

STEVE SISOLAK
Governor

STATE OF NEVADA



TERRY REYNOLDS
Director

SHARATH CHANDRA
Administrator

CHARVEZ FOGER
Deputy Administrator

DEPARTMENT OF BUSINESS AND INDUSTRY
REAL ESTATE DIVISION

www.red.nv.gov

September 30, 2022

J. Scott Hedlind
10314 Artful Stone Avenue
Las Vegas, Nevada 89149

Certified No. 7021 2720 0003 1779 6446

Desert HOA Management
Attn: J. Scott Hedlind
7477 W. Lake Mead
Suite 114
Las Vegas, Nevada 89128

Certified No. 7021 2720 0003 1779 6453

Desert HOA Management
Attn: J. Scott Hedlind
P.O. Box 750639
Las Vegas, Nevada 89136

Certified No. 7021 2720 0003 1779 6460

Re: NRED v. J. SCOTT HEDLIND
Case No: 2021-1084

Mr. Hedlind,

Enclosed herewith you will find the FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER entered by the Nevada Commission for Common-Interest Communities and Condominium Hotels at the meeting held September 14, 2022, in Las Vegas, Nevada.

The following was ordered by the Commission:

1. RESPONDENT J. SCOTT HEDLIND shall pay the Division a total of \$11,434.88 ("Amount Due") consisting of a fine in the amount of \$10,000.00 and the Division's attorney's fees and costs in the amount of \$1,434.88 within ninety (90) days of the date of this Order.
2. RESPONDENT J. SCOTT HEDLIND's community manager certificate issued from the Division (CAM.0000190.SUPR) is hereby revoked for ten (10) years.

DATE OF THE ORDER: SEPTEMBER 30, 2022
FINE & COST DUE DATE: DECEMBER 30, 2022

NOTE: Your fine and/or cost of hearing totals \$10,000.00 or more. Please be aware that pursuant to NRS 353.1467 your payment must now be made electronically. For details on how to submit your **electronic payment, please see Informational Bulletin #016 (included) or contact the Real Estate Division's Management Analyst Grace Hilgar-Devito at 702-486-5134 or email at ghilgar@business.nv.gov.**

Please note that Division staff does not have the authority to extend the due date for your fine that has been ordered by the Commission. If you find that you are unable to meet the required due date, you will need to request in writing that you be placed on the agenda for a Commission hearing in which the respondent will be allowed to request an extension from the Commission. This request should be made several months prior to the due date.

Please contact me if you have questions regarding this matter.

Sincerely,



Maria Gallo
Commission Coordinator
Telephone: (702) 486-4074
Email: mgallo@red.nv.gov

Cc: Sharath Chandra, Administrator
Compliance
Virginia Tomova, Deputy Attorney General

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.

J. SCOTT HEDLIND,

Respondent.

Case No. 2021-1084

FILED

SEP 29 2022

NEVADA COMMISSION FOR
COMMON INTEREST COMMUNITIES
AND CONDOMINIUM HOTELS

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FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

This matter came on for hearing before the Commission for Common-Interest Communities and Condominium Hotels, State of Nevada (the "Commission"), during a regular agenda set on a three-day stack beginning at 9 am on September 13-15, 2022. (the "Hearing"). The Respondent, J. Scott Hedlind ("Hedlind" and/or "RESPONDENT"), appeared personally at the Hearing. This case was initially set for a hearing on the three-day stack from May 31, 2022, to June 2, 2022. On May 31, 2022, the RESPONDENT appeared before the Commission and requested a continuance of the hearing, which was granted. The Commission also ordered the RESPONDENT to provide an answer to the Real Estate Division of the Department of Business and Industry, State of Nevada (the "Division") Complaint within twenty (20) days from the date granting the continuance on May 31, 2022. The RESPONDENT's answer to the Division's Complaint was due on June 20, 2022. The RESPONDENT failed to submit the answer as ordered by the Commission. A notice of default was filed on July 12, 2022.

The RESPONDENT appeared at the continued hearing before the Commission on September 14, 2022. Virginia T. Tomova, Esq., Deputy Attorney General with the Nevada Attorney General's Office, appeared on behalf of the Division. During the hearing, the RESPONDENT admitted that he did not provide the answer to the Division's Complaint as ordered by the Commission.

Ms. Tomova represented to the Commission that the RESPONDENT had failed to

1 follow the Commission's order. The Commission, having considered the evidence
2 introduced by the Division and being fully advised, enters the following Findings of Fact,
3 Conclusions of Law, and Order. Under Nevada Revised Statutes (NRS) and Nevada
4 Administrative Code (NAC) Chapter 116, the Commission has legal jurisdiction and
5 authority over this matter.

6 FINDINGS OF FACT

7 The Commission, based upon the filed complaint, and the evidence filed by the
8 Division in support of the complaint, finds that the following Findings of Fact are accepted
9 as true.

10 1. RESPONDENT holds a community manager certificate from the Division
11 (CAM.0000190.SUPR), said license being in "active" status at the time of filing this
12 complaint.

13 2. On or about July 12, 2021, the Division initiated an audit of the records for
14 Wine Ridge Estates Homeowners' Association.

15 3. On or about September 14, 2021, the audit process was stopped due to the
16 RESPONDENT's failure to submit the records as requested by the Division.

17 4. An audit of the Association's records was prompted due to the RESPONDENT's
18 failure to submit the required annual unit fees, registration form, delinquent CPA audits
19 and/or reviews and a delinquent Reserve study.

20 5. On or about November 15, 2021, the Division sent a letter via certified mail to
21 the RESPONDENT informing him that he has failed to respond to the Division audit.

22 6. In that letter, the Division also informed the RESPONDENT that he has failed
23 to provide association's records related to the Wine Ridge Estates Homeowners' Association
24 and failed to respond to the Division's notice of investigation related to these records.

25 7. The Division requested that these documents be provided by November 29, 2021.

26 8. RESPONDENT failed to provide these records.

27 9. On or about November 29, 2021, the Division sent a second request for these
28 records and gave the RESPONDENT until December 13, 2021.

1 10. RESPONDENT again failed to provide these records.

2 11. On or about December 13, 2021, the Division sent a third request for these
3 records.

4 12. RESPONDENT again failed to provide these records.

5 13. On or about December 28, 2021, the Division properly notified RESPONDENT it
6 intended to file a complaint against him for disciplinary action before the Commission.

7 **CONCLUSIONS OF LAW**

8 14. RESPONDENT violated NRS 116A.630 (1)(b), (2)(a) and (9) when he failed to
9 exercise ordinary and reasonable care in the performance of his duties as a community
10 manager by failing to provide the financial records for Wine Ridge Estates Homeowners
11 Association for inspection by the Division in accordance with the applicable laws and
12 regulations.

13 15. RESPONDENT violated NAC 116A.355 (2)(a)(3) and 2(f) when he acted in an
14 unprofessional and incompetent manner by failing to cooperate with the Division in the
15 investigation of a complaint including failure to produce all documents to the Division in
16 his possession and control after the Division's requests for such documents during an
17 investigation of a complaint.

18 16. RESPONDENT violated NRS 116A.640(2)(a) when he impeded and interfered
19 with an investigation by the Division when he failed to comply with the Division's requests
20 to provide records regarding Wine Ridge Estates Homeowners' Association and failed to
21 respond to the Division's notices of investigation related to these records.

22 **ORDER**

23 The Commission, being fully apprised in the premises and good cause appearing,
24 ORDERS as follows:

25 1. RESPONDENT J. SCOTT HEDLIND shall pay the Division a total of
26 \$11,434.88 ("Amount Due") consisting of a fine in the amount of \$10,000.00 and the
27 Division's attorney's fees and costs in the amount of \$1,434.88 within ninety (90) days of
28 the date of this Order.

2. RESPONDENT J. SCOTT HEDLIND's community manager certificate issued from the Division (CAM.0000190.SUPR) is hereby revoked for ten (10) years.

3. The Division may institute debt collection proceedings if the RESPONDENT fails to pay the total amount of \$11,434.88. Further, if collection goes through the State of Nevada, then RESPONDENT shall pay the costs association with collection.

COMMISSION FOR COMMON-INTEREST
COMMUNITIES AND CONDOMINIUM HOTELS
DEPARTMENT OF BUSINESS & INDUSTRY
STATE OF NEVADA

By:

MICHAEL BURKE
CHAIRMAN

Submitted by:

AARON D. FORD
Attorney General

By: /s/ Virginia T. Tomova

VIRGINIA T. TOMOVA, ESQ.
Deputy Attorney General
555 East Washington Avenue, Suite 3900
Las Vegas, Nevada 89101
Attorneys for Real Estate Division

STEVE SISOLAK
Governor

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



TERRY REYNOLDS
Director

MICHAEL BURKE
Chair
CHARLES NIGGEMEYER
Vice Chair
RICHARD LAYTON
Secretary

DATE: 9/29/2022

RESPONDENT: Scott Hedlind

CASE#: 2021-1084

HEARING DATE: 9/14/2022

STATEMENT OF HEARING FEES AND COSTS

Administrative Costs: \$ 100.00

Investigative Costs: \$ 100.00

Commission Costs: \$ -

Attorney Fees: \$ 1,234.88

Witness Costs: \$ -

Court Reporter Costs: \$ -

Other Services (Describe service below): \$ -

TOTAL AMOUNT DUE: \$ 1,434.88 *This does not include any fines or restitution ordered by the Commission

DEPARTMENT OF BUSINESS AND INDUSTRY
REAL ESTATE DIVISIONrealest@red.nv.gov<http://red.nv.gov/>**REQUIREMENTS FOR ELECTRONIC
PAYMENTS IN EXCESS OF \$10,000**

Per Nevada Revised Statutes (NRS) 353.1467, all payments of **\$10,000 or more** remitted to the Nevada Real Estate Division (NRED) must be made electronically via wire transfer (Fedwire) or Automatic Clearing House (ACH). This requirement does not apply to payments under \$10,000. Payments less than \$10,000 may still be made via check, money order or cash (exact change).

Prior to the initiation of **EACH** electronic payment to NRED, please complete the Incoming Funds Deposit Form, and contact Grace Hilgar-Devito, Management Analyst, at (702) 486-5134 or by email at ghilgar@business.nv.gov for bank routing details and further instructions. This is necessary to ensure that your payment is applied to the appropriate account. All electronic payments to NRED are received by the Office of the State Treasurer, so notification is required each time a payment is made to make certain that the payment is received by NRED. Additionally, all electronic payments to NRED should include the following: Name of Organization/Remitter; NRED's 3 digit Agency Number: **"748"**; the program or purpose of the remittance; and any additional relevant descriptions (i.e. license or registration number, association name, commission order, etc.) that helps to properly identify the payment.

For all homeowners associations that meet the \$10,000 or more threshold, the association is required to perform the following steps to complete this process:

- E-mail the Annual Registration Form on the same day as the electronic transfer to: HOARegistrations@red.nv.gov (This email address is for registrations exceeding \$10,000 ONLY. Any other registration forms received at this email address will NOT be accepted.)
- Submit a hard copy of the registration form with signature for our files.
- If you are a master association, you must also submit emailed and hard copies of the Master Roster.

Finally, as a matter of law, any payment received by NRED that is in violation of NRS 353.1467 will be returned to the constituent and will not be considered as received by NRED. As such, the constituent could potentially be subject to late fees and/or penalties.

Revised: 2/23/2018