

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

4 Sharath Chandra, Administrator, Real
5 Estate Division, Department of Business
& Industry, State of Nevada,

Case Nos. 2015-3373

6 Petitioner,

FILED

7 vs.

DEC 04 2018

8 Vistana Condominium Owners
9 Association, Larry Fitch, Anthony Kneip,
10 Lynn Williams; and Ardyce Nelson,

NEVADA COMMISSION OF
COMMON INTEREST COMMUNITIES
AND CONDOMINIUM HOTELS

Respondents.

11 **ORDER**

12 This matter came on for a status hearing before the Commission for Common-
13 Interest Communities and Condominium Hotels, Department of Business and Industry,
14 State of Nevada (the "Commission"), during a regular agenda on November 6, 2018, at the
15 Nevada State Business Center, 3300 W. Sahara Avenue, Nevada Room, Suite 400, Las
16 Vegas, Nevada 89102 with videoconferencing to Division of Insurance, 1818 E. College
17 Parkway, Suite 103, Carson City, Nevada 89706 (the "Hearing"). Attorney Daniel Hansen
18 appeared on behalf of Vistana Condominium Owners Association, Anthony Kneip, Lynn
19 Williams and Ardyce Nelson (the "Respondents").

20 Michelle Briggs, Senior Deputy Attorney General with the Nevada Attorney
21 General's Office, appeared on behalf of the Real Estate Division of the Department of
22 Business and Industry, State of Nevada (the "Division").

23 Pursuant to the Commission's Findings of Fact, Conclusions of Law, and Order
24 dated September 19, 2017 (2017 Order), as amended by Order filed March 13, 2018 and
25 Order filed July 6, 2018, the Respondents were to report on the status of their progress of
26 the requirements in the Orders.

27 The 2017 Order provides that each Respondent "shall complete 9 hours of board
28

1 education classes offered by the Division no later than August 30, 2018, and shall verify
2 completion of this education requirement with the Commission.”

3 Respondents provided evidence of classes as follows:

4 Lynn Williams completed 3½ hours of classes offered by the Division and 6 hours of
5 CAM continuing education classes.

6 Anthony Kneip completed 11 hours of CAM continuing education classes.

7 Ardyce Nelson completed 6 hours of CAM continuing education classes, 3 hours
8 were after the August 30, 2018 deadline.

9 Lynn Williams and Anthony Kneip are current on their \$100 per month fine
10 payments.

11 Ardyce Nelson has not made a payment for November 2018.

12 The Division argued that the classes taken by the board members were not as
13 ordered by the Commission in that they are not board education classes offered by the
14 Division. Mr. Hansen argued that the 2017 Order does not specify which classes must be
15 taken, so the board members reasonably believed the classes they took were as required
16 by the 2017 Order. He argued Ms. Nelson needs additional time to complete the classes
17 due to health issues. The Commission heard testimony from Monique Williamson
18 regarding her contact with the Association’s attorney, Richard Haskin, regarding the
19 classes the Division had available and would offer to the board members. The
20 Commission requested testimony from a Vistana homeowner in attendance at the
21 Hearing, Chris Rees, regarding the Association’s upcoming election.

22 Being fully apprised in the premises, and good cause appearing to the Commission,
23 by a unanimous vote, the Commission found RESPONDENTS ANTHONY KNEIP, LYNN
24 WILLIAMS and ARDYCE NELSON in default of the 2017 Order, as amended. The 2017
25 Order provides that failure of the Respondents to satisfy the requirements of the order
26 will result in removal from the Association’s board.

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1 The Commission, by unanimous vote, ORDERED the following:

2 1. RESPONDENTS ANTHONY KNEIP, LYNN WILLIAMS and ARDYCE
3 NELSON shall be immediately removed from the board and from serving as an officer of
4 the Association.


5 2. RESPONDENTS ANTHONY KNEIP, LYNN WILLIAMS and ARDYCE
6 NELSON are prohibited from serving as a board member or officer of any common-
7 interest community located in the state of Nevada until such time as the full
8 administrative fine they owe is paid in full and all required classes have been completed
9 and approved by the Commission.

10 3. RESPONDENTS ANTHONY KNEIP, LYNN WILLIAMS, and ARDYCE
11 NELSON each shall complete 9 hours of board education classes offered and
12 administered by the Division and shall coordinate such classes through the Division,
13 Monique Williamson at 702-486-5038.

14 4. Except as specifically modified herein, all other requirements of the 2017
15 Order, as previously amended by Order dated March 13, 2018 and Order dated July 6,
16 2018, shall remain in full force and effect.


17 Dated: ~~November~~ ^{December} 4, 2018.

18 Commission for Common-Interest Communities
19 and Condominium Hotels, Department of Business
20 & Industry, State of Nevada

21 By: 
22 Michael Burke, Chairman

23 Submitted by:

24 ADAM PAUL LAXALT
25 Attorney General

26 By: 
27 Michelle D. Briggs
28 Senior Deputy Attorney General
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