### COMMISSION FOR COMMON-INTEREST COMMUNITIES AND CONDOMINIUM HOTELS MEETING MINUTES MARCH 12, 2019

NEVADA STATE BUSINESS CENTER 3300 WEST SAHARA AVENUE NEVADA ROOM, SUITE 400 LAS VEGAS, NEVADA 89102

VIDEO CONFERENCE: DIVISION OF INSURANCE 1818 E. COLLEGE PARKWAY CARSON CITY, NEVADA 89706

### MARCH 12, 2019

9:00 A.M.

### 1-A) Introduction of Commissioners in attendance

In Las Vegas: Michael Burke, James Rizzi, Charles Niggemeyer, Ken Williams, Richard Layton, Ryan Henderson, Doris Woods, and Deputy Attorney General Asheesh Bhalla sitting as Commission Counsel.

### 1-B) Introduction of Division Staff in attendance

In Las Vegas: Sharath Chandra, Administrator; Teralyn Thompson, Administration Section Manager; Charvez Foger, Ombudsman; Terry Wheaton, Chief Compliance Audit Investigator; Monique Williamson, Information and Education Program Officer; and Michelle Briggs Senior Deputy Attorney General.

In Carson City: Chris Carter, Compliance Audit Investigator.

### 2) Public Comment

Michele Diller, homeowner and previous board member, commented on bullying current throughout the board membership.

Asheesh Bhalla stated that if Ms. Diller has filed a complaint with the Division regarding this matter or matters related to Ms. Diller's board, it would be in Ms. Diller's best interest to not speak about formal complaints that could come before the Commission.

Christopher Reese, resident of Vistana, commented on concerns regarding Vistana's budget that was passed the day before the last Commission hearing. Mr. Reese stated that revenue items have been used to balance the association's budget that are inappropriate. Mr. Reese stated that he is concerned about \$20,000 in fines against homeowners that have been earmarked. Mr. Reese stated that the board would have to be predatory in order to balance the association's budget. Mr. Reese stated that funds are dwindling within the community and certain funds may not be as appropriately spent in certain areas that may not be of interest to the community. Mr. Reese stated that the association is at the point to where the homeowners are not putting money into the reserves. Mr. Reese stated that he would like the Commission to take that into

consideration and at some point, consider replacing the board and doing appointments with homeowners that do not have ties.

# 3-A-1) Administrator's report on personnel

Sharath Chandra presented this report. Mr. Chandra stated that Sharon Jackson, Deputy Administrator, retired on March 8, 2019.

Mr. Chandra stated that the State is in legislative session. Mr. Chandra stated that the Division is going through the process which includes the budget for the next biennium. Mr. Chandra stated that one of the items requested was an education position in the Northern office. Mr. Chandra stated that the budget includes a pilot IT project to improve the registration database and some online services.

# 3-A-2) Administrator's report on pending litigation

Sharath Chandra presented this report regarding Vistana Condominium Owners' Association. Mr. Chandra stated that in August 2017 the Commission heard the disciplinary matter regarding Vistana and its board members. Mr. Chandra stated that Vistana filed a petition for judicial review on October 19, 2017. Mr. Chandra stated that Vistana's board members are challenging the personal fines assessed against them. Mr. Chandra stated that briefing for the petition was completed on April 4, 2018. Mr. Chandra stated that the Division filed a motion to add newly discovered material evidence to the record which was granted after an evidentiary hearing on April 25, 2018. Mr. Chandra stated that Vistana filed a writ with the Supreme Court to challenge the court's order allowing the evidence to be concerned by the Commission. Mr. Chandra stated that the Supreme Court denied Vistana's writ. Mr. Chandra stated that the Commission will consider the newly discovered evidence. Mr. Chandra stated that change to the Commission's order will be provided to the District Court when the petition for judicial review is heard.

# 3-B-1) Ombudsman's report on Intervention Program

Charvez Foger provided the Commission with a report in the meeting packet and provided the Commission with a summary.

# 3-B-2) Ombudsman's report on Informal Conferences

Charvez Foger provided the Commission with a report in the meeting packet and provided the Commission with a summary.

# 3-B-3) Ombudsman's report on Alternative Dispute Resolution filings and subsidy claims

Charvez Foger provided the Commission with a report in the meeting packet and provided the Commission with a summary.

# 3-B-4) Ombudsman's report on Homeowner Association and Compliance Audits

Charvez Foger provided the Commission with a report in the meeting packet and provided the Commission with a summary.

# 3-B-5) Ombudsman's report on Program Training Officer's Report

Charvez Foger provided the Commission with a report in the meeting packet and provided the Commission with a summary.

### **3-B-6**) <u>Ombudsman's report on number and types of associations registered within the</u> <u>State</u>

Charvez Foger provided the Commission with a report in the meeting packet and provided the Commission with a summary.

### 3-B-7) Ombudsman's report on Compliance Section's report

Terry Wheaton stated that there is a new compliance investigator in the Carson City office, Chris Carter, replaced Chris Cooke who retired. Mr. Wheaton provided the Commission with a report in the meeting packet and provided the Commission with a summary.

### 3-C) Licensee and Board Member Discipline Report

Teralyn Lewis provided the Commission with a report.

### 3-D) Administrative Sanction Report

Teralyn Lewis provided the Commission with a report.

### 4-A) <u>Discussion regarding the State of Nevada Controller's Office debt collection process</u> for fines issued by the Commission.

Commissioner Williams stated that even though there is a new controller, Commissioner Williams is still not getting the information that is being asked. Commissioner Williams stated that nothing has changed, and no money has been collected. Commissioner Williams stated that in September the Commission will have a meeting in the north with the Controller and see if the Commission can get better information. Commissioner Williams stated that one of the Commission's larger accounts has got some workings going on in the way of the judgement.

Chairman Burke asked if there had been something filed in the court regarding the judgement against the large account.

Commissioner Williams stated that the attorney general for the Controller's Office filed a judgement.

Commissioner Niggemeyer stated that there has been a meeting with the new Attorney General Aaron Ford. Commissioner Niggemeyer stated that Mr. Ford understands the Commission's position that the Commission should be able to go after these judgements to give the Commission teeth in the fine process. Commissioner Niggemeyer stated that Mr. Ford wants him to meet with new controller.

### **4-B)** Discussion regarding Commissioners' speaking engagement requests. None

### 4-C) <u>For possible action: Discussion and decision to approve minutes of November 6, 2018</u> <u>Commission meeting.</u>

Commissioner Williams stated that there is so much brevity in the minutes. Commissioner Williams stated that if someone from the audience read the minutes and wasn't at the last meeting, they would not have a clue of what the minutes say. Commissioner Williams gave an example on page 7 under one of the disciplinary hearing.

Teralyn Lewis stated that minutes are not meant to be a story. Ms. Lewis stated that if someone wanted to know the details of a disciplinary hearing, transcripts could be ordered from the court reporter. Ms. Lewis stated that this is the way that minutes for disciplinary hearings are prepared.

Chairman Burke stated that when you start adding too much meat into the minutes, you don't add it all. Chairman Burke stated that the public should not rely on the minutes regarding testimony.

Commissioner Layton moved to approve the minutes. Seconded by Commissioner Henderson. Motion carried 6 to 1 with Commissioner Williams opposed.

4-D-1) <u>Discussion regarding 2019 legislative bills and bill draft requests ("BDR") related to</u> <u>NRS 116 and 116A which may impact the Commission and/or Division including, but not</u> <u>limited to Assembly Bill 161 relating to common-interest communities; prohibiting</u> <u>common-interest communities from restricting the ownership of pets by a unit's owner</u> <u>under certain circumstances; and providing other matters properly relating thereto.</u>

4-D-2) <u>Discussion regarding 2019 legislative bills and bill draft requests ("BDR") related to</u> NRS 116 and 116A which may impact the Commission and/or Division including, but not limited to Assembly Bill 31 relating to common-interest communities; requiring an applicant for a certificate as a community manager or registration as a reserve study specialist to submit an application and undergo a background investigation; and providing other matters properly relating thereto.

Sharath Chandra stated that the Division is tracking a lot of bills. Mr. Chandra stated that the two bills on the agenda have been heard in committee. Mr. Chandra stated that there are BDRs for construction defects that the Division is tracking. Mr. Chandra stated that the Division is tracking bills regarding real property. Mr. Chandra stated that Senate Bill 212 has to do with towing and the Division is tracking that bill.

Mr. Chandra stated Assembly Bill 31 is a Division bill that is currently in regulation and the language is being moved to statute to be in compliance with federal requirements for background checks. Mr. Chandra stated that Assembly Bill 31 was heard in the Assembly Committee on Government Affairs and passed.

Commissioner Niggemeyer stated that Assembly Bill 161 has been heard once and amendments were offered. Commissioner Niggemeyer stated that there is a discussion between APSC and the bill drafter. Commissioner Niggemeyer stated that the towing bill had amendments and has been solved.

### 5-C) <u>NRED v. Thomas Kelly, for possible action</u> <u>Case No. 2018-395</u> <u>Type of Respondent: Community Manager</u> License#: CAM.000025.SUPR

### Parties Present

Senior Deputy Attorney General Michelle Briggs was present representing the Division. John Leach was present representing Thomas Kelly.

### Preliminary Matters

Ms. Briggs stated that there was a settlement in the matter that has been signed by Mr. Kelly. Ms. Briggs read the settlement portion into the record.

### Settlement

- Fine in the amount of \$5,000. Payment of the fine shall be due 30 days from the date the stipulation and order is signed by the Commission. The fine shall bear interest at the rate of 5.5% per annum beginning on the day after it becomes due.
- Mr. Kelly shall in default of the terms of the stipulation and order if the fine is not paid in full within 90 days from the date the stipulation and order are signed by the Commission.
- Mr. Kelly shall complete 10 hours of continuing education in courses approved by the Commission within 6 months from the date the stipulation and order are signed by the Commission.

Mr. Leach stated that Mr. Kelly has read the stipulation and agrees.

Commissioner Layton asked if there was a provision regarding Mr. Kelly's license if he does not pay the fine timely.

Ms. Briggs stated that if the fine is not paid timely, the complaint would be heard by the Commission.

Ms. Briggs stated that there were no stipulated facts as part of the settlement.

Chairman Burke moved to approve the settlement as presented. Seconded by Commissioner Williams. Motion carried.

### 5-H) <u>NRED v. Mountain Gate Homeowners Association, Doris Markham, Lillie Wyatt,</u> <u>Susan South and Robert South, for possible action</u> <u>Case No. 2017-2046</u> Type of Respondent: Executive Board

Parties Present

Senior Deputy Attorney General Michelle Briggs was present representing the Division. John Leach was present representing the association and individual respondents.

### Preliminary Matters

Ms. Briggs stated that there was a settlement in the matter. Ms. Briggs stated that the settlement is fully signed by the respondents.

Mr. Leach stated that the stipulation has been executed on the individual respondents and existing members of the board for the association.

Ms. Briggs read the settlement portion into the record.

<u>Settlement</u>

- Susan and Robert South shall resign from the association's board immediately if they are currently serving and shall not serve as an officer or director for any common-interest community in the State of Nevada for a period of no less than 10 years from the date of the stipulation and order but in no event prior to completion of the payments agreed to be paid to the association pursuant to this stipulation and order.
- Lillie Wyatt and Doris Markham shall resign from the association's board immediately if they are currently serving and shall not serve as an officer or director for any commoninterest community in the State of Nevada for a period of no less than 5 years from the date of the stipulation and order.
- Vacancies on the association's board shall be filled by an election pursuant to NRS 116 and not by appointment.
- Susan and Robert South shall reimburse the association a sum of \$6,950 to be paid in monthly installments of no less than \$115.83 until paid in full.
- Susan South surrendered her community manager certificate in lieu of discipline in exchange for the forgoing, the Division agrees to close its matters pertaining to Susan South Case No. 2018-398 and respondent Lillie Wyatt Case No. 2018-744.

Mr. Leach stated that all of the board members have resigned. Mr. Leach stated that an election has already been started. Mr. Leach stated that there are three vacancies and zero nomination. Mr. Leach stated that management is trying to solicit individuals to try to run for the board.

Chairman Burke moved to approve the settlement as presented. Seconded by Commissioner Layton. Motion carried.

# 5-A) <u>NRED v. Malinda Ann Baldridge, for possible action</u>

### <u>Case No. 2018-1027</u> <u>Type of Respondent: Community Manager</u> License#: CAM.0001405-SUPR

Chairman Burke stated that he is going to recuse himself from the hearing given that Chairman Burke was part of the summary suspension of Ms. Baldridge's license.

Vice-Chairman Rizzi sat as acting chair.

<u>Parties Present</u> Michelle Briggs was present representing the Division. Malinda Baldridge was not present.

Ms. Briggs stated that Ms. Baldridge did not file an answer to the complaint and asked that a default be entered against Ms. Baldridge. Ms. Briggs requested that Teralyn Lewis testify regarding notice sent. Ms. Briggs stated that she has testimony to present on this matter and documents to present to the Commission.

State's Witness

Teralyn Lewis testified regarding service of notices sent regarding this matter.

<u>State's Witness</u> Lori Burger testified.

State's Exhibit 1 was admitted.

Commissioner Layton stated that their company has significant issues that need to be addressed as far as separation of duties. Commissioner Layton stated that he hopes that the company has made changes internally in management procedures.

Commissioner Layton moved for a default and the allegations as true. Seconded by Commissioner Niggemeyer. Motion carried with Commissioner Burke abstaining.

Commissioner Layton moved to find violations 31-48 as proven. Seconded by Commissioner Williams. Motion carried with Commissioner Burke abstaining.

Division's Recommendation for Discipline

- Fine in the amount of \$180,000 due within 60 days
- Costs in the amount of \$6,640.55 within 60 days
- Revocation of Ms. Baldridge's certificate for no less than 10 years or before the fine is paid
- Restitution in the amount of \$419,542.52 to the extent that Eugene Burger returns the money to the associations and that the restitution be paid to Eugene Burger.

Vice-Chair Rizzi moved to accept the Division's recommendation for discipline. Seconded by Commissioner Williams. Motion carried.

### 5-G) NRED v. Teresa Drakeley, for possible action

### <u>Case No. 2018-68</u> <u>Type of Respondent: Community Manager</u> <u>License#: CAM.0008767-PROV</u>

Parties Present

Senior Deputy Attorney General Michelle Briggs was present representing the Division. Teresa Drakeley was not present.

Joseph O'Connell was present representing Sun City Summerlin.

Raylene Elmore was present representing Sun City Summerlin.

Ms. Briggs stated that Ms. Drakeley did not file an answer to the complaint.

### State's Witness

Teralyn Lewis testified regarding service of notices sent regarding this matter.

Chairman Burke moved that Ms. Drakeley is in default and that the factual allegations in the complaint to be proven. Seconded by Commissioner Rizzi. Motion carried.

Ms. Briggs provided the Commission with exhibits to review.

<u>State's Witness</u> Joseph O'Connell testified. <u>State's Witness</u> Raylene Elmore testified.

Chairman Burke questioned Ms. Elmore regarding access to the safe.

Commissioner Henderson questioned Mr. O'Connell and Ms. Elmore regarding the police investigation.

Commissioner Layton commented on lapping, changing passwords and internal controls.

Commissioner Layton moved to take into evidence the documents that were provided as NRED00001-NRED000035 as well as the testimony of Mr. O'Connell and Ms. Elmore. Seconded by Commissioner Rizzi. Motion carried.

Commissioner Layton moved that the violations of law 17-24 have been proven. Seconded by Chairman Burke. Motion carried.

Division's Recommendation for Discipline

- ➢ Fine of \$20,000 to be paid within 60 days
- ➤ Costs of \$2,345.50 to be paid within 60 days
- Revocation of her provisional community manager certificate for no less than 10 years but not sooner than all fines and restitution are paid
- Restitution in the amount of \$75,634.19 to the association

Commissioner Rizzi moved to accept the Division's recommendation for discipline. Seconded by Commissioner Layton. Motion carried.

### 5-I) <u>NRED v. Shadow Wood Homeowners Association and Jose Escalona, for possible</u> <u>action</u> Case No. 2018-680

# Type of Respondent: Director

### Parties Present

Senior Deputy Attorney General Michelle Briggs was present representing the Division. Jose Escalona was not present.

Ms. Briggs stated that Mr. Escalona did not respond to the complaint.

### State's Witness

Teralyn Lewis testified regarding service of notices sent regarding this matter.

Ms. Briggs stated that she spoke to the board president. Ms. Briggs stated that the association is listed as a respondent. Ms. Briggs stated that there are no violations of law alleged against the association. Ms. Briggs stated that at the time, Mr. Escalona was on the board but is no longer on the board according to a recent filing with the Division.

Chairman Burke moved that Mr. Escalona was in default of the complaint and failing to respond and that the allegations 3-12 be found as proven. Seconded by Commissioner Williams. Motion carried. Commissioner Williams moved that violations of law 13-17 be found proven. Seconded by Commissioner Rizzi. Motioned carried.

Division's Recommendation for Discipline

- Removal of Mr. Escalona as a board member and officer of the association and to not serve as a board member or officer of any association in Nevada for no less than 10 years or not before the fine and restitution is paid to the association
- ➢ Fine of \$2,500 to the Division
- ➢ Costs of \$2,462.87
- Restitution in the amount of \$3,450 to the association

Commissioner Williams moved to accept the Division's recommendation for discipline. Seconded by Commissioner Henderson. Motion carried.

Commissioner Williams amended his motion to include all monetary fines and restitution to be paid within 60 days. Commissioner Henderson seconded the amendment. Motion carried.

### 5-D) <u>NRED v. Diamond Creek Homeowners Association, for possible action</u> <u>Case No. 2017-1826</u> Type of Respondent: Board Members and Officers

Parties Present

Senior Deputy Attorney General Michelle Briggs was present representing the Division. Edwina Daly, supervising community manager for Diamond Creek, was present.

Ms. Briggs stated that at the Commission meeting August 2018, the association was ordered to provide Ms. Briggs the audit within 90 days. Ms. Briggs stated that she received an email dated January 30, 2019 that states that the audit is still in progress.

Ms. Daly stated that the audit is still in progress. Ms. Daly stated that it took a while because the financials for 2017 had to be recreated. Ms. Daly stated that the auditors have not indicated how long the audit would take.

Commissioner Williams moved that this matter come before the Commission for a status update at the meeting scheduled for June 2019. Seconded by Commissioner Woods. Motion carried.

### 5-F) <u>NRED v. Pecos Creek Homeowners Association, Rodolfo Rocha, Omar Guerra, and</u> <u>Ofelia Santos, for possible action</u> Case No. 2016-1949

# Type of Respondent: Executive Board

Parties Present

Senior Deputy Attorney General Michelle Briggs was present representing the Division. Phillip Michaelson, Griswold Real Estate Management, was present representing Pecos Creek. Lacramioara Stoian was present representing Pecos Creek.

Ms. Briggs stated that this case was brought back for a status update. Ms. Briggs stated that at the Commission's last meeting, two board members were removed and issued fines. Ms. Briggs stated that those fines were paid.

Mr. Michaelson stated that the association sent nomination forms twice and did not get a response. Mr. Michaelson stated that a meeting was held where several homeowners attended and at that meeting board members were appointed. Mr. Michaelson stated that an election will probably be held in December 2019.

Commissioner Williams asked Ms. Stoian about her recommendation to move the reserves to \$85.

Ms. Stoian stated that her recommendation was based on the reserve study that stated that the association should be adding \$108 to the reserve fund.

Mr. Michaelson stated that the association is going to take a portion of the monthly \$200 assessment which is what homeowners are originally paying and added an additional \$50 as a reserve deficient assessment. Mr. Michaelson stated the total payment will be \$250 with \$85 of that going to a reserve transfer every month. Mr. Michaelson stated that at the end of the year the association should have \$100,000.

Ms. Briggs stated that the association is moving on the right track. Ms. Briggs stated that she would like to accept what has been provided and no longer have this matter as a status check item on the Commission's agenda.

Chairman Burke moved that the association no longer come before the Commission for a status check. Seconded by Commissioner Williams. Motion carried.

### 5-E) <u>NRED v. Vistana Condominium Owners Association, Larry Fitch, Anthony Knelp,</u> <u>Lynn Williams & Ardyce Nelson, for possible action</u> <u>Case No. 2015-3373</u>

# **Type of Respondent: Executive Board**

Parties Present

Senior Deputy Attorney General Michelle Briggs was present representing the Division. Richard Haskin and Victor Luke were present representing Vistana.

Commissioner Williams stated that Mr. Haskin is opposing counsel in an arbitration that Commissioner Williams is involved in. Commissioner Williams recused himself from further deliberation.

Ms. Briggs stated that the Commission was provided with court orders regarding the petition for judicial review that the association filed challenging the Commission's order. Ms. Briggs stated that at the disciplinary hearing in August 2017, the association's defense was that Rosario Orozco invented the towing scam and stole the money. Ms. Briggs stated that Ms. Orozco was investigated by the Division. Ms. Briggs stated that in response to that investigation, Ms. Orozco provided certain emails to the Division to prove that the association was aware of the towing process and fines that were being imposed.

Ms. Briggs stated that she filed a motion to have those emails added to the record pursuant to NRS 233B. Ms. Briggs stated that under that statute, those documents have to be reviewed by the Commission and the Commission can amend their order. Ms. Briggs stated that the amended

decision and the additional documents are added to the record and sent back to the court for the court to finish its process for the petition for judicial review.

Mr. Haskin stated that his firm objected based on the grounds of attorney client privilege. Mr. Haskin stated that he was copied on those emails. Mr. Haskin stated that the court disagreed, and a writ was filed. Mr. Haskin stated that the writ was denied. Mr. Haskin stated that he maintains the right to appeal that decision.

Mr. Haskin stated that the defense at the hearing was that Ms. Orozco directed the towing program and took the funds. Mr. Haskin stated that the emails that are being sought to be introduced do not proof anything with respect to what Ms. Briggs contends. Mr. Haskin stated that the Commission concluded in its conclusion of law last August that the board violated NRS 116.3103 knowingly and willfully on several occasions by not responding appropriately to the investigation. Mr. Haskin stated that the email in question supports the conclusion that the Commission has already found.

### State's Witness

Michele Diller, homeowner at Vistana and former board member, testified regarding the emails.

Mr. Haskin cross-examined Ms. Diller.

Ms. Briggs gave a closing statement.

Mr. Haskin gave a closing statement.

The Commission agreed to admit the emails into the record.

Chairman Burke agreed that the emails show a disregard for the Division but do not prove more than that. Chairman Burke stated that he does not think the Commission should change its order.

Commissioner Rizzi stated that he agrees with Chairman Burke.

Chairman Burke moved that the emails be admitted into the record and will be part of the petition for judicial review however the Commission will not amend its previous order. Seconded by Commissioner Rizzi. Motion carried with Commissioner Williams abstaining.

### 5-B) <u>NRED v. Sherryl Baca, for possible action</u> <u>Case No. 2017-1579 and 2018-136</u> <u>Type of Respondent: Community Manager</u> <u>License# CAM.00001439.SUPR</u>

### Parties Present

Senior Deputy Attorney General Michelle Briggs was present representing the Division. Michael Nunez with Murchison & Cumming, was present representing Ms. Baca. Sherryl Baca was present.

### Preliminary Matters

Ms. Briggs stated that she provided documents to Mr. Nunez and wanted to know if he had any objections.

Mr. Nunez stated that he did not have any objections to the documents and stipulated to facts 1, 2, 4 and 5 from the factual allegations.

The Commission admitted State's Exhibits 1.

State's Witness

Felipe Rodriguez, investigator for the Real Estate Division, testified.

Mr. Nunez cross-examined Mr. Rodriguez.

Ms. Briggs conducted re-direct examination.

<u>Respondent's Witness</u> Sherryl Baca testified.

Ms. Briggs cross-examined Ms. Baca.

Mr. Nunez conducted re-direct examination.

Chairman Burke asked Ms. Baca questions regarding Ms. Baca's testimony.

Commissioner Williams asked Ms. Baca questions regarding procedures when turning records over to a new management company.

Commissioner Woods asked Ms. Baca questions regarding her contract.

Commissioner Layton commented on changes to Ms. Baca's contracts.

Commissioners Henderson and Rizzi asked about the terms of Ms. Baca's contract.

Commissioner Niggemeyer asked about procedures for signing checks.

Commissioner Williams asked about the list that Ms. Baca has a new management company sign.

<u>Closing Statements</u> Ms. Briggs gave a closing statement. Mr. Nunez gave a closing statement.

Commissioner Williams stated that he has resolved a lot of arbitration mediation suits with those transition lists. Commissioner Williams stated that the more detailed those lists are the better off. Commissioner Williams stated that he has had lists where someone couldn't find information but when the lists were produced the documents were found. Commissioner Williams stated that if there is a line item that says that contracts and signed minutes were in the box and someone from the management company signed it, those documents should be produced.

Commissioners Niggemeyer and Rizzi agreed with Commissioner Williams.

Chairman Burke moved to set aside any further decision making on this matter until Ms. Baca can provide the signed turn over list to the Division 30 days prior to the next Commission meeting and place this matter on the Commission meeting agenda for June 2019. Seconded by Commissioner Williams. Motion carried.

# 5-J) <u>NRED v. Terra Linda Townhouse Homeowners Association, for possible action</u> <u>Case No. 2018-892</u>

# **Type of Respondent: Executive Board**

This case was granted a continuance prior to the hearing.

# 6) For Possible Action: Discussion and decision on date, time, place, and agenda items for <u>upcoming meeting(s).</u>

The next Commission meeting is scheduled for June 4-6, 2019 in the south.

Commissioner Williams requested that the agenda item regarding the collection issue remain on the agenda.

7) Public Comment

No public comment.

### 8) For possible action: Adjournment

Meeting adjourned on March 12, 2019 at 3:30 p.m.

Respectfully,

Teralyn Lewis Administration Section Manager