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

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

Petitioner,

vs.

Joy Marvin,

Respondent.

Case No. 2018-1488

**FILED**

**SEP 26 2019**

NEVADA COMMISSION OF  
COMMON INTEREST COMMUNITIES  
AND CONDOMINIUM HOTELS



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

Petitioner, Real Estate Division, Department of Business & Industry, State of Nevada (the "Division") through its Administrator, Sharath Chandra, and RESPONDENT JOY MARVIN enter into this STIPULATION AND ORDER FOR SETTLEMENT OF DISCIPLINARY ACTION ("Stipulation and Order") as follows.

**JURISDICTION AND NOTICE**

1. During the relevant times mentioned in this complaint, Respondent JOY MARVIN engaged in the management of a common-interest community as defined by NRS 116A.110 in the state of Nevada.

2. MARVIN is subject to the provisions of Chapters 116 and 116A of both the Nevada Revised Statutes ("NRS") and the Nevada Administrative Code ("NAC") and is subject to the jurisdiction of the Division, and the Commission for Common Interest Communities and Condominium Hotels.

**FACTS ALLEGED IN THE COMPLAINT**

3. In 2017 and 2018, the Division received checks from Sierra Ranchos Property Owners Association (the "Association") signed RESPONDENT MARVIN.

4. MARVIN is not a board member or officer of the Association and is not a community manager.

1           5.     The Division opened an investigation into MARVIN'S activities for the  
2 Association.

3           6.     The Association is a self-managed planned community consisting of 197  
4 units.

5           7.     MARVIN was paid \$425 each month and received reimbursement for  
6 expenses.

7           8.     MARVIN signed all Association checks in 2016 through 2018.

8           9.     The Association transferred all of its reserve funds in October 2017 and  
9 November 2017 to its operating account.

10          10.    MARVIN is the Association's custodian of records.

11          11.    MARVIN reports the financials to the board, prepares financials,  
12 participates in board meetings, prepares checks, deposits checks, enters financial  
13 information into an accounting program, and prepares resale packages.

14                                   **VIOLATION OF LAW ALLEGED IN THE COMPLAINT**

15          12.    RESPONDENT violated NRS 116A.400(1) by engaging in the management  
16 of a common-interest community without a community manager certificate from the  
17 Division.

18                                   **DISCIPLINE AUTHORIZED**

19          Pursuant to the provisions of NRS 116A.900 the Commission has discretion to  
20 impose discipline as it deems appropriate, including, but not limited to one or more of the  
21 following actions:

22           1.     Impose a fine not to exceed the amount of any gain or economic benefit  
23 RESPONDENT derived from the violation or \$10,000, whichever is greater.

24           2.     Require the RESPONDENT to pay the costs of the investigation and  
25 hearing; and

26           3.     Take such other disciplinary action as the Commission deems appropriate.

27          The Commission may order one or any combination of the discipline described  
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1 above.

2 **SETTLEMENT**

3 1. RESPONDENT JOY MARVIN shall cease and desist from providing  
4 bookkeeping or related services to the Association and shall immediately provide all  
5 documents, records or other property that belong to the Association to its manager, Tonya  
6 Bates.

7 2. RESPONDENT JOY MARVIN shall pay to the Association \$2,500 by  
8 making payments in the amount of no less than \$312.50 on the first of each month,  
9 beginning on October 1, 2019, until the balance is paid in full. A late fee of \$10 shall be  
10 applied to any payment made after the 15th of each month. If a payment or late fee is  
11 more than 60 days delinquent, it shall constitute a default of this Stipulation and Order.

12 3. The Division may treat any default of this settlement as a violation of a  
13 Commission order pursuant to NRS 116.785.

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

18 5. RESPONDENT agrees that if the terms and conditions of this Stipulation  
19 and Order are not met, the Division may, at its option, rescind this Stipulation and Order  
20 and proceed with prosecuting the Complaint before the Commission.

21 6. RESPONDENT agrees and understands that by entering into this  
22 Stipulation and Order, RESPONDENT is waiving her right to a hearing at which  
23 RESPONDENT may present evidence in her defense, her right to a written decision on  
24 the merits of the Complaint, her right to reconsideration and/or rehearing, appeal and/or  
25 judicial review, and all other rights which may be accorded by the Nevada Administrative  
26 Procedure Act, the Nevada Uniform Common-Interest Ownership Act and accompanying  
27 regulations, and the federal and state constitutions. RESPONDENT understands that  
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1 this Stipulation and Order and other documentation may be subject to public records  
2 laws. The Commission members who review this matter for approval of this Stipulation  
3 and Order may be the same members who ultimately hear, consider and decide the  
4 Complaint if this Stipulation and Order is either not approved by the Commission or is  
5 not timely performed by RESPONDENT. RESPONDENT fully understands that she has  
6 the right to be represented by legal counsel in this matter at their own expense.

7 7. Each party shall bear its own attorney's fees and costs.

8 8. Stipulation and Order is Not Evidence. Neither this Stipulation and Order  
9 nor any statements made concerning this Stipulation and Order may be discussed or  
10 introduced into evidence at any hearing on the Complaint, if the Division must ultimately  
11 present its case based on the Complaint filed in this matter.

12 9. Release. In consideration of execution of this Stipulation and Order,  
13 RESPONDENT for herself, her heirs, executors, administrators, successors, and assigns,  
14 hereby releases, remises, and forever discharges the State of Nevada, the Department of  
15 Business and Industry and the Division, and each of their respective members, agents,  
16 employees and counsel in their individual and representative capacities, from any and all  
17 manner of actions, causes of action, suits, debts, judgments, executions, claims, and  
18 demands whatsoever, known and unknown, in law or equity, that the RESPONDENT  
19 ever had, now has, may have, or claim to have, against any or all of the persons or  
20 entities named in this section, arising out of or by reason of the Division's investigation,  
21 this disciplinary action, and all other matters relating thereto.

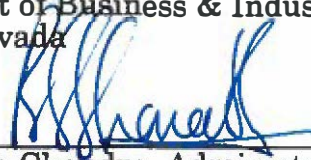
22 10. Indemnification. RESPONDENT hereby indemnifies and holds harmless  
23 the State of Nevada, the Department of Business and Industry, the Division, and each of  
24 their respective members, agents, employees and counsel in their individual and  
25 representative capacities against any and all claims, suits, and actions brought against  
26 said persons and/or entities by reason of the Division's investigation, this disciplinary  
27 action and all other matters relating thereto, and against any and all expenses, damages,  
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1 and costs, including court costs and attorney fees, which may be sustained by the persons  
2 and/or entities named in this section as a result of said claims, suits, and actions.

3 11. RESPONDENT has signed and dated this Stipulation and Order only after  
4 reading and understanding all terms herein.

5 DATED: 9/25, 2019.

Real Estate Division,  
Department of Business & Industry,  
State of Nevada

By:   
Sharath Chandra, Administrator

10 DATED: \_\_\_\_\_, 2019.

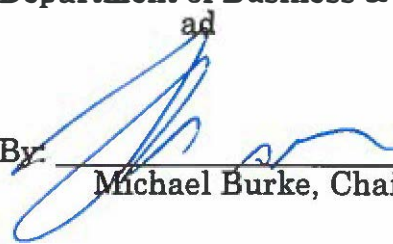
Joy Marvin

12 **ORDER**


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

15 Dated: September 17, 2019.

Commission for Common-Interest  
Communities and Condominium Hotels,  
Department of Business & Industry,

18 ad  
By:   
Michael Burke, Chairman

21 Submitted by:  
22 AARON FORD, Attorney General

23 By:   
24 Michelle D. Briggs  
25 Senior Deputy Attorney General  
26 555 E. Washington Ave. Ste 3900  
27 Las Vegas, Nevada 89101  
28 Attorneys for Real Estate Division

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5 DATED: \_\_\_\_\_, 2019.

Real Estate Division,  
Department of Business & Industry,  
State of Nevada

7  
8 By: \_\_\_\_\_  
Sharath Chandra, Administrator

9  
10 DATED: 9/17, 2019.

  
11 \_\_\_\_\_  
Joy Marvin

12 **ORDER**

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15 Dated: September \_\_\_\_, 2019.

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

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Michael Burke, Chairman

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22 AARON FORD, Attorney General

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24 Michelle D. Briggs  
25 Senior Deputy Attorney General  
26 555 E. Washington Ave. Ste 3900  
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Attorneys for Real Estate Division