

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

Sharath Chandra, Administrator,  
Real Estate Division, Department of  
Business & Industry, State of Nevada,

Case No. 2016-1406

Petitioner,

**FILED**

vs.

OCT 10 2016

H. Amanda Davis,

NEVADA COMMISSION OF  
COMMON INTEREST COMMUNITIES  
AND CONDOMINIUM HOTELS

Respondent.

**COMPLAINT FOR DISCIPLINARY**

**ACTION AND NOTICE OF HEARING**

The Real Estate Division of the Department of Business and Industry, State of Nevada (the "Division"), by and through its counsel, Adam Paul Laxalt, Attorney General of the State of Nevada, and Michelle D. Briggs, Esq., Senior Deputy Attorney General, hereby notifies Respondent H. AMANDA DAVIS ("RESPONDENT" or "DAVIS") of an administrative hearing before the Commission for Common-Interest Communities and Condominium Hotels, State of Nevada, which is to be held pursuant to Chapters 233B and Chapters 116 and 116A of the Nevada Revised Statutes ("NRS") and Chapter 116 and 116A of the Nevada Administrative Code ("NAC"). The purpose of the hearing is to consider the allegations stated below and to determine if an administrative penalty will be imposed on the RESPONDENT pursuant to the provisions of NRS and NAC including, but not limited to, NAC 116A.360.

**JURISDICTION**

1. During all relevant times mentioned in this complaint, DAVIS held and currently holds a supervisory community manager certificate from the Division, CAM.0001226-SUPR, and is, therefore, subject to the jurisdiction of the Division and the provisions of NRS Chapters 116 and 116A and NAC Chapters 116 and 116A.

1 **ALLEGATIONS OF FACT**

2 2. DAVIS holds a supervisory community manager certificate from the  
3 Division.

4 3. DAVIS'S certificate is not associated with any corporate entity.

5 4. In February 2016, the Division received registration filing addenda from  
6 three associations indicating DAVIS was the community manager and the community  
7 management company was PW James Management.

8 5. After Jeffery Frederick surrendered his certificate on February 2, 2016  
9 pending the outcome of a disciplinary matter before the Commission, DAVIS was the only  
10 community manager working for PW James Management.

11 6. DAVIS'S certificate was not associated with PW James Management.

12 7. The Division opened an investigation and asked DAVIS to respond to the  
13 allegation that she failed to comply with NAC 116A.340 by failing to provide written  
14 notice of her change of association within 10 days and by failing to pay the fee required.

15 8. The Division's letter sent to the address on file with the Division for DAVIS  
16 was returned with the note that forward time had expired.

17 9. DAVIS responded to the Division's letter sent to the office of PW James  
18 Management.

19 10. DAVIS provided a list of the associations she was managing and stated that  
20 she started management on February 2, 2016.

21 11. DAVIS alleged she complied with NAC 116A.340 by submitting the  
22 registration filing addenda for the associations she managed.

23 12. DAVIS stated registration filing addenda were filed for each association no  
24 later than February 26.

25 13. Of the 14 associations listed; DAVIS had not submitted a filing addendum  
26 for 9 of them; 1 of them is currently in revoked status with the Nevada Secretary of  
27 State's office; and 4 are not in good standing with the Division.

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1 against you and the Commission may decide the case as if all allegations in the complaint  
2 were true. If you need to negotiate a more specific time for your hearing in advance  
3 because of coordination with out of state witnesses or the like, please call Claudia  
4 Rosolen, Commission Coordinator, at (702) 486-4606.

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

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

18 You have the right to request that the Commission issue subpoenas to compel  
19 witnesses to testify and/or evidence to be offered on your behalf. In making this request,  
20 you may be required to demonstrate the relevance of the witness' testimony and/or  
21 evidence. Other important rights and obligations, including your obligation to answer the  
22 complaint, you have are listed in NAC 116A.560 through NAC 116A.655, NRS Chapter  
23 233B, and NRS Chapters 116 and 116A and NAC 116 and 116A.

24 Note that under NAC 116A.585, not less than five (5) working days before a  
25 hearing, **RESPONDENT** must provide to the Division a copy of all reasonably available  
26 documents that are reasonably anticipated to be used to support his or her position, and a  
27 list of witnesses **RESPONDENT** intends to call at the time of the hearing. Failure to  
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1 provide any document or to list a witness may result in the document or witness being  
2 excluded from Respondent's defense. The purpose of the hearing is to determine if the  
3 RESPONDENT has violated any of the provisions of NRS and NAC Chapters 116 and  
4 116A, and to determine what administrative penalty is to be assessed against  
5 RESPONDENT, if any, pursuant to NAC 116A.360.

6 DATED this 7th day of October, 2016.

7 REAL ESTATE DIVISION,  
8 DEPARTMENT OF BUSINESS & INDUSTRY,  
9 STATE OF NEVADA

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