 000116.

5 RESPONDENT allegedly texted Complainant identifying the status of showings per
6 ShowingTime MLS's showing manager for Complainant: "SHOWING DCLND Tue 2/2
7 12:00P 1931 Fox Canyon Circle, Las Vegas Sickness in family BY: Listing Agent"; On
8 February 1, at 9:05 PM "SHOWING CONF Tue 2/2 12:30P 2728 Lakecrest Drive, Las
9 Vegas" NRED 000110.

10 On February 2, 2021, at 2:11 PM, emails from Complainant and Complainant's son
11 to RESPONDENT allege a 0.5% (\$3,250) commission fee agreement between
12 Complainant's son and RESPONDENT for 4894 Stavanger Lane. NRED 000072 – NRED
13 000073, NRED 000115.

14 A Residential Purchase Agreement ("RPA") on real property 4894 Stavanger Lane
15 dated February 2, 2021, for Complainant was fully executed on February 3, 2021. NRED
16 000014 – NRED 000024.

17 The Broker's Compensation/Fees of the RPA incorporates by reference the buyer's
18 broker's commission listed on the MLS (See Finding of Fact 4.). NRED 000020, NRED
19 000022, and NRED 000024.

20 The RPA made no indication whether the buyer will or will not pay buyer's broker
21 additional compensation as both boxes were left blank. NRED 000020, NRED 000022, and
22 NRED 000024.

23 The RPA did not include any additional terms or any counter offers that modified
24 the buyer's brokerage commission. NRED 000020, NRED 000022, and NRED 000024.

25 The Additional Terms of the RPA represents: "Eris Atar-Krupski, Esq. is recognized
26 as the attorney of record for the buyer. She may be included in any negotiations or
27 administrative decisions speaking on behalf of the buyer.". NRED 000022, NRED 000057
28 – NRED 000061, NRED 000082 – NRED 000087, and NRED 000089 -NRED 000093.

1 RESPONDENT represented herself as an attorney during the entire Las Vegas,
2 Nevada-specific home buying process as indicated in email signatures: “Eris Atar-Krupski,
3 Esq.” and “Eris Atar-Krupski, Esquire”. NRED 000022, NRED 000057 – NRED 000061,
4 NRED 000082 – NRED 000087, and NRED 000089 -NRED 000093.

5 On February 3, 2021, RESPONDENT’S real estate salesperson license (S.192427)
6 was issued. NRED 000002.

7 On February 25, 2021, RESPONDENT allegedly text messaged Complainant her
8 name and address along with the text message “\$3,250 for the half percent that he
9 deducted”. NRED 000074, NRED 000115, and NRED 000117.

10 On or about April 14, 2021, The Nevada Real Estate Division received a Complaint
11 reporting RESPONDENT acted as his attorney and real estate agent without a license
12 when Complainant purchased the real properties at 4894 Stavanger Lane, and 1153
13 Campsie Fells Court during January and March 2021. NRED 000046 - NRED 000122.

14 On April 15, 2021, the Division noticed RESPONDENT that it received a complaint
15 against her; on or about April 30, 2021, RESPONDENT provided her sworn statement to
16 the Division, after which, the Division determined it had sufficient evidence to commence
17 a disciplinary action by way of filing a complaint before the Real Estate Commission, now
18 comes herewith. NRED 000007, and NRED 124 – NRED 000129.

19 The Commission, based on the evidence presented during the Hearing and the vote
20 that carried, found that the Division proved by preponderance of the evidence all factual
21 allegations in the complaint.

22 **CONCLUSIONS OF LAW**

23 Whereas, the Commission found that the Division proved by preponderance of the
24 evidence all factual allegations in the complaint, the Commission, by the vote that carried,
25 found that the RESPONDENT did not commit the violations of law alleged in the
26 complaint.

27 DATED this 3rd day of March, 2023.

REAL ESTATE COMMISSION
STATE OF NEVADA

By: *Spiridon Filios*
President, Nevada Real Estate Commission

Submitted by:

AARON D. FORD
Attorney General

By: *epkeegan*
CHRISTAL P. KEEGAN, ESQ.
Deputy Attorney General
Bar No. 12725
5420 Kietzke Lane #202
Reno, Nevada 89511
(775) 687-2141
Attorney for Real Estate Division