

1                                    **BEFORE THE COMMISSION FOR COMMON-INTEREST**  
2                                    **COMMUNITIES AND CONDOMINIUM HOTELS**  
3                                    **STATE OF NEVADA**

4 Sharath Chandra, Administrator,  
5 Real Estate Division, Department of  
6 Business & Industry, State of Nevada,

7                                    Petitioner,

8 vs.

9 J. SCOTT HEDLIND,

10                                    Respondent.

Case No. 2021-224

**FILED**

APR 25 2022

NEVADA COMMISSION FOR  
COMMON INTEREST COMMUNITIES  
AND CONDOMINIUM HOTELS

*Kelley Valadez*

11                                    **COMPLAINT FOR DISCIPLINARY**  
12                                    **ACTION AND NOTICE OF HEARING**

13                    The Real Estate Division of the Department of Business and Industry, State of  
14 Nevada (the "Division"), by and through its counsel, Aaron D. Ford, Attorney General of  
15 the State of Nevada, and Virginia T. Tomova, Deputy Attorney General, hereby notifies J.  
16 Scott Hedlind ("Hedlind" and/or "RESPONDENT") of an administrative hearing before the  
17 Commission for Common-Interest Communities and Condominium Hotels, State of  
18 Nevada, which is to be held pursuant to Chapters 233B and Chapters 116 and 116A of the  
19 Nevada Revised Statutes ("NRS") and Chapter 116 and 116A of the Nevada  
20 Administrative Code ("NAC"). The purpose of the hearing is to consider the allegations  
21 stated below and to determine if an administrative penalty will be imposed on the  
22 RESPONDENT pursuant to the provisions of NRS and NAC including, but not limited to,  
23 NAC 116A.360.

24                                    **JURISDICTION AND NOTICE**

25                    During all relevant times mentioned in this complaint, RESPONDENT held a  
26 community manager certificate from the Division (CAM.0000190.SUPR) and is, therefore,  
27 subject to the jurisdiction of the Division and the provisions of NRS Chapters 116 and  
28 116A and NAC Chapters 116 and 116A. RESPONDENT'S certificate is currently in  
"active" status.

1 **FACTUAL ALLEGATIONS**

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

5 2. On or about March 19, 2021, the Division received a Complaint from a  
6 homeowner against the RESPONDENT for his failure to provide her with the meeting  
7 minutes of the Liberty at Warm Springs Community Association since June of 2020.

8 3. On or about March 19, 2021, the Division informed the RESPONDENT that  
9 it had initiated an investigation against the RESPONDENT regarding his community  
10 management of the Liberty at Warm Springs Community Association, specifically as to  
11 the association's failure to renew with the Division.

12 4. The RESPONDENT was asked to provide a response to the allegations  
13 within 10 business days from the correspondence, and any supporting documentation for  
14 the Association's failure to renew with the Division.

15 5. The RESPONDENT did not respond.

16 6. On or about April 27, 2021, the Division sent a second follow-up  
17 correspondence to the RESPONDENT regarding the same information.

18 7. The RESPONDENT did not respond.

19 8. On or about July 6, 2021, the Division sent a third follow-up to the  
20 RESPONDENT requesting the same information in addition to an explanation about his  
21 failure to provide the meeting minutes to the complainant upon her request.

22 9. The RESPONDENT did not respond.

23 10. On or about August 19, 2021, the Division sent a fourth follow-up to the  
24 RESPONDENT in which it informed the RESPONDENT that he was in violation of NRS  
25 116A.630(10), failure to cooperate with the Division to resolve the allegations raised in the  
26 Complaint.

27 11. The RESPONDENT did not respond and did not cooperate with the Division.

28 ...

1 12. Prior to the filing of this Complaint, the RESPONDENT allowed, on  
2 numerous occasions, his community manager certificate to expire.

3 13. After expiring on numerous occasions, the RESPONDENT's community  
4 manager certificate was reinstated on November 4, 2014, December 21, 2016, March 22,  
5 2019, and May 3, 2021.

6 14. Even though his community manager certificate was expired,  
7 RESPONDENT continued to act as a community manager for community and  
8 homeowners' associations, including Liberty at Warm Springs Community Association.

9 15. The RESPONDENT was employed by Desert HOA Management.

10 16. As of March 17, 2021, during the RESPONDENT's management of these  
11 communities, the RESPONDENT allowed 7 of the 10 Associations he managed to become  
12 delinquent with the Division and 3 of the Associations to be in default with the Secretary  
13 of State.

14 17. Champion Village Community Association was delinquent with the Division  
15 on September 2, 2020, and was taken out of delinquency on May 3, 2021.

16 18. Champion Village Community Association is current with the Division and  
17 the Secretary of State.

18 19. Day Dawn Village Homeowners Association was in default with the Division  
19 and the Secretary of State on November 3, 2020, but now is current with the Division and  
20 the Secretary of State.

21 20. Deerbrooke Estates Homeowners Association was in default with the  
22 Division and Secretary of State on May 4, 2021, but now is current with the Division and  
23 the Secretary of State.

24 21. Enclave II Homeowners Association was in default with the Division and the  
25 Secretary of State on October 1, 2020, but now is current with the Division and the  
26 Secretary of State.

27 ...

28 ...



1 Associations, he was managing causing them to be in default with the Division and the  
2 Secretary of State.

3 32. RESPONDENT violated NAC 116A.355(1)(a)(1), (2) and (3) pursuant to NAC  
4 116A.355(2)(a)(3) by engaging in unprofessional conduct, professional incompetence and  
5 negligence or gross negligence when he continued to provide community management  
6 services, even though he knew that his community management certificate had expired.

7 33. RESPONDENT violated NAC 116A.355(1)(a) pursuant to NAC  
8 116A.355(2)(f) by engaging in unprofessional conduct, when he failed to provide the  
9 requested documentation for the renewal of his certificate to the Division.

### 10 DISCIPLINE AUTHORIZED

11 Pursuant to the provisions of NAC 116A.360 the Commission has discretion to  
12 impose discipline as it deems appropriate, including, but not limited to one or more of the  
13 following actions:

- 14 1. Revoke or suspend the certificate;
- 15 2. Refuse to renew or reinstate the certificate;
- 16 3. Place the community manager on probation;
- 17 4. Issue a reprimand or censure to the community manager;
- 18 5. Impose a fine of not more than \$5,000 for each violation of a statute or  
19 regulation;
- 20 6. Require the community manager to pay restitution;
- 21 7. Require the community manager to pay the costs of the investigation and  
22 hearing;
- 23 8. Require the community manager to obtain additional education relating to  
24 the management of common-interest communities; and
- 25 9. Take such other disciplinary action as the Commission deems appropriate.

26 The Commission may order one or any combination of the discipline described  
27 above.

28 ...



1 complaint and will call witnesses and present evidence against you. You have the right to  
2 respond and to present relevant evidence and argument on all issues involved. You have  
3 the right to call and examine witnesses, introduce exhibits, and cross-examine opposing  
4 witnesses on any matter relevant to the issues involved.

5 You have the right to request that the Commission issue subpoenas to compel  
6 witnesses to testify and/or evidence to be offered on your behalf. In making this request,  
7 you may be required to demonstrate the relevance of the witness's testimony and/or  
8 evidence. Other important rights and obligations, including your obligation to answer the  
9 complaint, you have are listed in NAC 116A.560 through NAC 116A.655, NRS Chapter  
10 233B, and NRS Chapters 116 and 116A and NAC 116 and 116A.

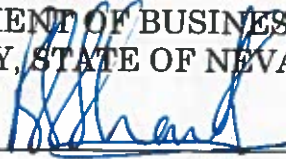
11 Note that under NAC 116A.585, not less than five (5) working days before a  
12 hearing, RESPONDENT must provide to the Division a copy of all reasonably available  
13 documents that are reasonably anticipated to be used to support his or her position, and  
14 a list of witnesses RESPONDENT intends to call at the time of the hearing. Failure to  
15 provide any document or to list a witness may result in the document or witness being  
16 excluded from RESPONDENT'S defense. The purpose of the hearing is to determine if  
17 the RESPONDENT has violated any of the provisions of NRS and NAC Chapters 116 and

18 ...  
19 ...  
20 ...  
21 ...  
22 ...  
23 ...  
24 ...  
25 ...  
26 ...  
27 ...  
28 ...

1 116A, and to determine what administrative penalty is to be assessed against  
2 RESPONDENT, if any, pursuant to NAC 116A.360.

3 DATED this 21 day of April, 2022.

4 REAL ESTATE DIVISION,  
5 DEPARTMENT OF BUSINESS &  
6 INDUSTRY, STATE OF NEVADA

7 By:   
8 SHARATH CHANDRA, Administrator  
9 3300 W. Sahara Ave. Ste 350  
10 Las Vegas, Nevada 89102  
11 (702) 486-4033

12 AARON D. FORD  
13 Attorney General

14 By: /s/ Virginia T. Tomova  
15 VIRGINIA T. TOMOVA (Bar No. 12504)  
16 Deputy Attorney General  
17 555 E. Washington Ave. Ste 3900  
18 Las Vegas, Nevada 89101  
19 (702) 486-3894  
20 Attorneys for Real Estate Division  
21  
22  
23  
24  
25  
26  
27  
28