

1 **BEFORE THE COMMISSION FOR COMMON-INTEREST**
2 **COMMUNITIES AND CONDOMINIUM HOTELS**
3 **STATE OF NEVADA**

3 SHARATH CHANDRA, Administrator,
4 REAL ESTATE DIVISION, DEPARTMENT
5 OF BUSINESS AND INDUSTRY, STATE
6 OF NEVADA,

6 Petitioner,

7 vs.

8 LAKE MEAD & DOLLY 20
9 HOMEOWNERS ASSOCIATION,
(Entity Number E0420822018-0)

10 Respondent.

Case No. 2023-827

FILED

MAR 11 2024

NEVADA COMMISSION FOR
COMMON INTEREST COMMUNITIES
AND CONDOMINIUM HOTELS

Mgallo

11 **FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER**

12 This matter came on for hearing before the Commission for Common-Interest
13 Communities and Condominium Hotels, State of Nevada (the "Commission") during a
14 regular agenda set on a three-day stack beginning at 9:00 am on March 5, 2024 (the
15 "Hearing."). No board members or unit owners of LAKE MEAD & DOLLY 20
16 HOMEOWNERS ASSOCIATION ("RESPONDENT") appeared. RESPONDENT'S new
17 Community Association Manager ("CAM"), Robert J. Smith (CAM.0008941-SUPR) of
18 Associa Nevada South, appeared. Mr. Smith confirmed that an attorney is not
19 representing the RESPONDENT or the CAM. Christal P. Keegan, Deputy Attorney
20 General with the Nevada Attorney General's Office, appeared on behalf of the Real Estate
21 Division of the Department of Business and Industry, State of Nevada (the "Division").

22 Mrs. Keegan informed the Commission that on February 28, 2024, CAM Mr. Smith
23 submitted a response to the Division and the State, with a six-page attachment, and
24 moved to admit such into the record. CAM Mr. Smith stipulated to the Division's factual
25 allegations and violations of law. Accordingly, Mrs. Keegan proceeded with presenting
26 testimony from subpoenaed witness CAM Mr. Smith, whereby CAM Mr. Smith did not
27 confirm that the Board had come into compliance with NRS 116.31034.

28 ...

1 **CONCLUSIONS OF LAW**

2 Based on the foregoing factual findings and the preponderance of the evidence, the
3 Commission voted, with one abstention, that the following violations of law occurred:

4 9. RESPONDENT violated NRS 116.31034 for failing to elect a minimum of
5 three executive board members.

6 10. RESPONDENT violated NAC 116.405(5) by and through its Executive
7 Board and/or its community manager's failure to respond to the Division's requests.

8 **ORDER**

9 The Commission, being fully apprised in the premises and good cause appearing,
10 ORDERS as follows:

11 1. RESPONDENT shall pay a fine of \$1,000 per violation (two (2) violations)
12 for a total administrative fine amount of \$2,000;

13 2. RESPONDENT shall pay the Division's and the hearing's costs, and
14 attorney's fees, in the amount of \$2,409.98 which is actual, reasonable, and necessary;

15 3. The total amount due is \$4,409.98 and shall be paid in full within sixty (60)
16 days of this Order;

17 4. If payment is not actually received by the Division on or before its due date,
18 it shall be a default by RESPONDENT. In the event of default, RESPONDENT agrees
19 that the RESPONDENT Association's license shall be immediately suspended, and that
20 the foregoing suspension of its license shall continue until the unpaid balance of the
21 administrative fines and costs are paid in full. In the event of default, RESPONDENT
22 board members President Trevor Harder and Secretary Veronica Belloso agree that they
23 shall tender their resignation immediately. In the event of default, the unpaid balance of
24 the administrative fine and costs, together with any attorney's fees and costs that may
25 have been assessed, shall be due in full to the Division within ten (10) calendar days of
26 the date of default, and the Division may obtain a judgment for the amount owed,
27 including collection fees and costs;

28 . . .

1 5. The Commission retains jurisdiction for correcting any errors that may have
2 occurred in the drafting and issuance of this document.

3 DATED this 11th day of March, 2023.

4 COMMISSION FOR COMMON-INTEREST
5 COMMUNITIES AND CONDOMINIUM HOTELS
6 DEPARTMENT OF BUSINESS AND INDUSTRY
7 STATE OF NEVADA

8 By: 
9 PHYLLIS TOMASSO
10 CHAIRWOMAN

11 Submitted by:

12 AARON D. FORD
13 Attorney General

14 By: 
15 CHRISTAL P. KEEGAN (Bar No. 12725)
16 Deputy Attorney General
17 5420 Kietzke Lane, Suite 202
18 Reno, Nevada 89511
19 (775) 687-2141
20 ckeegan@ag.nv.gov

21 *Attorney for Real Estate Division*
22
23
24
25
26
27
28