

Public Comment: May 31 – June 2, 2022, CICCH/HOA Commission Meeting

May 13, 2022

Nevada Commission for CICCH
ATTN: Mr. Michael Burke, Commissioner
Submission via email to kvaladez@red.nv.gov

Dear Commissioner Burke:

SUBJECT: COMPLIMENT AND COMPLAINT RE OMBUDSMAN OFFICE

The NRED website states that the Ombudsman Office, “was created to assist homeowners and board members in common interest communities to better understand their rights and obligations under the law and their governing documents.” One of the duties of your office is to, “Assist owners in common-interest communities to understand their rights and responsibilities as set forth in this chapter...” Let me first say thank you for the education that your office provides. As a homeowner within a CIC, I appreciate the classes and collateral; I find the wealth of information beneficial. This is an appropriate time to give kudos to Gary B. Little, Program Training Officer. Gary is clear and succinct with his training presentations, and his email replies are timely and on point; qualities that are much appreciated. Unfortunately, the same communication qualities and willingness to assist homeowners are not evident from all members of your staff.

SPECIFIC TO FILE NO. 2022-109 – CURIOUS EVENTS

In response to an Intervention Affidavit filed by me, the Del Webb at North Ranch (DWNR) board replied to your office that it would cure the two complaints of noncompliance, which noncompliance was confirmed in an investigation conducted by your office. When the board cured only one complaint, I inquired of your office as to how to proceed, given that your office closed the case before a cure was demonstrated. Eight emails and a voice message left for Sonya Meriweather seeking assistance with understanding my rights, have gone unanswered since April 8, 2022. I finally received a reply to only one email, which stated, “Please contact Sonya Meriweather at 702-486-4480 regarding Case No. 2022-109 and your emails.” Curiously, there is no name in the signature block of that email. I find the response to call Ms. Meriweather to be rather curious. Why would my questions not be answered by email, as other inquiries have been? Why is a phone conversation necessary? Is there something to be said and the preference is to not have it in writing? Could it be that, according to the DWNR community manager, Ms. Meriweather told her that including the one item on the agenda is a satisfactory resolution to the two matters of noncompliance? And curiously, the original agenda did not have either matter of noncompliance on it. After I sent an email to your office inquiring about how to proceed if the agenda was not modified to include what the board said it would include, curiously, one of the items appeared on a modified agenda. Did the board get a nudge from your office? Of course, it would be great for your staff to assist the board, but where is my assistance, which is part of the purpose of your office? When inquiries are ignored by your office, where do I go to get the understanding cited in the duties of your office? How do I pursue understanding my rights when my email and phone call are ignored? Is there a pathway short of public comments? Many curious events, indeed.

GENERALLY

Why does your office close a complaint investigation before the noncompliance is cured? Obviously, by this case in point, boards do not always do what they report to you they will do. How is a homeowner to pursue an uncured compliance matter on a closed case? There are pathways to file complaints against boards and community managers; is there a pathway to file a complaint against your staff when they are unresponsive to homeowners seeking assistance? How are homeowners to know who they are communicating with when email is sent from your office with no name in the signature block? It is curious that the one email I received arrived without a name in the signature block. Why? Who is hiding? For what purpose? Curious.

I am hopeful that you will consider these matters with the intent in which they are sent, to be mindful of purposes and duties. I look forward to respectful, timely communications from your office.

Sincerely,
Kathi Meci