

DEC 11 2023

NEVADA COMMISSION FOR
COMMON INTEREST COMMUNITIES
AND CONDOMINIUM HOTELS



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,

Case No. 2021-1049

Petitioner,

vs.

**STIPULATION AND ORDER FOR
SETTLEMENT OF DISCIPLINARY
ACTION**

Monterey Grand Manor Owners Association, Dale
Milligan, Susan Moore, Richard Jagodzinski,
Saturday Aisuan,

Respondents.

This Stipulation for Settlement of Disciplinary Action ("Stipulation") is entered into by and between the State of Nevada, Department of Business and Industry, Real Estate Division ("Division"), through its Administrator Sharath Chandra ("Petitioner"), by and through their attorney of record, Phil W. Su, and MONTEREY GRAND MANOR OWNERS ASSOCIATION, (the "Association"), DALE MILLIGAN, SUSAN MOORE, RICHARD JAGODZINSKI, and SATURDAY AISUAN (collectively, the "RESPONDENTS").

JURISDICTION AND NOTICE

1. During the relevant times mentioned in this complaint, RESPONDENTS DALE MILLIGAN, SUSAN MOORE, RICHARD JAGODZINSKI, and SATURDAY AISUAN served as board members and/or officers of MONTEREY GRAND MANOR OWNERS ASSOCIATION, (the "Association"), a common-interest community located in Las Vegas, Nevada.

2. RESPONDENTS are subject to the provisions of Chapter 116 of each the Nevada Revised Statutes ("NRS") and the Nevada Administrative Code ("NAC") (hereinafter collectively referred to as "NRS 116") and are subject to the jurisdiction of the Division, and the Commission for Common-Interest Communities pursuant to the provisions of NRS 116.750.

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1 **SUMMARY OF FACTUAL ALLEGATIONS SET FORTH IN THE COMPLAINT**

2 3. Monterey Grand Manor Owners Association consists of 140 condominium units in a
3 common interest community, located in Las Vegas, Nevada.

4 4. At all relevant times, the Association was governed by four resident board members,
5 who were respondents Dale Milligan, Susan Moore, Richard Jagodzinski, and Saturday Aisuan.

6 5. This complaint was initiated based on an audit ("the audit") performed by the Division,
7 in which it was discovered that the RESPONDENTS:

- 8 • Failed to cause a Reserve Study to be conducted every 5 years as one had not
9 been done since October 31, 2015;
- 10 • Failed to submit a reserve study summary form 609;
- 11 • Failed to have a certified public accountant audit performed since 2017 even
12 though the Association's annual budget calls for an audit to be performed
13 annually; and
- 14 • Failed to comply with a request by the Division to provide information and
15 documents.

16 6. According to the Annual Association Registration, dated March 23, 2021, the last audit
17 was completed on October 4, 2018.

18 7. The audit was initiated on August 25, 2021 and was completed on September 28, 2021.

19 8. On or about November 10, 2021, the Division informed the RESPONDENTS that it had
20 initiated an investigation regarding their failure to produce the requested documents, to conduct a
21 reserve study and to have a CPA audit performed annually.

22 9. The RESPONDENTS did not respond to the Division's request for documents and
23 information.

24 10. On or about December 21, 2021, the Division sent a second request for the same
25 documents and information.

26 11. The RESPONDENTS also did not respond to the Division's second request.

27 12. No Board member provided a response to the Division regarding the above alleged
28 violations.

1 4. The RESPONDENTS understand that this Agreement and other documentation may be
2 subject to public records laws.

3 5. The Commission members who review this matter for approval of this Stipulation may be
4 the same members who ultimately hear, consider, and decide the Complaint if this Stipulation is either
5 not approved by the Commission or is not timely performed by the RESPONDENT Association and/or
6 RESPONDENT board members. The RESPONDENTS fully understand that they have the right to be
7 represented by legal counsel in this matter at their own expense.

8 6. Each party shall bear their own attorney's fees and costs.

9 7. Stipulation and Order is Not Evidence. Neither this Stipulation and Order nor any
10 statements made concerning this Stipulation and Order may be discussed or introduced into evidence at
11 any hearing on the Complaint, if the Division must ultimately present its case based on the Complaint
12 filed in this matter.

13 8. Approval of Stipulation. Once executed, this Stipulation will be filed with the
14 Commission and will be placed on the agenda for approval at its next public meeting. The Division will
15 recommend to the Commission approval of the Stipulation. The RESPONDENTS agree that the
16 Commission may approve, reject, or suggest amendments to this Stipulation that must be accepted or
17 rejected by the RESPONDENTS before any amendment is effective.

18 9. Withdrawal of Stipulation. If the Commission rejects this Stipulation or suggests
19 amendments unacceptable to the RESPONDENTS, they may withdraw from this Stipulation, and the
20 Division may pursue its Complaint before the Commission. This Stipulation then shall become null and
21 void and unenforceable in any manner against either party.

22 10. Release. In consideration of the execution of this Stipulation, the RESPONDENTS for
23 themselves, their heirs, executors, administrators, successors, and assigns, hereby releases, remises, and
24 forever discharges the State of Nevada, the Department of Business and Industry, and the Division, and
25 each of their respective members, agents, employees, and counsel in their individual and representative
26 capacities, from any and all manner of actions, causes of action, suits, debts, judgments, executions,
27 claims, and demands whatsoever, known and unknown, in law or equity, that RESPONDENTS ever had,
28 now has, may have, or claim to have against any or all of the persons or entities named in this section,

1 arising out of or by reason of the Division's investigation of this action, this disciplinary action, and all
2 matters related thereto.

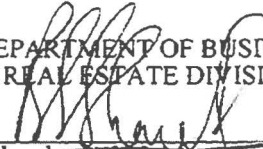
3 11. Indemnification. The RESPONDENTS hereby agree to indemnify and hold harmless the
4 State of Nevada, the Department of Business and Industry, Petitioner, the Division, and each of their
5 respective members, agents, employees, and counsel, in their individual and representative capacities,
6 against any and all claims, suits, and actions brought against said persons and/or entities by reason of the
7 Division's investigation, this disciplinary action, and all other matters relating thereto, and against any
8 and all expenses, damages, and costs, including court costs and attorney fees, which may be sustained by
9 the persons and/or entities named in this section as a result of said claims, suits, and actions.

10 12. Default. The RESPONDENTS agree that if the terms and conditions of this Stipulation
11 and Order are not met, the Division may, at its option, rescind this Stipulation and Order and proceed
12 with prosecuting the Complaint before the Commission.

13 13. The RESPONDENTS have signed and dated this Stipulation only after reading and
14 understanding all terms herein.

15 DATED: September ____, 2023.

NEVADA DEPARTMENT OF BUSINESS &
INDUSTRY, REAL ESTATE DIVISION

By: 
Sharath Chandra, Administrator

18 DATED: September ____, 2023

MONTEREY GRAND MANOR OWNERS
ASSOCIATION

By: _____
Constance Belmore, Board Member

21 DATED: September ____, 2023

MONTEREY GRAND MANOR OWNERS
ASSOCIATION

By: 
Zoran Djordjevic, Board Member

25 DATED: September ____, 2023

MONTEREY GRAND MANOR OWNERS
ASSOCIATION

By: _____
Josie Rigden, Board Member

1 DATED: September _____, 2023

MONTEREY GRAND MANOR OWNERS
ASSOCIATION

2 By: Saturday Aisuan

3 Saturday Aisuan, Board Member

4 Submitted by:

5 AARON D. FORD
6 Attorney General

7 By:

Phil W. Su

Digitally signed by Phil
W. Su
Date: 2023.12.07
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8 PHIL W. SU (Bar No. 10450)
9 Senior Deputy Attorney General
10 *Attorneys for Real Estate Division*

11 **ORDER**

12 **IT IS ORDERED** that the foregoing Stipulation and Order for Settlement of Disciplinary
13 Action is approved in full.

14 Dated: ~~September~~ December 11, 2023

15 COMMISSION FOR COMMON-INTEREST
16 COMMUNITIES AND CONDOMINIUM
17 HOTELS, DEPARTMENT OF BUSINESS &
18 INDUSTRY, STATE OF NEVADA

19 By: _____

Michael Burke, Chairman

20 Submitted by:

21 AARON D. FORD
22 Attorney General

23 By:

Phil W. Su

Digitally signed by Phil
W. Su
Date: 2023.12.07
14:13:13 -08'00'

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