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

JOSEPH (J.D.) DECKER, Administrator,
REAL ESTATE DIVISION, DEPARTMENT
OF BUSINESS & INDUSTRY,
STATE OF NEVADA,

Petitioner,

vs.

RENNAE RAGSDALE,

Respondent.

Case Nos. 2014-2721, 2014-2965, and
2015-846

FILED

JUN 23 2016

NEVADA COMMISSION OF
COMMON INTEREST COMMUNITIES
AND CONDOMINIUM HOTELS

FINDINGS OF FACT,
CONCLUSIONS OF LAW AND ORDER

This matter came on for hearing before the Commission for Common-Interest Communities and Condominium Hotels, State of Nevada (the "Commission"), during a regular agenda on June 7, 2016, at the Grant Sawyer Building, 555 E. Washington Ave., Room 4412, Las Vegas, Nevada 90101 (the "Hearing"). The Respondent, Rennae Ragsdale, did not appear and did not answer the complaint. Michelle D. Briggs, Esq., Senior Deputy Attorney General with the Nevada Attorney General's Office, appeared on behalf of the Real Estate Division of the Department of Business and Industry, State of Nevada (the "Division").

Ms. Briggs presented testimony from Claudia Rosolen, the Commission coordinator, regarding notices of the Complaint, hearing and documents to Ms. Ragsdale via certified and regular mail. Ms. Rosolen also testified to sending a notice of default to Ms. Ragsdale via regular and certified mail. The Commission, having considered the evidence introduced by the Division and being fully advised, enters the following Findings of Fact, Conclusions of Law, and Order. Under Nevada Revised Statutes (NRS) and Nevada Administrative Code (NAC) Chapter 116 and 116A, the Commission has legal jurisdiction and authority over this matter.

FINDINGS OF FACT

The Commission, based upon the filed complaint and default, and the evidence filed by the Division in support of the complaint, finds that the following Findings of Fact are accepted as true in accordance with NAC 116.580.

1. RAGSDALE is licensed as a supervisory community manager under certificate number CAM.0001095-SUPR.

2. RAGSDALE acted as the community manager for Millstream Homeowners' Association (the "Association") located in Las Vegas, Nevada.

3. On or about August 4, 2014, RAGSDALE sent an email out to approximately 33 of the unit owners about the candidates in the upcoming election.

4. RAGSDALE mentions board members names and accuses them of violating their obligations to the Association.

5. The Division opened an investigation against RAGSDALE and requested a response from her regarding the email.

6. Shortly after sending the email, RAGSDALE resigned as manager of the Association.

7. RAGSDALE failed to respond to the Division regarding the email.

8. In March 2015, the treasurer for the Association filed a statement of fact against RAGSDALE for failing to provide the new manager financial information for 2014 which forced the Association to pay the new manager \$2,400 to recreate the records.

9. The Division opened an investigation regarding the records.

10. The Division received a third complaint against RAGSDALE relating to her management of the Association.

11. The Division requested a response to the allegations in all three investigations from RAGSDALE which were sent to the address on file with the Division in the licensing section.

12. The Division's letter was returned with a forwarding address.

13. The Division sent the letters to the new forwarding address provided by the post

1 office.

2 14. RAGSDALE did not respond to any of the letters.

3 15. The Division issued an administrative fine to RAGSDALE in the amount of
4 \$3,000 (\$1,000 for each investigation) for her failure to respond to all three investigations.

5 16. The administrative fine documents were returned to the Division marked
6 "unclaimed".

7 17. RAGSDALE has never updated her address with the Division.

8 CONCLUSIONS OF LAW

9 By a preponderance of the evidence, the Commission finds that the following
10 conclusions of law have been proven.

11 18. RAGSDALE violated NRS 116A.630(1)(a) by failing to act as a fiduciary in her
12 relationship with the Association by failing to turn over records and by sending disparaging
13 emails to a group of unit owners.

14 19. RAGSDALE violated NRS 116A.630(1)(b) by failing to exercise ordinary and
15 reasonable care in the performance of her duties.

16 20. RAGSDALE violated NRS 116A.630(10) by failing to cooperate with the
17 Division in resolving complaints filed with the Division.

18 21. RAGSDALE violated NRS 116A.620(6) and NAC 116A.325(6) by failing to
19 transfer all Association records within 30 days after termination of her management contract.

20 22. RAGSDALE violated NAC 116A.340 by failing to notify the Division of a change
21 of address within 10 business days after the change occurred.

22 23. RAGSDALE violated NRS 116A.640(1) and NAC 116A.345(1) by disclosing
23 confidential information relating to the Association's board to unit owners without the consent
24 of the board.

25 24. RAGSDALE violated NRS 116A.640(2)(a) and NAC 116A.345(2)(a) by
26 impeding or otherwise interfering with an investigation of the Division by failing to comply with
27 a request by the Division to provide documents.

28 25. RAGSDALE violated NRS 116A.640(2)(c) and NAC 116A.345(2)(c) by

1 impeding or otherwise interfering with an investigation of the Division by concealing facts or
2 documents relating to the business of her client.

3 26. RAGSDALE violated NAC 116A.355(1)(a)(1) by committing unprofessional
4 conduct when she engaged in deceitful, fraudulent or dishonest conduct by communicating
5 false, misleading or fraudulent information by email to unit owners about her client.

6 27. RAGSDALE violated NAC 116A.355(1)(a)(1) by committing unprofessional
7 conduct when she failed to cooperate with the Division in the investigation of three
8 complaints.

9 28. RAGSDALE violated NAC 116A.355(1)(a)(1) by committing unprofessional
10 conduct when she exceeded the authority granted to her by her client when she emailed unit
11 owners about specific board members.

12 ORDER

13 The Commission, being fully apprised in the premises and good cause appearing to
14 the Commission, ORDERED as follows.

15 1. RESPONDENT'S community manager certificate is revoked.

16 2. RESPONDENT shall pay to the Division a total fine of \$60,135.76. The total fine
17 reflects an administrative fine of \$55,000 for committing the violations of law, plus \$5,135.76
18 for the Division's attorney's fees and costs. The total fine shall be paid in full no later than 90
19 days from the date of this Order.

20 3. RESPONDENT shall pay restitution to Millstream Homeowners' Association,
21 c/o Performance Cam, LLC, ATTN: Dustin Marshall, 5135 Camino Al Norte Ste 210, N Las
22 Vegas, NV 89031, in the amount of \$2,400 no later than 90 days from the date of this Order.

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4. The Division may institute debt collection proceedings for failure to timely pay the total fine, or any installment thereof. Further, if collection goes through the State of Nevada, then RESPONDENT shall also pay the costs associated with collection.

DATED this 22 day of June, 2016.

COMMISSION FOR COMMON-INTEREST
COMMUNITIES AND CONDOMINIUM HOTELS
DEPARTMENT OF BUSINESS & INDUSTRY
STATE OF NEVADA

By: 
BARRY BRESLOW
ACTING CHAIRMAN

Submitted by:
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