

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,  
Petitioner,

Case No. 2017-2046

vs.

Mountain Gate Homeowners Association,  
Doris Markham, Lillie Wyatt, Susan South  
and Robert South,

Respondents.

FILED

JAN 25 2019

NEVADA COMMISSION OF  
COMMON INTEREST COMMUNITIES  
AND CONDOMINIUM HOTELS

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, Aaron D. Ford, Attorney General of the State of Nevada, and Michelle D. Briggs, Senior Deputy Attorney General, hereby notifies RESPONDENTS MOUNTAIN GATE HOMEOWNERS ASSOCIATION, DORIS MARKHAM, LILLIE WYATT, SUSAN SOUTH, and ROBERT SOUTH (hereinafter, "RESPONDENTS") 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 116 of the Nevada Revised Statutes ("NRS") and Chapter 116 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 RESPONDENTS pursuant to the provisions of NRS and NAC including, but not limited to, NRS 116.785 and NRS 116.790.

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1 complaint were true. If you need to negotiate a more specific time for your hearing in  
2 advance because of coordination with out of state witnesses or the like, please call  
3 Samiel Williams, Commission Coordinator, at (702) 486-4606.

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

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


17 You have the right to request that the Commission issue subpoenas to compel  
18 witnesses to testify and/or evidence to be offered on your behalf. In making this  
19 request, you may be required to demonstrate the relevance of the witness' testimony  
20 and/or evidence. Other important rights and obligations, including your obligation to  
21 answer the complaint, you have are listed in NRS Chapter 116 and NAC Chapter 116,  
22 including without limitation, NRS 116.770 through 116.780, and NAC 116.500 through  
23 NAC 116.635 and NRS Chapter 233B.

24 Note that under NAC 116.575, not less than five (5) working days before a  
25 hearing, RESPONDENTS must provide to the Division a copy of all reasonably  
26 available documents that are reasonably anticipated to be used to support his position,  
27 and a list of witnesses RESPONDENTS intend to call at the time of the hearing. Failure  
28 to provide any document or to list a witness may result in the document or witness

1 being excluded from RESPONDENTS' defense. The purpose of the hearing is to  
2 determine if the RESPONDENTS have violated the provisions of NRS 116, and to  
3 determine what administrative penalty is to be assessed against RESPONDENTS.

4 DATED: January 25, 2019.

5 REAL ESTATE DIVISION,  
6 DEPARTMENT OF BUSINESS &  
7 INDUSTRY, STATE OF NEVADA

8 By:   
9 SHARATH CHANDRA, Administrator  
10 3300 W. Sahara Ave. Ste 350  
11 Las Vegas, Nevada 89102  
12 (702) 486-4033

13 AARON D. FORD  
14 Attorney General

15 By:   
16 MICHELLE D. BRIGGS  
17 Senior Deputy Attorney General  
18 555 E. Washington Ave. Ste 3900  
19 Las Vegas, Nevada 89101  
20 (702) 486-3420  
21 Attorneys for Real Estate Division  
22  
23  
24  
25  
26  
27  
28

**CERTIFICATE OF SERVICE**  
**(NRS 116.770)**

I hereby certify that on this 6th day of February 2019 I deposited a true and correct copy of the foregoing:

**COMPLAINT AND NOTICE OF HEARING,  
NOTICE OF DOCUMENTS PRODUCED,**

**And NOTICE OF COMPLAINT AND OBLIGATION TO RESPOND**

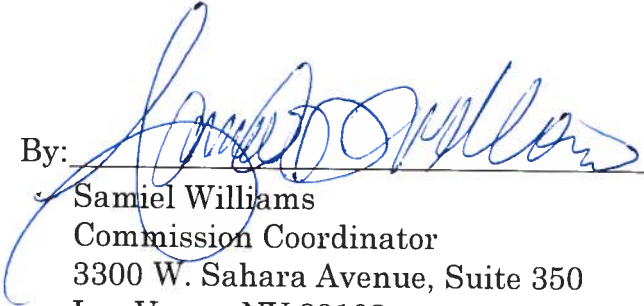
in the United States Mail, postage pre-paid, in Las Vegas, Nevada, through the State of Nevada mailroom, by certified mail addressed to the following respondents at his last known address as follows

**Certified No. 7017 1450 0000 8967 9590**  
Mountain Gate Homeowners Association  
Leach, Kern, Gruchow, Anderson and Song  
C/O John Leach  
2525 Box Canyon Drive  
Las Vegas, Nevada 89102

**Certified No. 7017 1450 0000 8967 9583**  
Doris Markham  
4836 Storm Mountain Street  
Las Vegas, Nevada 89130

**Certified No. 7017 1450 0000 8967 9613**  
Robert South  
6548 Sundown Heights Avenue  
Las Vegas, Nevada 89130

By: \_\_\_\_\_

  
Samuel Williams  
Commission Coordinator  
3300 W. Sahara Avenue, Suite 350  
Las Vegas, NV 89102