

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 TYLER SCOTT RICHARDSON,
10 (S.0183650)

11 Respondent.

Case No. 2022-119

FILED

MAR 29 2023

REAL ESTATE COMMISSION

BY Keely Valadez

12 **COMPLAINT AND NOTICE OF HEARING**

13 The REAL ESTATE DIVISION OF THE DEPARTMENT OF BUSINESS AND INDUSTRY
14 OF THE STATE OF NEVADA ("Division") hereby notifies RESPONDENT TYLER SCOTT
15 RICHARDSON ("RESPONDENT") of an administrative hearing before the STATE OF NEVADA
16 REAL ESTATE COMMISSION ("Commission"). The hearing will be held pursuant to Chapters 233B
17 and Chapter 645 of the Nevada Revised Statutes ("NRS") and Chapter 645 of the Nevada Administrative
18 Code ("NAC"). The purpose of the hearing is to consider the allegations stated below and to determine
19 if the RESPONDENT should be subject to an administrative penalty as set forth in NRS 645.235, NRS
20 645.630 and/or NRS 622.400, and the discipline to be imposed, if violations of law are proven.

21 **JURISDICTION**

22 RESPONDENT, at all relevant times mentioned in this Complaint, held himself out and/or
23 otherwise performed acts as a person required to have a license under his Salesperson license number
24 S.0183650. RESPONDENT is, therefore, subject to the jurisdiction of the Division and the Commission,
25 and the provisions of NRS chapter 645 and NAC chapter 645.

26 **FACTUAL ALLEGATIONS**

27 1. RESPONDENT's license history demonstrates periods of license expiration followed by
28 gaps of inactive status prior to renewal. *NRED 000004*.

2. At all times relevant to this Complaint, RESPONDENT acted in the capacity of a real
estate licensee but did not hold an active real estate license between January 31, 2021, to February 2,
2022. *NRED 000040 – 000041, NRED 000031 – 000032, NRED 000004, NRED 000017 – 000030,*

1 NRED 000169 – 000171, NRED 000409 – 000420, NRED 000423 – 000426, NRED 000446, and NRED
2 000450 – 000452.

3 3. At all times relevant to this Complaint, RESPONDENT was associated with the brokerage
4 Marshall Realty. NRED 000004, NRED 000014.

5 4. RESPONDENT represented buyers in the transaction for the purchase of real property
6 located at 7115 Banbury Court, Reno, Nevada 89523 (“Property #1”). NRED 000025.

7 5. On June 22, 2021, the Property #1 sale closed. NRED 000418 - 000420.

8 6. On or about June 23, 2021, sales commissions for Property #1 were disbursed to
9 RESPONDENT’S brokerage in the total amount of \$23,375.00. NRED 000420

10 7. At all times relevant to the Property #1 transaction, RESPONDENT did not hold an active
11 real estate license. NRED 000004.

12 8. RESPONDENT represented buyers in the transaction for the purchase of real property
13 located at 135 Blair Place, Reno, Nevada 89509 (“Property #2”). NRED 000025.

14 9. On July 21, 2021, the Property #2 sale closed. NRED 000409 - 000410.

15 10. On or about July 22, 2021, sales commissions for Property #2 were disbursed to
16 RESPONDENT’S brokerage in the total amount of \$21,747.50. NRED 000409.

17 11. At all times relevant to the Property #2 transaction, RESPONDENT did not hold an active
18 real estate license. NRED 000004.

19 12. RESPONDENT represented buyers in the transaction for the purchase of real property
20 located at 900 South Meadows Parkway, Reno, Nevada 89521 (“Property #3”). NRED 000018.

21 13. On July 21, 2021, the Property #3 sale closed. NRED 000414 - 000415.

22 14. On or about July 26, 2021, sales commissions for Property #3 were disbursed to
23 RESPONDENT’S brokerage in the total amount of \$8,125.00. NRED 000414.

24 15. At all times relevant to Property #3 transaction, RESPONDENT did not hold an active
25 real estate license. NRED 000004.

26 16. RESPONDENT represented buyers in the transaction for the purchase of real property
27 located at 4301 Numaga Pass, Carson City, Nevada 89703 (“Property #4”). NRED 000018.

28 17. On July 30, 2021, the Property #4 sale closed. NRED 000446.

1 18. Sales commissions for Property #4 were disbursed to RESPONDENT'S brokerage in the
2 total amount of \$27,279.69. *NRED 000446.*

3 19. At all times relevant to the Property #4 transaction, RESPONDENT did not hold an active
4 real estate license. *NRED 000004.*

5 20. RESPONDENT represented Complainants in the transaction for the purchase of real
6 property located at 992 Bench Road, Fallon, Nevada 89406 ("Property #5"). *NRED 000018.*

7 21. On August 30, 2021, the Property #5 sale closed. *NRED 000305 - 000311.*

8 22. Sales commissions for Property #5 were disbursed to RESPONDENT'S brokerage in the
9 total amount of \$17,737.50. *NRED 000306.*

10 23. At all times relevant to the Property #5 transaction, RESPONDENT did not hold an active
11 real estate license. *NRED 000004.*

12 24. RESPONDENT represented buyers in the transaction for the purchase of real property
13 located at 204 Agate Drive, Carson City, Nevada 89706 ("Property #6"). *NRED 000018.*

14 25. On September 15, 2021, the Property #6 sale closed. *NRED 000412 - 000413.*

15 26. Sales commissions for Property #6 were disbursed to RESPONDENT'S brokerage in the
16 total amount of \$9,551.25. *NRED 000411*

17 27. At all times relevant to Property #6 transaction, RESPONDENT did not hold an active
18 real estate license. *NRED 000004.*

19 28. RESPONDENT represented buyers in the transaction for the purchase of real property
20 located at 5304 Bentgrass Drive, Stagecoach, Nevada 89429 ("Property #7"). *NRED 000018.*

21 29. On December 10, 2021, the Property #7 sale closed. *NRED 000423 - 000424.*

22 30. Sales commissions for Property #7 were disbursed to RESPONDENT'S brokerage in the
23 total amount of \$27,775.00. *NRED 000424.*

24 31. At all times relevant to the Property #7 transaction, RESPONDENT did not hold an active
25 real estate license. *NRED 000004.*

26 32. From February 2021 to February 2022, RESPONDENT'S gross commissions totaled
27 \$75,775.45. *NRED 000450 - 000452.*

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1 33. Of that, RESPONDENT was paid \$23,279.49 towards the seven (7) transactions he acted
2 in as a real estate salesperson without a valid license. *NRED 000453.*

3 34. On February 2, 2022, RESPONDENT'S real estate salesperson license was renewed.
4 *NRED 000004.*

5 **VIOLATIONS OF LAW**

6 RESPONDENT committed the following violations of law:

7 1. RESPONDENT violated NRS 645.230(1)(a) and NRS 645.235(1)(A) on seven (7)
8 occasions when he acted in the capacity as a real estate salesperson without an active license.

9 2. RESPONDENT violated NRS 645.630(1)(a) when he materially represented himself as a
10 real estate salesperson while his license was expired.

11 3. RESPONDENT violated NRS 645.633(1)(h) when he acted grossly negligent for failing
12 to renew his real estate salesperson's license.

13 4. RESPONDENT violated NRS 645.633(1)(i) pursuant to NAC 645.605(1) when he
14 represented himself as a real estate salesperson while his license was expired.

15 **DISCIPLINE AUTHORIZED**

16 5. Pursuant to NRS 645.235(2), the Commission is empowered to impose an administrative
17 fine not to exceed the amount of any gain or economic benefit that the person derived from the violation
18 or \$5,000, whichever amount is greater.

19 6. Pursuant to NRS 645.630 and NRS 645.633, the commission is empowered to impose an
20 administrative fine per violation against RESPONDENT that may not exceed \$10,000, and further to
21 suspend, revoke, or place conditions on the license of RESPONDENT;

22 7. Additionally, under NRS 622.400, the Commission is authorized to impose costs of the
23 proceeding upon RESPONDENT, including investigative costs and attorney's fees, if the Commission
24 otherwise imposes discipline on RESPONDENT; and

25 8. Therefore, the Division requests that the Commission take such disciplinary action as it
26 deems appropriate under the circumstances.

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1 **NOTICE OF HEARING**

2 **PLEASE TAKE NOTICE**, that a disciplinary hearing has been set to consider the
3 Administrative Complaint against the above-named Respondent in accordance with Chapters 233B and
4 645 of the Nevada Revised Statutes and Chapter 645 of the Nevada Administrative Code.

5 **THE HEARING WILL TAKE PLACE on May 2, 2023, commencing at 9:00 a.m., or as**
6 **soon thereafter as the Commission is able to hear the matter, and each day thereafter commencing**
7 **at 9:00 a.m. through May 4, 2023, or earlier if the business of the Commission is concluded. The**
8 **Commission meeting will be held on May 2, 2023, at the Nevada State Business Center, 3300 West**
9 **Sahara Avenue, 4th Floor – Nevada Room, Las Vegas, Nevada 89102. The meeting will continue**
10 **on each day thereafter commencing at 9:00 a.m. through May 4, 2023, at the Nevada State Business**
11 **Center, 3300 West Sahara Avenue, 4th Floor – Nevada Room, Las Vegas, Nevada 89102, until the**
12 **business of the Commission is concluded. To attend the Commission meeting virtually or by**
13 **telephone, go to Webex.com or dial 1-844-621-3956 and enter the meeting information below:**

14
15 **TUESDAY, MAY 2, 2023**

16 **1-844-621-3956 ACCESS CODE/MEETING NUMBER: 2498 351 9155##**
17 **WEBEX.COM MEETING NUMBER: 2498 351 9155 MEETING PASSWORD: Td4KAXu9A3n**

18 **WEDNESDAY, MAY 3, 2023**

19 **1-844-621-3956 ACCESS CODE/MEETING NUMBER: 2494 419 1083##**
20 **WEBEX.COM MEETING NUMBER: 2494 419 1083 MEETING PASSWORD: Z8Gj6VJH8W3**

21 **THURSDAY, MAY 4, 2023**

22 **1-844-621-3956 ACCESS CODE/MEETING NUMBER: 2482 634 9998##**
23 **WEBEX.COM MEETING NUMBER: 2482 634 9998 MEETING PASSWORD: uxWgkUka243**

1 **STACKED CALENDAR: Your hearing is one of several hearings scheduled at the same**
2 **time as part of a regular meeting of the Commission that is expected to last from May 2, 2023**
3 **through May 4, 2023, or earlier if the business of the Commission is concluded. Thus, your hearing**
4 **may be continued until later in the day or from day to day. It is your responsibility to be present**
5 **when your case is called. If you are not present when your hearing is called, a default may be**
6 **entered against you and the Commission may decide the case as if all allegations in the complaint**
7 **were true. If you have any questions, please call Kelly Valadez, Commission Coordinator, at (702)**
8 **(702) 486-4606.**

9 **YOUR RIGHTS AT THE HEARING:** except as mentioned below, the hearing is an open meeting
10 under Nevada’s open meeting law, and may be attended by the public. After the evidence and arguments,
11 the commission may conduct a closed meeting to discuss your alleged misconduct or professional
12 competence. A verbatim record will be made by a certified court reporter. You are entitled to a copy of
13 the transcript of the open and closed portions of the meeting, although you must pay for the transcription.

14 As the Respondent, you are specifically informed that you have the right to appear and be heard
15 in your defense, either personally or through your counsel of choice. At the hearing, the Division has the
16 burden of proving the allegations in the complaint and will call witnesses and present evidence against
17 you. You have the right to respond and to present relevant evidence and argument on all issues involved.
18 You have the right to call and examine witnesses, introduce exhibits, and cross-examine opposing
19 witnesses on any matter relevant to the issues involved.

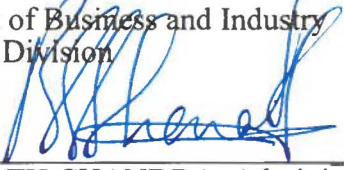
20 You have the right to request that the Commission issue subpoenas to compel witnesses to testify
21 and/or evidence to be offered on your behalf. In making the request, you may be required to demonstrate
22 the relevance of the witness’ testimony and/or evidence. Other important rights you have are listed in
23 NRS 645.680 through 645.990, NRS Chapter 233B, and NAC 645.810 through 645.875.

24 The purpose of the hearing is to determine if the Respondent has violated NRS 645 and/or NAC
25 645 and if the allegations contained herein are substantially proven by the evidence presented and
26 to further determine what administrative penalty is to be assessed against the RESPONDENT, if any,
27 pursuant to NRS 645.235, 645.633 and or 645.630.

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DATED this 28 day of March 2023.

STATE OF NEVADA
Department of Business and Industry
Real Estate Division

By: 

SHARATH CHANDRA, Administrator
CHARVEZ FOGER, Deputy Administrator
3300 West Sahara Avenue, Suite 350
Las Vegas, Nevada 89102

DATED this 27th day of March 2023.

AARON D. FORD
Attorney General

By: 

CHRISTAL P. KEEGAN, ESQ.
Deputy Attorney General
Bar No. 12725
5420 Kietzke Lane #202
Reno, Nevada 89511
(775) 687-2141
ckeegan@ag.nv.gov
Attorney for Real Estate Division