1	BEFORE THE COMMISSION FOR COMMON-INTEREST	
2	COMMUNITIES AND CONDOMINIUM HOTELS	
3	STATE OF NEVADA	
4	SHARATH CHANDRA, Administrator,	Case No. 2023-404
5	REAL ESTATE DIVISION, DEPARTMENT OF BUSINESS AND INDUSTRY, STATE	
6	OF NEVADA,	FILED
7	Petitioner,	
8	vs.	OCT 0 2 2023
9	SAPPHIRE SPRINGS HOMEOWNERS ASSOCIATION,	NEVADA COMMISSION FOR COMMON INTEREST COMMUNITIES AND CONDOMINIUM HOTELS
10	(Entity Number E0006382006-0),	ngallo
11	Respondent.	
12	1 	
13	FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER	
14	This matter came on for hearing before the Commission for Common-Interest	
15	Communities and Condominium Hotels, State of Nevada (the "Commission") during a	
16	regular agenda set on a three-day stack beginning at 9:00 am on September 26, 2023 (the	
17	"Hearing."). No board members or unit owners of Sapphire Springs Homeowners	
18	Association ("RESPONDENT") appeared. RESPONDENT'S current supervisory	
19	community association manager ("CAM") Traci Wozniak (CAM.0000226-SUPR) of The	
20	Management Trust appeared. Christal P. Keegan, Deputy Attorney General with the	
21	Nevada Attorney General's Office, appeared on behalf of the Real Estate Division of the	
22	Department of Business and Industry, State of Nevada (the "Division").	
23	Mrs. Keegan presented testimony from Vanessa Ward, an investigator with the	
24	Division, regarding her investigation of the factual and legal allegations in the Division's	
25	Complaint against the RESPONDENT. Additional testimony was presented by the	
26	RESPONDENT'S CAM Ms. Wozniak who identified one volunteer board member, Don	
27	Ackerman, had since been obtained, and reported the Association was financially solvent.	
28	111	

Therefore, 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.

## **FINDINGS OF FACT**

6

Based on a preponderance of the evidence in the record and the documents
admitted at the Hearing, the Commission unanimously voted to find the following factual
allegations were proven:

10
 1. At all times relevant to the Complaint, the Respondent's management
 11
 11
 11
 12
 14
 15
 16
 17
 18
 19
 10
 10
 10
 10
 10
 10
 10
 10
 10
 11
 10
 11
 11
 12
 14
 15
 16
 16
 17
 16
 16
 16
 16
 16
 16
 16
 16
 16
 16
 16
 16
 16
 16
 16
 16
 16
 16
 16
 16
 16
 16
 16
 16
 16
 16
 16
 16
 16
 16
 16
 16
 16
 16
 16
 16
 16
 16
 16
 16
 16
 16
 16
 16
 16
 16
 16
 16
 16
 16
 16
 16
 16
 16
 16
 16
 16
 16
 16
 16
 16
 16
 16
 16
 16
 16
 16
 16
 16
 16
 16
 16
 16
 16
 16
 16
 16
 16
 16
 16
 16
 16
 16
 16
 16
 16
 16
 16
 16
 16
 16
 16
 <

On or about January 3, 2023, the Division received the Respondent's Form
 562 Annual Association Registration. CICC001-CICC002.

14 3. The Annual Association Registration form only showed one person on the
15 Executive Board and no board directors. CICC002.

16 4. On or about May 19, 2023, the Division was informed that the new CAM was
17 Traci Wozniak (CAM.0000226-SUPR).

5. Therefore, the Division sent Respondent's management company's
Supervising CAM Wozniak, and the sole board member Kevin Nguyen, a letter requesting
information regarding its statutory deficiency requiring at least three board members. *CICC027-CICC028*.

6. The Supervising CAM Wozniak responded that there were no board
members at all. CICC0024.

7. Further, the Supervising CAM Wozniak alleged that The Management
Trust had attempted to fill the Respondent's board vacancies since 2021.
CICC008-CICC019.

8. Despite recent efforts, it has not been successful in obtaining volunteers for
the board. CICC008-CICC009, and CICC020-CICC026.

1	9. Therefore, on or about July 6, 2023, the Division informed the Respondent	
2	that it would be bringing this matter to the Commission's attention. CICC029-CICC030.	
3	CONCLUSIONS OF LAW	
4	Based on the foregoing factual findings and the preponderance of the evidence, the	
5	Commission unanimously voted that the following violations of law occurred:	
6	10. RESPONDENT violated NRS 116.31034 for failing to elect a minimum of	
7	three executive board members.	
8	ORDER	
9	The Commission, being fully apprised in the premises and good cause appearing,	
10	ORDERS as follows:	
11	1. RESPONDENT shall take affirmative action within 30 days of the effective	
12	date of this Order, and host a Know Your Neighbor Party ("Event").	
13	2. RESPONDENT'S management company, The Management Trust, by and	
14	through its current CAM Ms. Traci Wozniak (CAM.0000226-SUPR) is authorized to use	
15	Association's funds not to exceed \$500 for food, beverage, and announcements for the	
16	Event.	
17	3. The Association's unit owners shall be given at least two (2) weeks' notice	
18	prior to the event, and such Event shall be held on a Sunday afternoon.	
19	4. RESPONDENT'S CAM Ms. Wozniak shall provide reasonable notice to the	
20	Division of the Event's date and time so that Division staff can be available.	
21	111	
22	111	
23	111	
24		
25		
26		
27		
28		
	Page 3 of 4	

5. RESPONDENT and its CAM Ms. Wozniak shall appear before the 1 2 Commission at its December 12-14, 2023 hearing, and provide a status report to the 3 Commission. 4 6. The Commission retains jurisdiction for correcting any errors that may have 5 occurred in the drafting and issuance of this document. DATED this 30 day of September, 2023. 6 7 COMMISSION FOR COMMON-INTEREST COMMUNITIES AND CONDOMINIUM HOTELS 8 DEPARTMENT OF BUSINESS AND INDUSTRY STATE OF NEVADA 9 10 By 11 MICHAEL BURKE CHAIRMAN 12 13 Submitted by: 14 AARON D. FORD Attorney General 15 16 epkeegan By:\_\_\_ 17 CHRISTAL P. KEEGAN (Bar No. 12725) 18 **Deputy Attorney General** 5420 Kietzke Lane, Suite 202 19 Reno, Nevada 89511 20 (775) 687-2141 ckeegan@ag.nv.gov 21 Attorney for Real Estate Division 22 23 24 2526 27 28 Page 4 of 4