

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 of  
6 Business & Industry, State of Nevada,

Case No. 2017-1743

7                   Petitioner,

**FILED**

8 vs.

JUL 06 2018

9 Kristen Gillis,

Respondent.

NEVADA COMMISSION OF  
COMMON INTEREST COMMUNITIES  
AND CONDOMINIUM HOTELS

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

11                   This matter came on for hearing before the Commission for Common-Interest  
12 Communities and Condominium Hotels, Department of Business and Industry, State of  
13 Nevada (the "Commission"), during a regular agenda on June 19, 2018, at the Nevada  
14 State Business Center, 3300 W. Sahara Avenue, Nevada Room, Suite 400, Las Vegas,  
15 Nevada 89102 with videoconferencing to Department of Business & Industry, Director's  
16 Office, 1830 East College Parkway, Suite 100, Carson City, Nevada 89706 (the  
17 "Hearing"). The RESPONDENT, KRISTEN GILLIS, did not appear or submit an answer  
18 to the Complaint. Michelle D. Briggs, Esq., Senior Deputy Attorney General with the  
19 Nevada Attorney General's Office, appeared on behalf of the Real Estate Division of the  
20 Department of Business and Industry, State of Nevada (the "Division"). Commissioner  
21 Williams recused himself from the Hearing based on his personal relationship with  
22 GILLIS and her family.

23                   Ms. Briggs informed the Commission that she sent GILLIS a notice of default. The  
24 Commission Coordinator testified to having mailed the complaint and notices to GILLIS  
25 at 7836 Cocoa Beach Cir., Las Vegas, NV 89128 and all were returned as undeliverable.  
26 Christina Pitch testified that the Cocoa Beach address was the last known address  
27 provided to the Division from GILLIS. Due to GILLIS'S failure to appear for the Hearing  
28 or answer the complaint, the Division requested a finding of default against GILLIS. The

1 Commission voted unanimously (with one recusal) to find GILLIS in default. The  
2 Commission enters the following Findings of Fact, Conclusions of Law, and Order. Under  
3 Nevada Revised Statutes (NRS) and Nevada Administrative Code (NAC) Chapters 116  
4 and 116A, the Commission has legal jurisdiction and authority over this matter.

#### 5 FINDINGS OF FACT

6 Based on the Commission's finding of a default against GILLIS for failing to  
7 appear and failing to answer the complaint, the Commission accepted as true all of the  
8 following factual allegations by unanimous vote (with one recusal):

9 1. In June 2017, the Division received complaints from homeowners and board  
10 members for Hillcrest Community Association (the "Association").

11 2. The Association was managed by RESPONDENT KRISTEN GILLIS and  
12 had been for several years.

13 3. The complaints centered on the handling of a board meeting by GILLIS'S  
14 daughter who is not a community manager.

15 4. GILLIS permitted her daughter to chair the meeting which was at a  
16 restaurant.

17 5. The meeting was described as hostile, horrible, unprofessional, and  
18 unorganized.

19 6. The board member said GILLIS'S daughter threatened homeowners with  
20 legal action when they questioned what was happening.

21 7. GILLIS left during the meeting and her daughter continued to chair the  
22 meeting.

23 8. At a disciplinary hearing before this Commission in November against the  
24 Association and its board members, three of the board members were removed, one of  
25 which was not an owner within the Association.

26 9. The two remaining board members informed the Division that GILLIS or  
27 her family members owned two vendors of the Association, but her relationship to them  
28 was not disclosed.



1 her family members were vendors for the Association.

2 22. GILLIS violated NAC 116A.355(1)(a)(1) (through NAC 116A.355(2)(f)) by  
3 committing unprofessional conduct by failing to cooperate with the Division in the  
4 investigation of a complaint including, without limitation, failure to produce any  
5 document, book or record in the possession or control of the community manager after the  
6 Division requests the production of such document, book or record in the course of an  
7 investigation of a complaint.

8 23. GILLIS violated NAC 116A.355(1)(a)(2) (through NAC 116A.355(3)(a)) by  
9 committing professional incompetence by demonstrating a significant lack of ability,  
10 knowledge or fitness to perform a duty or obligation owed to a client.

11 24. GILLIS violated NAC 116A.355(1)(a)(2) (through NAC 116A.355(3)(b)) by  
12 committing professional incompetence by failing to exercise reasonable skill and care with  
13 respect to a duty or obligation owed to a client.

14 25. GILLIS violated NAC 116A.355(1)(a)(1) and (2) (through NAC  
15 116A.355(4)(g)) by committing unprofessional conduct or professional incompetence by  
16 failing to act in the best interests of the Association.

### 17 ORDER

18 The Commission being fully apprised in the premises, and good cause appearing to  
19 the Commission, by a unanimous vote, ORDERS as follows:

20 1. GILLIS'S community manager certificate is revoked for a period of no less  
21 than ten years from the date of this Order, but in no event sooner than all fines imposed  
22 by the Commission are paid in full.

23 2. GILLIS shall pay an administrative fine to the Division in the total amount  
24 of \$12,930.77 – which includes a fine of \$11,000 for the violations of law and \$1,930.77  
25 representing the total amount due for the Division's attorney's fees and costs – no later  
26 than 60 days from the date of this Order.

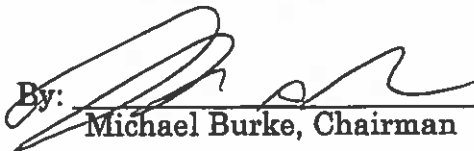
27 3. GILLIS shall pay to Hillcrest Community Association c/o Las Vegas Valley  
28 Community Management LLC, Attn: Julie Rogers, 7571 Tule Springs Rd, Las Vegas, NV

1 89131 restitution in the amount of \$21,550 no later than 60 days from the date of this  
2 Order.

3 4. The Division may institute debt collection proceedings for failure to timely  
4 pay the total fine, including action to reduce this Order to a judgment. Further, if  
5 collection goes through the State of Nevada, then GILLIS shall also pay the costs  
6 associated with collection.

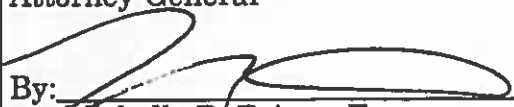
7 Dated: ~~June~~ <sup>July</sup> 3, 2018.

8 Commission for Common-Interest Communities  
9 and Condominium Hotels, Department of Business  
& Industry, State of Nevada

10  
11 By:   
Michael Burke, Chairman

12 Submitted by:

13 ADAM PAUL LAXALT  
14 Attorney General

15 By:   
16 Michelle D. Briggs, Esq.  
17 Senior Deputy Attorney General  
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