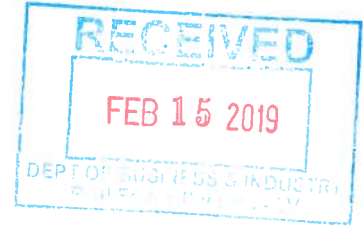


MONICA BLAKE  
P. O. BOX 475233  
SAN FRANCISCO, CA 94147  
TEL: (415) 995-2515  
FAX: (415) 480-8887  
[blakesfo@yahoo.com](mailto:blakesfo@yahoo.com)

February 12, 2019

COMMON INTEREST COMMUNITIES  
AND CONDOMINIUM HOTELS  
3300 W. Sahara Avenue, Ste 350  
Las Vegas, Nevada 89102  
Attn: Legal Administrative Officer



Dear Sir or Madam:

Please file the enclosed **Answer of Monica Blake to Complaint for Disciplinary Action** in Case No. 2018-1481. Please file endorse the enclosed copy of the first page and mail it back to me in the enclosed self-addressed stamped envelope.

Thank you for your courtesy and cooperation in this matter.

Best regards,

Monica Blake

FEB 15 2019

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

NEVADA COMMISSION OF COMMON INTEREST COMMUNITIES AND CONDOMINIUM HOTELS

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

Case No. 2018-1481

Petitioner,

ANSWER OF MONICA BLAKE TO  
COMPLAINT FOR DISCIPLINARY  
ACTION

v.

Hearing: March 12-14, 2019  
Nevada State Business Center  
3300 W. Sahara Avenue, Room 400  
Las Vegas, NV 89102

Los Verdes Community Association,  
Ruby Consing, Sayeh Sadegh, Monica  
Blake, and Mary Baumgartner,

Respondents.

Respondent Monica Blake ("Respondent Blake") answers the Complaint for  
Disciplinary Action as follows:

1. Respondent Blake admits Paragraph 1.
2. Respondent Blake admits Paragraph 2.
3. Respondent Blake admits Paragraph 3.
4. Respondent Blake admits Paragraph 4.
5. Respondent Blake admits Paragraph 5.
6. Respondent Blake denies Paragraph 6 on the grounds that the initial notices

of violation mentioned monetary penalties but may not have advised the 25 owners that they could lose their voting rights.

- a. In the absence of such advisement the 25 owners would have had the right to vote on August 21, 2018. In that event the total number of possible voting owners would have been 264 (not 239), and at least

1 93 "YES" votes would have been required to remove Ruby Consing  
2 from the Board [35% of 264 = 92.4].

3 b. Respondent Blake has not seen the violation notices for the 25  
4 owners and respectfully requests that Soleil Management  
5 Association produce PDF copies of them to all parties herein prior to  
6 the March 12, 2019, hearing.  
7

8 7. Respondent Blake admits Paragraph 7.

9 8. Respondent Blake admits Paragraph 8.

10 9. Respondent Blake denies Paragraph 9 and alleges on information and belief  
11 that in fact the total number of possible voting owners would have been 264 (not 239),  
12 and at least 93 "YES" votes would have been required to remove Ruby Consing from the  
13 Board [35% of 264 = 92.4]. If the documents produced at the hearing show that the 25  
14 owners were given notice that they could lose their voting rights, then Respondent Blake  
15 will withdraw her denial of Paragraph 9.  
16  
17

18 10. Respondent Blake incorporates her response to Paragraph 9 by reference as  
19 her response to Paragraph 10.

20 11. Respondent Blake admits Paragraph 11.

21 12. Respondent Blake admits Paragraph 12.

22 13. In response to Paragraph 13, Respondent Blake has no knowledge of this  
23 alleged request.  
24

25 14. In response to Paragraph 14, Respondent Blake has no knowledge of the  
26 alleged advisory opinion No. 19-01 and has never seen it.  
27  
28

1           15.    Respondent Blake denies Paragraph 15 to the extent it may imply that the  
2 Board approved hiring separate counsel to represent only Ruby Consing. Respondent  
3 Blake does not recall considering or approving any expenditures for this purpose.  
4

5           16.    Respondent Blake denies Paragraph 16. After she read Ombudsman  
6 Charvez Foger's letter ruling of October 30, 2018 [NRED007-008] that Ruby Consing  
7 was no longer a member of the Board of Directors of the Los Verdes Community  
8 Association, Respondent Blake consistently took the position that Ruby Consing was the  
9 Immediate Past President of the Los Verdes Community Association and, as such, a  
10 valuable resource but not a person entitled to vote on Board decisions. Mary  
11 Baumgartner became the new President of the Board and will serve as such until the  
12 March, 2019, Board elections.  
13

14           17.    Respondent Blake denies Paragraph 17. Respondent Blake at all times  
15 abided by Charvez Foger's letter ruling of October 30, 2018 [NRED007-008] that Ruby  
16 Consing was no longer a member of the Board of Directors of the Los Verdes Community  
17 Association and was guided by it. Respondent Blake believes that Board members  
18 Baumgartner and Sadegh also took the view that Ruby Consing was no longer a member  
19 of the Board of Directors of the Los Verdes Community Association. The fourth Board  
20 member, Ms. Delores Lanza, stopped communicating with me and the other Board  
21 members and stopped attending Board meetings. For reasons unknown to me, she has not  
22 been joined in this administrative proceeding.  
23  
24

25           18.    Respondent Blake denies Paragraph 18. Respondent Blake never received  
26 the referenced Advisory Opinion of the Division and did not learn of its existence until  
27  
28

1 February 11, 2019, when she received the Complaint in the mail. In addition, Respondent  
2 Blake at all times abided by Charvez Foger's letter ruling of October 30, 2018  
3 [NRED007-008] that Ruby Consing was no longer a member of the Board of Directors of  
4 the Los Verdes Community Association and was guided by it.  
5

6 19. Respondent Blake denies Paragraph 18. Respondent Blake at all times  
7 abided by Charvez Foger's letter ruling of October 30, 2018 [NRED007-008] that Ruby  
8 Consing was no longer a member of the Board of Directors of the Los Verdes Community  
9 Association and was guided by it.  
10

11 a. Respondent Blake consistently viewed and treated Ruby Consing as  
12 the Immediate Past President, a valuable resource but a nonmember  
13 of the Board.

14 b. Ruby Consing did not timely seek administrative review of the  
15 determinations of Charvez Foger nor any judicial review, so  
16 Respondent Blake assumed that Charvez Foger's findings had  
17 become final and binding.  
18

19 20. In response to Paragraph 19, Respondent Blake admits that Ruby Consing  
20 repeatedly insisted that she was still a Board member and that Charvez Foger's findings  
21 were erroneous, but Respondent Blake denies that she or Board members Baumgartner  
22 and Sadegh ever allowed Ruby Consing to remain on the Board or vote on any issues or  
23 bind the Board in any way.  
24

25 a. Respondent Blake also admits that Ruby Consing acted out of self-  
26 interest.  
27  
28

1           b.     Respondent Blake has not formed an opinion on whether the  
2                     representations and conduct of Ruby Consing rose to the level of  
3                     breach of fiduciary duty.  
4

5           **Wherefore**, Respondent Blake respectfully requests the following:

6           1.     That Respondent Blake and Respondents Baumgartner and Sadegh be  
7 found to have been in full compliance with Charvez Foger's letter ruling of October 30,  
8 2018 [NRED007-008] that Ruby Consing was no longer a member of the Board of  
9 Directors of the Los Verdes Community Association and were guided by it.  
10

11          2.     That Respondent Blake and Respondents Baumgartner and Sadegh be  
12 found to have been in full compliance with the Division's instructions issued subsequent  
13 to Charvez Foger's letter ruling of October 30, 2018 [NRED007-008].  
14

15          3.     That no administrative fines be imposed on Respondent Blake or  
16 Respondents Baumgartner and Sadegh.  
17

18          4.     That neither Respondent Blake nor Respondents Baumgartner and Sadegh  
19 be removed from the Board, as their positions will automatically terminate in March of  
20 2019 when a new Board is elected.  
21

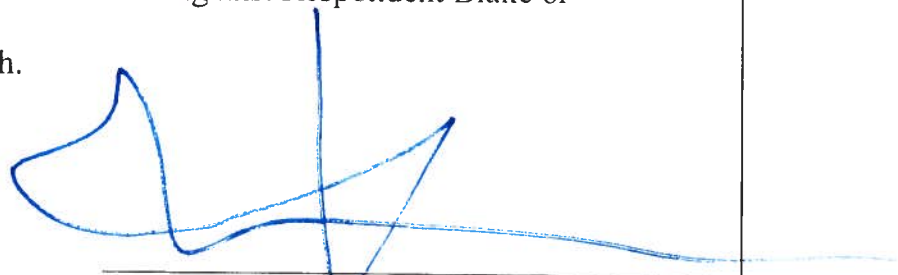
22          5.     That no audit be ordered of the Los Verdes Community Association,  
23 inasmuch as Ruby Consing is not accused of any financial irregularities.  
24

25          6.     That no order be made regarding the hiring of a community manager, as  
26 Soleil Management Association is already doing a good job.  
27

28          7.     That neither Respondent Blake nor Respondents Baumgartner and Sadegh  
be required to pay any costs or attorney's fees of the Division.

1           8.     That no disciplinary action be taken against Respondent Blake or  
2 Respondents Baumgartner and Sadegh.

3  
4 Date: February 12, 2019

A handwritten signature in blue ink, appearing to be 'MONICA BLAKE', written over a horizontal line. The signature is stylized and extends across the right side of the page.

6 Respondent MONICA BLAKE  
7 P. O. Box 475233  
8 San Francisco, CA 94147  
9 (415) 995-2515  
10 [blakesfo@yahoo.com](mailto:blakesfo@yahoo.com)  
11 Fax: (415) 480-8887

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1 **Certificate of Service**

2 I, Robert Sprague, declare as follows: I am over 21 years old and not a party to this  
3 proceeding. My business address is 3701 Sacramento Street, Suite 292, San Francisco,  
4 CA 94118-1705.

5 On the date set forth below, I served the following parties and entities with a true  
6 copy of **Answer of Monica Blake to Complaint for Disciplinary Action**.

7 **By certified mail, return receipt requested:** In compliance with subdivision 5(b)  
8 of NRS section 116.770, I served the Division and its Attorney by certified mail, return  
9 receipt requested, addressed as follows:

10 COMMON INTEREST COMMUNITIES Original  
11 AND CONDOMINIUM HOTELS  
12 3300 W. Sahara Avenue, Ste 350  
13 Las Vegas, Nevada 89102  
14 Attn: Legal Administrative Officer

15 Michelle D. Briggs, Esq. Copy  
16 Senior Deputy Attorney General  
17 555 E. Washington Ave., Ste. 3900  
18 Las Vegas, NV 89101

19 **By Regular Mail:** I also served it on John Leach, the current general counsel for  
20 the Los Verdes Community Association [Edward Boyack resigned], by placing it in a  
21 sealed envelope with first class postage fully prepaid, which I placed in the U.S. Mail at  
22 San Francisco, California, addressed as follows:

23 John E. Leach, Esq. Copy  
24 Leach, Kern, Gruchow, et al.  
25 2525 Box Canyon Drive  
26 Las Vegas, NV 89128

27 I declare under penalty of perjury under the laws of the State of Nevada that the  
28 foregoing is true and correct. Executed on the date indicated below.

//

Date: February 13, 2019

*Robert Sprague*