



DEPARTMENT OF BUSINESS AND INDUSTRY  
**REAL ESTATE DIVISION**

2501 E. Sahara Avenue, Suite 303  
Las Vegas, Nevada 89104  
(702) 486-4606 Fax (702) 486-4520  
E-mail: [tlthompson@red.state.nv.us](mailto:tlthompson@red.state.nv.us)  
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**NOTICE & AGENDA OF PUBLIC  
MEETING**

OF THE  
NEVADA COMMISSION FOR COMMON-INTEREST COMMUNITIES  
AND CONDOMINIUM HOTELS

**FEBRUARY 25-27, 2014**

The Nevada Commission for Common-Interest Communities and Condominium Hotels will conduct a meeting beginning **TUESDAY, FEBRUARY 25, 2014 beginning at 1:00 p.m. and beginning at 9:00 a.m. each day thereafter through THURSDAY, FEBRUARY 27, 2014 or until the Commission concludes its business** at the following locations:

**FEBRUARY 25, 2014 @ 1:00 P.M.**  
**FEBRUARY 26-27, 2014 @ 9:00 A.M.**  
**GAMING CONTROL MEETING ROOM**  
**555 E. WASHINGTON AVE. ROOM 2450**  
**LAS VEGAS, NV. 89101**

**VIDEO CONFERENCE:**  
**GAMING CONTROL MEETING ROOM**  
**1919 COLLEGE PARKWAY**  
**CARSON CITY, NV. 89706**

**THE COMMISSION WILL BE LOCATED IN LAS VEGAS, NEVADA**

**STACKED AGENDA:** Below is an agenda of all items scheduled to be considered. Unless otherwise stated, items may be taken out of the order presented on the agenda at the discretion of the Chairperson. Items may also be combined for consideration, pulled or removed from the agenda at any time. Persons who have business before the Commission are solely responsible to see that they are present when their business is conducted. Public

comment may be limited to three minutes per person at the discretion of the Chairperson. The Commission may only take action on those items denoted as potential action items. Prior to the commencement and conclusion of a contested case or a quasi judicial proceeding that may affect the due process rights of an individual the Commission may refuse to consider public comment (NRS 233B.126).

**NOTICE:** Reasonable efforts will be made to assist and accommodate physically handicapped persons desiring to attend the meeting. Please contact Teralyn Thompson at (702)486-4606, prior to the meeting so arrangements may be conveniently made.

**1) COMMISSION/DIVISION BUSINESS:**

- A) Introduction of Commissioners in attendance.
- B) Introduction of Division staff in attendance.

**2) PUBLIC COMMENT**

MEMBERS OF THE PUBLIC ARE ENCOURAGED TO ADDRESS THE COMMISSION REGARDING ANY MATTER. HOWEVER, NO ACTION MAY BE TAKEN ON A MATTER. NO COMMENTS MAY BE MADE REGARDING A MATTER THAT IS OR MAY BE THE SUBJECT OF A FORMAL COMPLAINT BEFORE THE COMMISSION. COMMENT MAY NOT BE LIMITED BASED ON VIEWPOINT. PERSONS WHO DESIRE TO SUBMIT WRITTEN TESTIMONY SHOULD SUBMIT TEN (10) COPIES TO THE COMMISSION COORDINATOR. ***PUBLIC COMMENT MAY BE LIMITED TO THREE MINUTES PER PERSON AT THE DISCRETION OF THE CHAIRPERSON.***

**3) DISCIPLINARY ACTION: HEARINGS AND POSSIBLE ACTION BY THE COMMISSION**

- 1) NRED v. Dev Inder Pappas for possible action  
Case Nos. CIS 2013-2030, 2013-2295, 2013-2294, 2013-2195 & 2013-2911  
Type of Respondent: CAM.0000381-SUPR (EXPIRED-NOT RENEWED)
- 2) NRED v. Diane Wild for possible action  
Case No. CIS 13-09-19-075  
Type of Respondent: CAM.0000164 (ACTIVE)
- 3) NRED v. Diane Wild for possible action  
Case No. CIS 14-07-51-051  
Type of Respondent: CAM.000164 (ACTIVE)

**4) 2/26/14 @ 9:00 A.M. REGULATION WORKSHOP FOR LCB FILE No. R125-12**

Workshop by the Commission for Common-Interest Communities and Condominium Hotels to receive comments regarding proposed regulations known as LCB File No. R125-12 which establishes the following:

- A regulation relating to common-interest communities;
- Revising provisions governing the subsidization of proceedings for the mediation of certain claims involving residential property within a planned community; and
- Providing other matters properly relating thereto.

- 5) **2/26/14 @ 11:00 A.M. REGULATION WORKSHOP FOR LCB FILE NO. R049-13**  
 Workshop by the Commission for Common-Interest Communities and Condominium Hotels to receive comments regarding proposed regulations known as LCB File No. R049-13 which establishes the following:
- A regulation relating to community managers and employers of community managers if the community manager is acting on behalf of an entity;
  - Prohibiting a community management contract from including any form of compensation, fee or other remuneration that is based, in whole or in part, on the number or amount of fines or a percentage of fines collected pursuant to NRS 116.31031; and
  - Providing other matters properly relating thereto.
- 6) **2/26/14 @ 1:00 P.M. REGULATION WORKSHOP FOR LCB FILE NO. R052-13**  
 Workshop by the Commission for Common-Interest Communities and Condominium Hotels to receive comments regarding proposed regulations known as LCB File No. R052-13 which establishes the following:
- A regulation relating to common-interest communities;
  - Establishing procedures to request a rehearing of a decision of the Commission for Common-Interest Communities and Condominium Hotels; and
  - Providing other matters properly relating thereto.
- 7) **2/27/14 @ 9:00 A.M. REGULATION WORKSHOP FOR LCB FILE NO. R153-13**  
 Workshop by the Commission for Common-Interest Communities and Condominium Hotels to receive comments regarding proposed regulations known as LCB File No. R153-13 which establishes the following:
- A regulation relating to common-interest communities;
  - Requiring a financial institution which is located outside of this State and is holding certain funds in this State to appoint the Real Estate Administrator as its agent for the service of process; and
  - Providing other matters properly relating thereto.
- 8) **2/27/14 @ 9:30 A.M. REGULATION WORKSHOP FOR LCB FILE NO. R152-13**  
 Workshop by the Commission for Common-Interest Communities and Condominium Hotels to receive comments regarding proposed regulations known as LCB File No. R152-13 which establishes the following:
- A regulation relating to common-interest communities;
  - Revising certain provisions relating to the continuing education for community managers; and
  - Providing other matters properly relating thereto.
- 9) **DIVISION BUSINESS:**
- A) Ombudsman's report.
  - B) Program Training Officer's Report.
  - C) Administrative Program Officer's report on:
    1. Intervention Program;
    2. Number and types of associations registered within the State;
    3. Homeowner Association and Compliance Audits;
    4. Alternative Dispute Resolution filings and subsidy claims;
    5. Notices of Sales.
  - D) Compliance Section's current caseload report.
  - E) Administrative fine report pursuant to NAC 116A.350 (4).

- F) Licensee and board member discipline report.
- G) Administrator's report on:
  - 1. Personnel;
  - 2. Status of proposed regulations:
    - a) LCB File No. R125-12 NAC 116 concerning subsidization of meditation;
    - b) LCB File No. R049-13 NAC 116A concerning prohibition in management contract;
    - c) LCB File No. R050-13 NAC 116 and 116A concerning reserve studies and financial statements and qualifications and duties of reserve study preparers;
    - d) LCB File No. R052-13 NAC 116 and 116A concerning procedures for requesting rehearing;
    - e) LCB File No. R152-13 NAC 116A concerning minimum hours of a course to count for continuing education credit;
    - f) LCB File No. R153-13 NAC 116 concerning consent to Service of Process to Administrator;
    - g) LCB Unassigned File No. R---14 NAC 116 amending NAC 116.405 concerning executive board member duties;
    - h) LCB Unassigned File No. R---14 NAC 116 concerning notice of hearing for a fine.

**10) COMMISSION BUSINESS-DISCUSSION AND POSSIBLE ACTION BY THE COMMISSION:**

- A) For possible action: Review and decision of Respondent Diane Wild's compliance with Commission's Findings of Fact, Conclusion of Law and Order filed January 10, 2013, as amended for Case Nos. CIS 10-08-04-018, CIS 10-09-08-038, CIS 11-10-30-110, CIS 12-08-35-044, and CIS 11-05-34-311.
- B) For possible action: Discussion and decision on proposed changes, additions and deletions to NAC 116, NAC 116A or NAC 116B including but not limited to:
  - 1. LCB File No. R125-12; including review of public comments from regulation workshop held February 26, 2014;
  - 2. LCB File No. R049-13; including review of public comments from regulation workshop held February 26, 2014;
  - 3. LCB File No. R052-13; including review of public comments from regulation workshop held February 26, 2014;
  - 4. LCB File No. R152-13; including review of public comments from regulation workshop held February 27, 2014;
  - 5. LCB File No. R153-13; including review of public comments from regulation workshop held February 27, 2014; and
  - 6. Status of withdrawn regulations.
- C) For possible action: Discussion and decision regarding establishing a Commission for Common-Interest Communities and Condominium Hotels Working Group for developing a regulation to smoothly administer cases where alleged violations involve both administrative and criminal statutes.
- D) For possible action: Discussion and possible action regarding the Attorney General's Opinion dated February 14, 2014.
- E) For possible action: Discussion and possible action regarding independent counsel pertaining to Case No. A-13-688795-B.
- F) For possible action: Discussion and possible action regarding the status of Commission issued advisory opinions.
- G) For possible action: Discussion and possible action regarding the Commissions response to commissioners representing themselves as a commissioner in a public forum.

- H) For possible action: Discussion and decision to approve minutes of the December 3-4, 2013 Commission meeting.
- I) Discussion regarding Commissioners' speaking engagement requests.

**11) EDUCATION: DISCUSSION AND POSSIBLE ACTION BY THE COMMISSION**

**The Commission may take the following actions:**

- 1. To change the designation of any of the following courses; or
- 2. To approve or disapprove any of the following courses for the amount of hours requested, recommended or any amount the Commission deems appropriate.

**NEW REAL ESTATE CONTINUING EDUCATION COURSES**

- 1. Leach Johnson Song and Gruchow, LLP  
 "The State of Nevada Contractor's Board and the Common Interest Community"  
 Request: 3 Hours                      General                      Classroom
  
- 2. Leach Johnson Song and Gruchow, LLP  
 "Fair Housing – Region IX – From the Source"  
 Request: 3 Hours                      General                      Classroom
  
- 3. Leach Johnson Song and Gruchow, LLP  
 "Alternate Dispute Resolution (ADR) & Mediation In The Common Interest Community"  
 Request: 3 Hours                      General                      Classroom
  
- 4. State of Nevada, Real Estate Division, Common Interest Communities & Condominium Hotels Program  
 "Ethical Issues in HOAs"  
 Request: 3 Hours                      General                      Classroom

**12) FOR POSSIBLE ACTION: DISCUSSION AND DECISION ON DATE, TIME, PLACE, AND AGENDA ITEMS FOR UPCOMING MEETINGS.**

**13) PUBLIC COMMENT**

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**14) COMMISSIONER COMMENTS**

**15) FOR POSSIBLE ACTION: ADJOURNMENT**

**THIS NOTICE AND AGENDA HAS BEEN POSTED ON OR BEFORE 8:30 A.M. ON THE THIRD WORKING DAY BEFORE THE MEETING AT THE FOLLOWING LOCATIONS:**

NV Real Estate Division  
1179 Fairview Drive, Suite E  
Carson City, NV 89701-5453

CAMEO, Inc.  
9101 W. Sahara Ave. Suite 105-J24  
Las Vegas, NV 89117

NV Real Estate Division  
2501 E. Sahara Avenue, #102  
Las Vegas, NV 89104-4137  
Website: [www.red.state.nv.us](http://www.red.state.nv.us)

Nevada State Library  
100 Stewart Street  
Carson City, NV 89710

NV Association of REALTORS  
760 Margrave Drive, Ste. 200  
Reno, NV 89502

Community Associations Institute - Nevada  
Chapter  
9171 W. Flamingo Rd. #100  
Las Vegas, NV 89147

Sierra Nevada Association of REALTORS  
300 South Curry St., #3  
Carson City, NV 89703

Reno/Sparks Association  
of REALTORS  
5650 Riggins Court  
Reno, NV 89502

Elko Board of REALTORS  
557 W. Silver Street  
Suite #201 B  
Elko, NV 89801

Incline Village Board  
of REALTORS  
924 Incline Way, Suite 1  
Incline Village, NV 89452

Greater Las Vegas  
Association of REALTORS  
1750 East Sahara Avenue  
Las Vegas, NV 89104

**CONTACT FOR SUPPORTING MATERIALS FOR LISTED AGENDA ITEMS:**

Teralyn Thompson  
Commission Coordinator  
Nevada Real Estate Division  
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Las Vegas, Nevada 89104  
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