

**COMMISSION FOR COMMON-INTEREST COMMUNITIES AND CONDOMINIUM
HOTELS MEETING MINUTES MARCH 29, 2016**

**GRANT SAWYER BUILDING
555 E. WASHINGTON AVENUE
ROOM 4412
LAS VEGAS, NV 89101**

**VIDEO CONFERENCE TO:
LEGISLATIVE BUILDING
401 SOUTH CARSON STREET
ROOM 2134
CARSON CITY, NV 89701**

MARCH 29, 2016

9:02 A.M.

1-A) Introduction of Commissioners in attendance

In Las Vegas: Scott Sibley, Ken Williams, James Rizzi, Richard Layton, Doris Woods.

In Carson City: Barry Breslow, Stephen Aichroth, and Deputy Attorney General Sarah Bradley as Commission Counsel.

1-B) Introduction of Division Staff in attendance

In Las Vegas: Joseph Decker, Administrator; Teralyn Thompson, Administration Section Manager; Sharon Jackson, Ombudsman; Stacey Spoerl, Education and Information Officer; Darik Ferguson, Chief Compliance Audit Investigator; Claudia Rosolen, Commission Coordinator; and Senior Deputy Attorney General Michelle Briggs serving as Division Counsel.

In Carson City: Michael Jory, Deputy Administrator; and Chris Cooke, Compliance Audit Investigator.

2) Public Comment

In Las Vegas: Jonathan Friedrich, former Commission for Common-Interest Communities and Condominium Hotels commissioner, commented. Mr. Friedrich stated that he is in favor of the increase of per door fee.

In Las Vegas: John Radocha, unit owner in a homeowner association in Las Vegas, commented. Mr. Radocha stated that is not fair for homeowners when budget meetings are scheduled far away from the community that the budget is for.

In Carson City: None.

3) Adoption Hearing for LCB File No. R115-15.

Adoption hearing began at 9:08 a.m. on March 29, 2016

Introduction of Commissioner in Attendance:

Scott Sibley, Richard Layton, Doris Woods, Ken Williams, James Rizzi, Stephen Aichroth, and Barry Breslow.

Deputy Attorney General Sarah Bradley sitting as Commission Counsel.

Introduction of Division Staff in Attendance:

Joseph Decker, Administrator; Michael Jory, Deputy Administrator; Teralyn Thompson, Administration Section Manager; Claudia Rosolen, Commission Coordinator; Darik Ferguson, Chief Compliance Audit Investigator; Chris Cooke, Compliance Audit Investigator; Sharon Jackson, Ombudsman; and Stacey Spoerl, Education and Information Officer.

Senior Deputy Attorney General Michelle Briggs sitting as Division Counsel.

Section 1

Tim Stebbins, Director with the Nevada Homeowner Alliance, commented in favor of the proposed changes. Mr. Stebbins stated that his organization was confident in Mr. Decker and that the additional funds will be used to the benefit of homeowners in Nevada.

Section 2

No comments.

Chairman Sibley stated that Assembly Bill 474 allowed the Division to raise the fee to \$5.00 per door and the Division is only raising it to \$4.25 per door. Chairman Sibley stated that this shows that the Division is using restraint and the Division is being run very effectively. Chairman Sibley stated that he is sure the Division will use the money wisely. Chairman Sibley stated that he is in support of the proposed regulation change.

Commissioner Layton moved to adopt the proposed regulation. Commissioner Woods Seconded.

Teralyn Thompson stated that there was no written comment received. Ms. Thompson stated that there was a comment at the workshop in which a member of the public wanted to know why the increase was necessary.

Motion carried unanimously.

4) Disciplinary action: Hearing and possible action by the Commission

**NRED v. Sierra Ranchos Property Owners Association; Roger Seifert; Scott Dalman; Scott Crow; Brent Johnson and Ron Wix, for possible action
Case No. IN-1608**

Type of Respondent: Executive Board

Parties Present:

Senior Deputy Attorney General Michelle Briggs was present representing the Division.

Kaleb Anderson was present representing the respondents.

Preliminary Matters:

Ms. Briggs stated that the State and the respondents are working on a settlement. Ms. Briggs and the respondents' attorney asked for a continuance until the June meeting to present the settlement.

Commissioner Williams moved to grant the continuance. Commissioner Layton seconded.

Motion carried unanimously.

5-A) Discussion and decision to approve minutes of the February 2, 2016 Commission meeting.

Commissioner Breslow moved to approve the minutes. Commissioner Rizzi seconded.

Motion carried unanimously.

5-B) Discussion regarding Commissioners' speaking engagement requests.

No speaking engagements.

6) For possible action: Discussion and decision on date, time, place, and agenda items for upcoming meetings.

Mr. Decker stated that scheduling these interim meetings, especially for northern cases, allows the Division to move forward greatly and work on settlement negotiations. Mr. Decker stated that the fact that the meeting is short does not reflect the value that it has for the Division and the public in moving forward with disciplinary cases. Mr. Decker stated that the Division appreciates the Commission's time even though there were no disciplinary cases that were heard at this meeting. Mr. Decker stated that the Division made a lot of progress with the cases that were originally scheduled for today.

Teralyn Thompson stated that the next Commission meetings will be June 7-9, 2016 in the South.

7) Public Comment

In Las Vegas: John Radocha, unit owner in a homeowner association in Las Vegas, commented. Mr. Radocha stated that he approved the fee increase to \$4.25. Mr. Radocha stated that now that the Division has some extra money, the Division can use it to have Division personnel monitor voting processes in those associations that have issues with the election process.

8) Commissioner Comments

Commissioner Layton stated that there are approximately 3,100 associations in Nevada and it would be extremely difficult for Division staff to attend 3,100 meetings. Commissioner Layton stated that in his association they use an outside CPA as an independent monitor and ballots are mailed to the CPA's firm. Commissioner Layton stated that this might be an alternative that Mr. Radocha's association should consider.

Commissioner Woods echoed Commissioner Layton's comment. Commissioner Woods stated that Mr. Radocha's request would completely wipe out the Division's budget.

Commissioner Williams stated that Mr. Radocha asked for consideration from the Division on a contested election process where a request would have to be made for Division personnel to attend.

Commissioner Breslow stated that for the June meeting he has an unavoidable professional conflict on calendar but will be in Las Vegas for the first day of the Commission meeting. Commissioner Breslow suggested putting the more involved disciplinary hearings on the agenda for the first day of the meeting because the only day that Commissioner Breslow might be present is June 7th.

Chairman Sibley stated that he has a conflict on the first day of the meeting but will attend on June 8 and 9.

9) For possible action: Adjournment

The meeting adjourned at 9:27 a.m. on March 29, 2016.

Respectfully Yours,

Claudia Rosolen
Commission Coordinator