



DEPARTMENT OF BUSINESS AND INDUSTRY
REAL ESTATE DIVISION

2501 E. Sahara Avenue, Suite 303
Las Vegas, Nevada 89104
(702) 486-4606 Fax (702) 486-4067
E-mail: crosolen@red.nv.gov
www.red.nv.gov

**NOTICE & AGENDA OF PUBLIC
MEETING**

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

NOVEMBER 15-17, 2016

The Nevada Commission for Common-Interest Communities and Condominium Hotels will conduct a meeting **TUESDAY, NOVEMBER 15, 2016 beginning at 9:00 a.m. through THURSDAY, NOVEMBER 17, 2016 or until the Commission concludes its business** at the following locations:

NOVEMBER 15-16, 2016 @ 9:00 A.M.
NEVADA GAMING CONTROL BOARD
CONTROL BOARD
555 E. WASHINGTON AVE.
HEARING ROOM 2450
LAS VEGAS, NV. 89101

VIDEOCONFERENCE TO:
NEVADA GAMING
CONTROL BOARD OFFICE
1919 COLLEGE PARKWAY
CARSON CITY, NV. 89706

NOVEMBER 17, 2016 @ 9:00 A.M.
HENDERSON CITY HALL
COUNCIL CHAMBERS
240 SOUTH WATER STREET
HENDERSON, NV. 89015

NO VIDEOCONFERENCE

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 Claudia Rosolen at (702) 486-4606, prior to the meeting so arrangements may be conveniently made.

1) **COMMISSION/DIVISION BUSINESS:**

- A) Swearing in of new and reappointed Commissioners.
- B) Introduction of Commissioners in attendance.
- C) 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) **RESPONDENT'S REPORT ON THE ORDER REGARDING SETTLEMENT OF DISCIPLINARY ACTION: DISCUSSION AND POSSIBLE ACTION BY THE COMMISSION**

- D) NRED v. Max McCombs; and English Mill Condominiums Homeowners Association, for possible action
Case No. 2014-1179
Type of Respondent: Board Officer and Director

4) **DIVISION'S COUNTERMOTION FOR PARTIAL SUMMARY JUDGMENT TO RESPONDENT PENNIE PUHEK'S MOTION FOR MORE DEFINITIVE STATEMENT: DISCUSSION AND POSSIBLE ACTION BY THE COMMISSION**

- A) NRED v. Anthem Highlands Community Association; Pennie Puhek; James Lauth; and Charles Hernandez, for possible action
Case No. 2015-291
Type of Respondent: Board Officer and Director

5) **RESPONDENT JAMES LAUTH'S MOTION FOR PREHEARING CONFERENCE: DISCUSSION AND POSSIBLE ACTION BY THE COMMISSION**

- A) NRED v. Anthem Highlands Community Association; Pennie Puhek; James Lauth; and Charles Hernandez, for possible action
Case No. 2015-291
Type of Respondent: Board Officer and Director

6) **RESPONDENT JAMES LAUTH'S MOTION TO DISMISS OR, IN THE ALTERNATIVE, MOTION FOR SUMMARY JUDGMENT AND DIVISION'S COUNTERMOTION FOR PARTIAL SUMMARY JUDGMENT: DISCUSSION AND POSSIBLE ACTION BY THE COMMISSION**

A) NRED v. Anthem Highlands Community Association; Pennie Puhek; James Lauth; and Charles Hernandez, for possible action
Case No. 2015-291
Type of Respondent: Board Officer and Director

7) **JOINDER TO RESPONDENT JAMES LAUTH'S MOTION TO DISMISS OR, IN THE ALTERNATIVE, FOR SUMMARY JUDGMENT: DISCUSSION AND POSSIBLE ACTION BY THE COMMISSION**

A) NRED v. Anthem Highlands Community Association; Pennie Puhek; James Lauth; and Charles Hernandez, for possible action
Case No. 2015-291
Type of Respondent: Board Officer and Director

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

A) NRED v. Jeffrey Allan Frederick, for possible action
Case No. 2014-1057
Type of Respondent: Community Manager
License#: CAM.0007580 (ACTIVE)

B) NRED v. Penny D. Frederick (fka Penny Wood), for possible action
Case No. 2014-1053
Type of Respondent: Unlicensed Community Manager

C) NRED v. Pecos Creek Homeowners Association, James Gilmore, Rodolfo Rocha, Omar Guerra, Ofelia Santos, and Patricia Yuen, for possible action
Case No. 2016-1949
Type of Respondent: Executive Board

D) NRED v. Vistana Condominium Owners Association, Larry Fitch, Anthony Knelp, Lynn Williams, Ardyce Nelson, for possible action
Case No. 2015-3373
Type of Respondent: Executive Board

E) NRED v. Carlos O. Hidrogo, for possible action
Case No. 2015-3526
Type of Respondent: Community Manager
License#: CAM.0008221-PROV (CLOSED)

F) NRED v. H. Amanda Davis, for possible action
Case No. 2016-1406
Type of Respondent: Community Manager
License#: CAM.0001226-SUPR (ACTIVE)

G) NRED v. Rosario Orozco, for possible action
Case Nos. 2014-3723 & 2014-3453
Type of Respondent: Community Manager
License#: CAM.0007435 (ACTIVE)

H) NRED v. Anthem Highlands Community Association; Pennie Puhek; James Lauth; and Charles Hernandez, for possible action

9) **COMMISSION BUSINESS: DISCUSSION AND POSSIBLE ACTION BY THE COMMISSION:**

- A) For possible action: Discussion and decision to approve minutes of August 16-18, 2016 Commission meeting.
- B) Discussion regarding Commissioners' speaking engagement requests.

10) **DIVISION BUSINESS:**

- A) Administrator's report:
 - 1. Personnel; and
 - 2. The Division's Las Vegas office moving to another location.
- B) Ombudsman's report:
 - 1. Intervention Program;
 - 2. Informal Conferences
 - 3. Alternative Dispute Resolution filings and subsidy claims;
 - 4. Homeowner Association and Compliance Audits;
 - 5. Program Training Officer's Report;
 - 6. Number and types of associations registered within the State; and
 - 7. Compliance Section's report.
- D) Licensee and board member discipline report.

11) **FOR POSSIBLE ACTION: DISCUSSION AND DECISION ON DATE, TIME, PLACE, AND AGENDA ITEMS FOR UPCOMING MEETING(S); INCLUDING SETTING MEETING DATES FOR 2017**

12) **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.*

13) **COMMISSIONER COMMENTS**

14) **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
1818 E. College Parkway, Suite 110
Carson City, NV 89706-7986

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
And website: www.red.nv.gov

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, Ste. 200
Reno, NV 89502

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

Nevada Public Notice Website
www.notice.nv.gov

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

Community Associations Institute –Nevada
Chapter (CAI)
9171 W Flamingo Rd # 100
Las Vegas, NV 89147

Capitol Police
Grant Sawyer Building
555 E. Washington Street
Las Vegas, Nevada 89101

Las Vegas Sun
2360 Corporate Circle, Third Floor
Henderson, NV 89074

CONTACT FOR SUPPORTING MATERIALS FOR LISTED AGENDA ITEMS:

Claudia Rosolen
Commission Coordinator
Nevada Real Estate Division
2501 E. Sahara Ave., Suite 303
Las Vegas, Nevada 89104
Phone#: 702-486-4606
Fax#: 702-486-4067
Email: crosolen@red.nv.gov