

1 **BEFORE THE COMMISSION FOR COMMON-INTEREST**
2 **COMMUNITIES AND CONDOMINIUM HOTELS**

3 **STATE OF NEVADA**

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

8 Petitioner,

9 vs.

10 SANTA ROSA HOMEOWNERS
11 ASSOCIATION,
12 (Entity Number C12583-2002)

13 Respondent.

Case No. 2023-791

FILED

MAR 07 2024

NEVADA COMMISSION FOR
COMMON INTEREST COMMUNITIES
AND CONDOMINIUM HOTELS

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14 **STIPULATION AND ORDER FOR SETTLEMENT OF DISCIPLINARY ACTION**

15 This Stipulation for Settlement of Disciplinary Action (“Stipulation”) is entered into by and
16 between the State of Nevada, Department of Business and Industry, Real Estate Division (“Division”),
17 through its Administrator Sharath Chandra (“Petitioner”), by and through their attorney of record,
18 Christal Park Keegan, and SANTA ROSA HOMEOWNERS ASSOCIATION, (the “RESPONDENT”).

19 **JURISDICTION AND NOTICE**

20 During all relevant times, RESPONDENT is a common-interest community located in North Las
21 Vegas, Nevada (Entity Number C12583-2002) and is, therefore, subject to the provisions of Chapter 116
22 of each the Nevada Revised Statutes (“NRS”) and the Nevada Administrative Code (“NAC”) (hereinafter
23 collectively referred to as “NRS 116”) and are subject to the jurisdiction of the Division, and the
24 Commission for Common-Interest Communities pursuant to the provisions of NRS 116.750.

25 **SUMMARY OF FACTUAL ALLEGATIONS SET FORTH IN THE COMPLAINT**

26 1. At all times relevant to the Complaint, the RESPONDENT’S executive board failed to
27 have a third member. *CICC 009*.

28 2. Therefore, on or about September 22, 2023, the Division opened an investigation against
the RESPONDENT’S Executive Board. *CICC 002*.

1 3. On or about September 26, 2023, the RESPONDENT’S community manager, Amanda
2 Flores (CAM.0008698-SUPR), informed the Division that the Association had a meeting pending for
3 October. *CICC 012*.

4 4. On or about October 18, 2023, as a courtesy, the Division provided the RESPONDENT
5 with an extension of time to November 1, 2023 in order for the meeting to occur and acquire a third board
6 member. *CICC 010*.

7 5. On November 1, 2023, the RESPONDENT failed to provide proof to the Division that it
8 had elected a minimum of three board members. *CICC 014–CICC 015*.

9 6. Therefore, on or about November 2, 2023, the Division closed its investigation
10 and informed the RESPONDENT that it would be bringing this matter before the Commission.
11 *CICC 014–CICC 015*.

12 7. Thereafter, the RESPONDENT submitted its Form 623 Registration Filing Addendum
13 dated November 27, 2023 to the Division. *CICC 020–CICC 021*.

14 8. The Form 623 indicated a term start date of October 27, 2023 for the third board member
15 which was not timely communicated to the Division. *CICC 020–CICC 021*.

VIOLATION OF LAW ALLEGED IN THE COMPLAINT

17 1. RESPONDENT violated NRS 116.31034 for failing to elect a minimum of three executive
18 board members.

PROPOSED SETTLEMENT AGREEMENT

19
20 In an effort to avoid the time and expense of litigating these issues before the Commission, the
21 RESPONDENT does not contest the violations alleged, and the parties desire to compromise and settle
22 the Division’s findings of violation of law in Case No. 2023-791 upon the following terms
23 and conditions:

24 1. Presentation of this Stipulation for Settlement Agreement to the Commission is subject
25 to the RESPONDENT demonstrating proof to the Division of compliance with the three board
26 member requirement.

27 2. RESPONDENT shall pay to the Division a total amount of \$896.91. This total amount
28 reflects no administrative fine amounts for committing the above-stated violation of law, but \$896.91 for

1 the Division's costs and attorney's fees, which are actual, reasonable and necessary, to be paid within 30
2 days of entry of order.

3 3. RESPONDENT and the Division agree that by entering into this Stipulation, the Division
4 does not concede any defense or mitigation, the RESPONDENT may assert and that once this Stipulation
5 is approved and fully performed, the Division will close its file in this matter.

6 4. RESPONDENT agrees and understands that by entering into this Stipulation
7 RESPONDENT is waiving its right to a hearing at which it may present evidence in its defense, its right
8 to a written decision on the merits of the complaint, its rights to reconsideration and/or rehearing, appeal
9 and/or judicial review, and all other rights which may be accorded by the Nevada Administrative
10 Procedure Act, the Nevada Common-Interest Communities and Condominium Hotels statutes and
11 accompanying regulations, and the federal and state Constitutions. The RESPONDENT understands that
12 this Agreement and other documentation may be subject to public records laws. The Commission
13 members who review this matter for approval of this Stipulation may be the same members who
14 ultimately hear, consider, and decide the Complaint if this Stipulation is either not approved by the
15 Commission or is not timely performed by the RESPONDENT. The RESPONDENT fully understands
16 that you have the right to be represented by legal counsel in this matter at your own expense.

17 5. The parties hereby stipulate to the Division's exhibits, Bates Nos. *CICC 001-CICC 038*.

18 6. Each party shall bear their own attorney's fees and costs.

19 7. Approval of Stipulation. Once executed, this Stipulation will be filed with the
20 Commission and will be placed on the agenda for approval at its next public meeting. The Division will
21 recommend to the Commission approval of the Stipulation. RESPONDENT agrees that the Commission
22 may approve, reject, or suggest amendments to this Stipulation that must be accepted or rejected by
23 RESPONDENT before any amendment is effective.

24 8. Withdrawal of Stipulation. If the Commission rejects this Stipulation or suggests
25 amendments unacceptable to the RESPONDENT, RESPONDENT may withdraw from this Stipulation,
26 and the Division may pursue its Complaint before the Commission. This Stipulation then shall become
27 null and void and unenforceable in any manner against either party.

28 . . .

1 9. Release. In consideration of the execution of this Stipulation, Association and
2 RESPONDENT for itself/themselves, its/their heirs, executors, administrators, successors, and assigns,
3 hereby releases, remises, and forever discharges the State of Nevada, the Department of Business and
4 Industry, and the Division, and each of their respective members, agents, employees, and counsel in their
5 individual and representative capacities, from any and all manner of actions, causes of action, suits, debts,
6 judgments, executions, claims, and demands whatsoever, known and unknown, in law or equity, that
7 RESPONDENT ever had, now has, may have, or claim to have against any or all of the persons or entities
8 named in this section, arising out of or by reason of the Division's investigation of this action, this
9 disciplinary action, and all matters related thereto.

10 10. Indemnification. RESPONDENT hereby agrees to indemnify and hold harmless the State
11 of Nevada, the Department of Business and Industry, Petitioner, the Division, and each of their respective
12 members, agents, employees, and counsel, in their individual and representative capacities, against any
13 and all claims, suits, and actions brought against said persons and/or entities by reason of the Division's
14 investigation, this disciplinary action, and all other matters relating thereto, and against any and all
15 expenses, damages, and costs, including court costs and attorney fees, which may be sustained by the
16 persons and/or entities named in this section as a result of said claims, suits, and actions.


17 11. Default. In the event of default, RESPONDENT agrees that the RESPONDENT'S
18 Association license shall be immediately suspended, and the unpaid balance of the administrative fine
19 and costs, together with any attorney's fees and costs that may have been assessed, shall be due in full to
20 the Division within ten calendar days of the date of default. Debt collection actions for unpaid monetary
21 assessments in this case may be instituted by the Division or its assignee. RESPONDENT agrees that
22 the foregoing suspension of its Association license shall continue until the unpaid monetary assessments
23 are paid in full.

24 ...
25 ...
26 ...
27 ...
28 ...

1 12. RESPONDENT'S board members have signed and dated this Stipulation only after
2 reading and understanding all terms herein.

3 DATED: February 20, 2024

NEVADA DEPARTMENT OF BUSINESS AND
INDUSTRY, REAL ESTATE DIVISION

By: 
SHARATH CHANDRA
Administrator

7 DATED: February 16/02, 2024

SANTA ROSA HOMEOWNERS ASSOCIATION

By: Gary Maroney
GARY MARONEY
President

11 DATED: February 15/02, 2024

SANTA ROSA HOMEOWNERS ASSOCIATION

By: Paul Wilson
PAUL WILSON
Treasurer

15 DATED: February 08/02, 2024

SANTA ROSA HOMEOWNERS ASSOCIATION

By: Ken Jimison
KEN JIMISON
Secretary

19 Approved as to form:

20 AARON D. FORD
Attorney General

22 By: 
CHRISTAL P. KEEGAN (Bar No. 12725)
Deputy Attorney General
5420 Kietzke Lane, #202
Reno, Nevada 89511
(775) 687-2141
ckeegan@ag.nv.gov

26 *Attorney for Real Estate Division*

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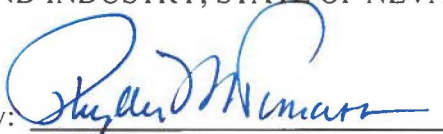
Case No. 2023-791

14 **ORDER FOR SETTLEMENT OF DISCIPLINARY ACTION**

15 **IT IS ORDERED** that the foregoing Stipulation and Order for Settlement of Disciplinary Action
16 is approved in full.

17 DATED: March 07, 2024

18 COMMISSION FOR COMMON-INTEREST
19 COMMUNITIES AND CONDOMINIUM
20 HOTELS, DEPARTMENT OF BUSINESS
21 AND INDUSTRY, STATE OF NEVADA

22 By: 
23 Phyllis Tomasso, Chairwoman

24 Submitted by:

25 AARON D. FORD
26 Attorney General

27 By: 
28 CHRISTAL P. KEEGAN (Bar No. 12725)
29 Deputy Attorney General
30 5420 Kietzke Lane, #202
31 Reno, Nevada 89511
32 (775) 687-2141
33 ckeegan@ag.nv.gov

34 Attorney for Real Estate Division

Signature: Gary Maroney
Gary Maroney (Feb 16, 2024 12:49 PST)
Email: garymaroney05@gmail.com

Signature: Paul Wilson
Paul Wilson (Feb 15, 2024 00:13 PST)
Email: wpwilson@live.com

Signature: Ken Jimison
Ken Jimison (Feb 8, 2024 06:28 PST)
Email: woohooo222@gmail.com











StipandOrderSettlement_SantaRosa_2023-791_v1

Final Audit Report


2024-02-16

Created:	2024-02-07
By:	Amanda Flores (aflores@nevcm.com)
Status:	Signed
Transaction ID:	CBJCHBCAABAApcprzfPk0D1dReCNEFJsllYgzmWgF7j4

"StipandOrderSettlement_SantaRosa_2023-791_v1" History

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-  Document emailed to Gary Maroney (garymaroney05@gmail.com) for signature
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-  Document emailed to Paul Wilson (wpwilson@live.com) for signature
2024-02-07 - 11:45:46 PM GMT
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-  Email viewed by Paul Wilson (wpwilson@live.com)
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 Signer Paul Wilson (wpwilson@live.com) entered name at signing as Paul Wilson
2024-02-15 - 8:12:58 AM GMT

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Signature Date: 2024-02-15 - 8:13:00 AM GMT - Time Source: server

 Document e-signed by Gary Maroney (garymaroney05@gmail.com)
Signature Date: 2024-02-16 - 8:49:52 PM GMT - Time Source: server

 Agreement completed.
2024-02-16 - 8:49:52 PM GMT