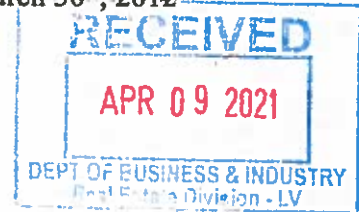


Nevada Dept. of Business and Industry
Real Estate Division
Common Interest Community Commission
3300 W. Sahara Ave, suit 325
Las Vega, Nevada 89102

March 30th, 2012



CIC Commissioner,

I recently submitted two complaints to the Ombudsman's Office concerning what I, as 2020 President and 2021 Secretary of our Executive Board, consider to be intentional dishonesty, conspiracy and identifiable law violations on the part of new Board members and a Community Management Company (CAM) which are damaging to our Property Owners Association (POA). [complaints submitted Nov. 11, 2020 and Jan. 25, 2021]

Although I have no assurance that these new complaints will reach you, or that the Commission will take action, I believe that you need an overview of our POA given the number of recent complaints and actions the CICC has already taken against it since 2018*. Although these actions have had the beneficial effect of making our community and POA Board members aware that there are Nevada Laws and Regulations that need to be understood and followed, CICC actions have also had the undesirable effect of alerting the less scrupulous CAMs and law firms to the fact that our POA is now required to utilize them - that is to say "*we are ripe for picking*".

Education and Regulation: Lack of knowledge of NV CIC Law has been a major factor in past and present violations. Classes offered by NRED on CIC Law are certainly helpful, but historical and geographic circumstances drive everything in our community, and must be understood to find effective solutions to the problems which drive these conflicts.

Development of adequate infrastructure is the primary limitation to the development of communities worldwide. Successful development of infrastructure generally requires application of engineering standards for each structure or utility, and regulation of such construction. Plumas-Sierra Rural Electric and Rural Telephone developed regulated services throughout our region early on, and although improvement is still ongoing, no scandals or major issues exist. Likewise, home building, water wells and septic systems are all regulated in an integrated fashion by Washoe County. Rural POA **road development and maintenance are not regulated** in any significant fashion, and attempts by both local associations (SRPOA and RHPOA) to maintain roads have been primitive at best - and are a source of conflict when weather and increasing levels of traffic result in damage to what are primitive, "*fair to poor*" roads to begin with.

POA History and Demography

Our POA is not a "Gated Community" or a group of closely connected condominiums. We are a rural community, most of whom do not know or see their neighbors without making an effort. *The only things that connect us are our roads and the extent to which we work together.* Prior to 1971, The POA now called Sierra Ranchos (SRPOA) was an open range ranching area explored by Occidental Petroleum for mineral exploitation. It was sold to Eagle Peak Corp. for rural / residential development, and eventually divided into two Associations : Sierra Ranchos POA and Rancho Haven POA (RHPOA). Each of these POAs was divided into hundreds of 10-

12 acre parcels for sale (see attached Map). None of the roads of either POA were paved or significantly improved at the time of inception. The only artery for entry or exit from the POAs - Red Rock Road, remained unpaved through SRPOA until 1999. This meant that ALL of the properties of SRPOA, including 40 parcels directly fronted on Red Rock Rd, depended at least in part on SRPOA for road maintenance. After 1999, Red Rock Rd residents had no dependence on SRPOA to maintain access to their homes. Roads for other SRPOA properties remained dirt roads. Since most of the earlier residents (vs investors) of SRPOA wanted rural land where they could keep animals, build their own homes, and otherwise be relatively self-sufficient, primitive road conditions were not a source of conflict until the damaging floods of 2017-2019. Older, longer term residents often tell me RE: complaints "*we just want to be left alone*". More recent home purchasers (vs original owner-builders) expect better road conditions than dirt roads and traditional SRPOA maintenance efforts can deliver with increasing traffic levels.

Several areas interior to SRPOA (Lee's Flat on USGS maps) are not part of SRPOA (light blue), although some do pay road maintenance fees to SRPOA. These property owners (~ 40 parcels) depend on SRPOA's work for access to their properties but have no voting rights or obligation to follow rules of SRPOA's Governing Documents.

A majority of SRPOA's parcels are vacant, unimproved or investment properties. Their owners - many out of State - have little or no knowledge of the community or actions of SRPOA's Board. They do not attend Board meetings or vote on the rare occasions that elections are ordered. As a result of this situation, SRPOA has poor community participation and great difficulty getting even 35 % of eligible owners to vote on ANY issue. Board members are "*Duly Elected*".

Overall, of about 250 parcels of land in the Lee's Flat area which were once dependent on SRPOA roads for access to their properties, 40 are no longer dependent on SRPOA, 40 are not Association members, and at least 70 are owned by non-residents. Thus, more than 150 properties once dependent on SRPOA for access are either no longer dependent or have disinterested owners.

SRPOA is supposed to be a non-profit corporation (originally *Red Rock Ranch Association*), created in 1974 for the maintenance of road access to a willing group of Lee's Flat property owners. Demands for more money by the Board, its contract Community Managers, and their Attorneys will not result in willing compliance by those who feel that they are receiving nothing of value in return for their payments. SRPOA's Articles of Incorporation (1974 Red Rock Ranch Corp) will expire in 2024. If we want to re-incorporate SRPOA, we will have to give 51 % of its proposed membership a reason to support it. Road improvement is all we can do for SRPOA.

I hope that this overview is useful in your consideration of SRPOA complaints and decisions.



William Roth
Sierra Ranchos POA member

* Closed Case No. 2020-524 ; CIC Order Case Numbers 2018-1663, 2018-1489, 2018-1488

Sierra Ranchos POA
(Outlined in Green)

Rancho Haven

Red Rock

