

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

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

6 Petitioner,

7 vs.

8 Michael Steven Skahill,

9 Respondent.

Case No. 2021-1078

FILED

AUG 10 2022

NEVADA COMMISSION FOR
COMMON INTEREST COMMUNITIES
AND CONDOMINIUM HOTELS

Kelly Valadez

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

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

23 **JURISDICTION AND NOTICE**

24 During all relevant times mentioned in this complaint, RESPONDENT held an
25 active supervising community manager certificate from the Division (CAM.0007489-
26 SUPR) and is, therefore, subject to the jurisdiction of the Division and the provisions of
27 NRS Chapters 116 and 116A and NAC Chapters 116 and 116A.

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1 **FACTUAL ALLEGATIONS**

2 1. RESPONDENT holds a supervisory community manager certificate from the
3 Division (CAM.0007489-SUPR), which was in “active” status at the time of filing this
4 complaint.

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

6 3. The RESPONDENT was the community manager for Monterey Grand
7 Manor Owners Association (“the Association”).

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

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

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

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

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

18 9. The RESPONDENT did not respond to the Division’s inquiry and did not
19 provide the requested financial records.

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

23 **VIOLATIONS OF LAW**

24 1. RESPONDENT violated NRS 116A.630 (1)(b), (2)(a) and (9) when he
25 failed to exercise ordinary and reasonable care in the performance of his duties as a
26 community manager by failing to provide the financial records for the Association for
27 inspection by the Division in accordance with the applicable laws and regulations.

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1 Chapters 233B and 116 and 116A of the Nevada Revised Statutes and Chapter 116 and
2 116A of the Nevada Administrative Code.

3 **THE HEARING WILL TAKE PLACE** at the Commission meeting(s) scheduled
4 for September 13 – September 15, 2022, beginning at approximately 9:00 a.m. each day,
5 or until such time as the Commission concludes its business. The Commission meeting
6 will be held at the Nevada State Business Center, 3300 W. Sahara Avenue, 4th Floor,
7 Nevada Room, Las Vegas, Nevada 89102 with videoconferencing to Department of
8 Business & Industry, Division of Insurance, 1818 E. College Parkway, Suite 103, Carson
9 City, Nevada 89706.

10 **STACKED CALENDAR: Your hearing is one of several hearings that may**
11 **be scheduled at the same time as part of a regular meeting of the Commission**
12 **that is expected to take place on September 13 - September 15, 2022. Thus, your**
13 **hearing may be continued until later in the day or from day to day. It is your**
14 **responsibility to be present when your case is called. If you are not present when**
15 **your hearing is called, a default may be entered against you and the Commission**
16 **may decide the case as if all allegations in the complaint were true. If you need**
17 **to negotiate a more specific time for your hearing in advance, please call Kelly**
18 **Valadez, Commission Coordinator, at (702) 486-4606.**

19 **YOUR RIGHTS AT THE HEARING:** Except as mentioned below, the hearing is
20 an open meeting under Nevada’s open meeting law and may be attended by the public.
21 After the evidence and arguments, the commission may conduct a closed meeting to
22 discuss your alleged misconduct or professional competence. You are entitled to a copy of
23 the transcript of the open and closed portions of the meeting, although you must pay for
24 the transcription. As a RESPONDENT, you are specifically informed that you have the
25 right to appear and be heard in your defense, either personally or through your counsel of
26 choice. At the hearing, the Division has the burden of proving the allegations in the
27 complaint and will call witnesses and present evidence against you. You have the right to
28 respond and to present relevant evidence and argument on all issues involved. You have

1 the right to call and examine witnesses, introduce exhibits, and cross-examine opposing
2 witnesses on any matter relevant to the issues involved.

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

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

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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 9 day of August, 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*

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