

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.

Michael Steven Skahill,

Respondent.

Case No. 2021-1078

FILED

OCT 26 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, Michael Steven Skahill ("Skahill" and/or "RESPONDENT"), did not appear at the Hearing. There was no counsel, who appeared on behalf of the Respondent at the Hearing. Virginia T. Tomova, Esq., Deputy Attorney General with the Nevada Attorney General's Office, appeared on behalf of the Division. The Commission served the Respondent with the Complaint on August 10, 2022. The Respondent's answer to the Complaint was due on or before September 10, 2022. Respondent failed to submit an answer to the Complaint.

The Commission having determined that the RESPONDENT was properly served with the complaint but that he failed to timely respond as required by NRS 116.770(5) voted in favor of entering a default against the RESPONDENT and making a decision based on the allegations in the complaint pursuant to NAC 116.580.

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

1 **FINDINGS OF FACT**

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

5 1. RESPONDENT holds a supervisory community manager certificate from the
6 Division (CAM.0007489-SUPR), which was in "active" status at the time of filing this
7 complaint.

8 2. The RESPONDENT was employed with AMS Management Group, Inc.

9 3. The RESPONDENT was the community manager for Monterey Grand
10 Manor Owners Association ("the Association").

11 4. This complaint was initiated based on the RESPONDENT's failure to provide
12 the financial records of the Association upon request by the Division in September of 2021.

13 5. The request for these documents was made by the Division in connection with
14 an audit in Case no. 2021-1049.

15 6. On or about November 15, 2021, the Division informed the RESPONDENT
16 that it had initiated an investigation regarding his failure to produce the requested
17 financial records to the Division in Case no. 2021-1049.

18 7. The RESPONDENT received the correspondence on November 17, 2021.

19 8. In that correspondence, the Division asked the RESPONDENT to provide the
20 financial records for the Association.

21 9. The RESPONDENT did not respond to the Division's inquiry and did not
22 provide the requested financial records.

23 10. On or about February 11, 2022, the Division properly notified
24 RESPONDENT it intended to file a complaint against him for disciplinary action before
25 the Commission.

26 **CONCLUSIONS OF LAW**

27 1. RESPONDENT violated NRS 116A.630 (1)(b), (2)(a) and (9) when he failed
28 to exercise ordinary and reasonable care in the performance of his duties as a community

1 manager by failing to provide the financial records for the Association for inspection by
2 the Division in accordance with the applicable laws and regulations.

3 2. RESPONDENT violated NAC 116A.355 (2)(a)(3) and 2(f) when he acted in
4 an unprofessional manner by failing to cooperate with the Division by failing to produce
5 the requested documents to the Division.

6 3. RESPONDENT violated NRS 116A.640(2)(a) by impeding and interfering
7 with an investigation by the Division by failing to comply with the Division's requests to
8 provide the Association's records and by failing to respond to the Division regarding its
9 request for the records.

10 ORDER

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

13 1. RESPONDENT MICHAEL STEVEN SKAHILL shall pay the Division a total of
14 \$16,509.88 ("Amount Due") consisting of a fine in the amount of \$15,000.00 and the
15 Division's attorney's fees and costs in the amount of \$1,509.88 within ninety (90) days of
16 the date of this Order.

17 2. RESPONDENT MICHAEL STEVEN SKAHILL's supervisory community
18 manager certificate (CAM.0007489-SUPR) issued from the Division is hereby revoked for
19 ten (10) years.

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3. The Division may institute debt collection proceedings if the RESPONDENT fails to pay the total amount of \$16,509.88. 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