

In The Matter of:

Fernando Tafur (Ref. No. 9805127), Licensed Real Estate Broker /Respondent

WHEREAS Respondent Fernando Tafur, a real estate broker licensed by the State of New Jersey, is subject to the provisions of the Real Estate Brokers and Salespersons Act, N.J.S.A. 45:15-1 et seq.; and

WHEREAS Respondent Tafur is currently licensed as a broker, and conducts real estate brokerage activity as a sole proprietor under the trade name Great Realty, whose office is located at 6415A John Fitzgerald Kennedy Boulevard, North Bergen, New Jersey; and

WHEREAS the Real Estate Commission has secured evidence which indicates that Respondent Tafur has violated certain provisions of the laws and regulations governing the conduct of New Jersey real estate brokers and salespersons as referenced above; and

WHEREAS the Commission and Respondent Tafur have agreed to settle this matter in lieu of any further administrative action; and

WHEREAS Respondent Tafur acknowledges that he has been made aware of his right to a full and formal hearing on any violations which the Commission may allege he has committed and having had the advice of counsel on the matters to which this Consent Order pertains, he is knowingly and voluntarily waiving the right to a hearing; and

WHEREAS Respondent Tafur acted as dual agent in a transaction concerning the property located at 419 64th Street, West New York, New Jersey; and

WHEREAS Respondent Tafur provided to the buyer's attorney documents titled Residential Owner Certificate and Smoke and Carbon Monoxide Detector Certificate of Compliance, purportedly issued by the Town of West New York. Those documents were falsified by Respondent Tafur, in an attempt to affect the sale of the subject property; and

WHEREAS on or about February 27, 2018, Respondent Tafur was arrested and charged with one count of forgery, in violation of N.J.S.A. 2C:21-1A(1), a crime of the third degree; and

WHEREAS on or about April 27, 2018, Respondent Tafur plead guilty to the charge of creating a nuisance under West New York Town Ordinance Section 970; and

WHEREAS Respondent Tafur did notify the New Jersey Department of Banking and Insurance within 30 days of his arrest and his conviction; and

WHEREAS Respondent Tafur admits that he acted in violation of N.J.S.A. 45:15-17(a), in that by creating false government documents with the intent to affect the sale of the subject property, as described above, Respondent Tafur made substantial misrepresentations to the parties to the transaction; and

WHEREAS Respondent Tafur admits that he acted in violation of N.J.S.A. 45:15-17(e), in that by engaging in the conduct described above, Respondent Tafur demonstrated dishonesty and unworthiness for licensure; and

WHEREAS Respondent Tafur admits that he acted in violation of N.J.S.A. 45:15-17(l), in that the conduct described above constitutes fraudulent conduct and dishonest dealing; and

IT IS THEREFORE AGREED BY THE PARTIES AND SO ORDERED that

RESPONDENT Tafur's New Jersey real estate broker's license shall be revoked for a period of one (1) year from the date of the full execution of this Consent Order. Upon completion of the period of revocation, any real estate license issued to Respondent Tafur shall be held on a probationary basis for a period of two (2) years. During the probationary period, it shall be Respondent Tafur's obligation to notify the Commission within 72 hours if it comes to his attention that he has violated the New Jersey Real Estate Licensing Law or corresponding regulations, or if he is charged with, or convicted of, any criminal or disorderly persons offense; and it is further ordered and agreed that

RESPONDENT Tafur agrees to pay a fine in the amount of \$3,000; and it is further ordered and agreed that

RESPONDENT Tafur shall pay the fine in full within ninety (90) days of the date of the full execution of this Consent Order. The fine shall be payable by certified check, cashier's check or money order, payable to the "State of New Jersey" and sent to:

Division of Anti-Fraud Compliance/Collection Section
Department of Banking and Insurance
P.O. Box 325
Trenton, New Jersey 08625

And it appearing that this matter can be resolved upon consent of the parties, without resort to any other further administrative proceeding;

It is on this 12th day of September, 2018

ORDERED and AGREED that the terms of this Consent Order are approved by the Commission at a regular meeting on Wednesday, September 12, 2018; and

It is further ORDERED and AGREED that the Commission reserves the right to take administrative action if the terms of this Consent Order are not fully complied with or if it obtains any other information that the respondent may have violated the Real Estate Brokers and Salespersons Act, N.J.S.A. 45:15-1 et seq. or corresponding regulations, N.J.A.C. 11.5-1.1 et seq.;

Dated: 9/12/, 2018



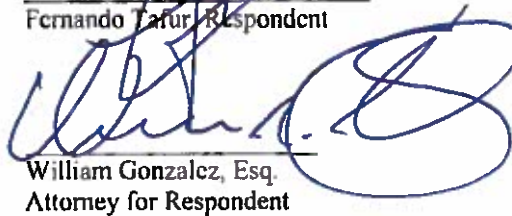
Patrick J. Mullen
Director of Banking
New Jersey Department of Banking and Insurance

Dated: 9/11/2018, 2018



Fernando Tafur, Respondent

Dated: 9/11/2018, 2018



William Gonzalez, Esq.
Attorney for Respondent

RESPONDENT CERTIFICATION

I, Fernando Tafur, hereby certify that

1. I am not under any disability, mental or physical, or under the influence of any medication, intoxicant or other substance that would impair my ability to knowingly and voluntarily execute this Consent Agreement; and further
2. I have received the advice of legal counsel on this matter and I am entering into this agreement knowingly and voluntarily, that I have not been subject to any coercion or threats regarding the execution of this Consent Agreement and that other than the terms set forth above, no promises, representations or inducements have been made to me to secure my acceptance of the provisions of this Consent Agreement; and further
3. I hereby certify that I have read and agree to the terms and conditions of the Consent Order as set forth above and agree to the entry of this Order.



Fernando Tafur, Respondent

Subscribed and sworn to before me on this 11 day of Sept., 2018



Notary Public

**WILLIAM N. GONZALEZ
ATTORNEY AT LAW
STATE OF NEW JERSEY**