

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 Business &
6 Industry, State of Nevada,

7 Petitioner,

8 vs.

9 Michael Steven Skahill,

10 Respondent.

Case No. 2022-508

FILED

JUL 03 2023

NEVADA COMMISSION FOR
COMMON INTEREST COMMUNITIES
AND CONDOMINIUM HOTELS

mgallo

11 **FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER**

12 This matter came on for hearing before the THE COMMISSION FOR COMMON-INTEREST
13 COMMUNITIES AND CONDOMINIUM HOTELS STATE OF NEVADA (“Commission”) during a
14 regular agenda, set for three days, beginning on June 13, 2023. (the “Hearing”). RESPONDENT
15 MICHAEL STEVEN SKAHILL (hereinafter, “RESPONDENT”) did not appear in person, through
16 counsel, or otherwise, nor did he answer the complaint. Phil W. Su, Esq., Senior Deputy Attorney
17 General with the Nevada Attorney General’s Office, appeared on behalf of the Real Estate Division of
18 the Department of Business and Industry, State of Nevada (the “Division”).

19 Commission Coordinator Maria Gallo testified regarding notices sent to the RESPONDENT and
20 steps taken to effect proper service. The Commission found appropriate service of the notice of the
21 hearing, the complaint and notice thereof, the notice of documents, and all other efforts taken to inform
22 the RESPONDENT of the matter before the Commission. The Commission thereafter took notice of the
23 documents filed by the Division to substantiate the allegations within the Complaint.

24 After hearing testimony and examining the evidence presented in this matter, and for good cause
25 appearing, the Commission now enters its Findings of Fact, Conclusions of Law, and Order by default
26 against RESPONDENT as follows:

27 **JURISDICTION**

28 During all relevant times mentioned in this complaint, RESPONDENT held an active supervising
community manager certificate from the Division (CAM.0007489-SUPR) and is, therefore, subject to

1 the jurisdiction of the Division and the provisions of NRS Chapters 116 and 116A and NAC Chapters
2 116 and 116A.

3 **FINDINGS OF FACT**

4 The Commission, by unanimous vote, based upon evidence presented during the Hearing, enters
5 a finding of the following facts by default:

6 1. At all times relevant herein, RESPONDENT held a supervisory community manager
7 certificate from the Division (CAM.0007489-SUPR).

8 2. At all times relevant herein, the RESPONDENT was employed with AMS Management
9 Group, Inc.

10 3. At all times relevant herein, the RESPONDENT was the community manager for Las
11 Brisas Apartment Homes Community Association (“the Association”).

12 4. In a July 26, 2022, notice of investigation letter, the Division informed RESPONDENT
13 of a potential statutory violation in permitting a non-unit owner, Jose Estrada, to serve as a member of
14 the Association’s executive board.

15 5. The Division also requested Association records, in the form of meeting minutes, bank
16 statements, and checks, from January 2019 through the date of the July 26, 2022, letter.

17 6. RESPONDENT did not provide a response to the July 2022 letter or provide the
18 requested documents.

19 7. The Division sent a follow-up letter to RESPONDENT dated August 29, 2022,
20 reiterating its requests pursuant to its investigation.

21 8. RESPONDENT did not provide a response to the August 2022 letter or provide the
22 requested documents.

23 9. The Association’s Annual Association Registration documents filed by RESPONDENT
24 on behalf of the Association in 2017, 2018, 2019, and 2020, indicate that Jose Estrada, residing at 1440
25 E. Vegas Valley Dr. Unit #15, Las Vegas, NV 89146, served as an executive board member.

26 10. The parcel ownership history of 1440 E. Vegas Valley Dr, Unit #15, Las Vegas, 89146,
27 APN 162-11-213-015, as set forth on the Clark County Assessor’s website, shows that Jose Estrada
28 was no longer owner of record of the #15 unit as of October 12, 2016.

1 11. On or about November 2, 2022, the Division properly notified RESPONDENT it
2 intended to file a complaint against him for disciplinary action before the Commission.

3 **CONCLUSIONS OF LAW**

4 Based on the foregoing findings of facts by default, the Commission concludes by unanimous
5 vote that RESPONDENT has committed the following violations of law by default:

6 1. RESPONDENT violated NRS 116A.630(1)(b) pursuant to NAC 116A.355(3)(a) by
7 failing to exercise ordinary and reasonable care in the performance of his duties when RESPONDENT
8 allowed a non-unit owner to serve as an executive board member of the Association from 2017 through
9 2020.

10 2. RESPONDENT violated NRS 116A.630(9) pursuant to NAC 116A.355 (2)(a)(3) and
11 2(f) when he failed to make financial records for the Association available for inspection by the
12 Division in accordance with applicable laws and regulations.

13 3. RESPONDENT violated NRS 116A.640(2)(a) by impeding and interfering with an
14 investigation by the Division by failing to comply with the Division's requests to provide the
15 Association's records and by failing to respond to the Division regarding its request for the records.

16 **ORDER**

17 Based on the foregoing findings of facts and violations of law, the Commission hereby Orders:

18 1. RESPONDENT shall pay the Division a total of \$17,915.11 ("Amount Due"),
19 consisting of \$15,000.00 in administrative fines, plus the Division's fees and costs in the amount of
20 \$2,915.11. The Amount Due shall be paid to the Division within 60 days of the effective date of this
21 Order.

22 2. All real estate licenses and permits issued by the Division to the Respondent are hereby
23 REVOKED.

24 3. If the Amount Due is not actually received by the Division on or before its due date, it
25 shall be a default by RESPONDENT. In the event of default, the unpaid balance of the administrative
26 fine and costs, together with any attorney's fees and costs that may have been assessed, shall be due in
27 full to the Division within ten calendar days of the date of default, and the Division may obtain a judgment
28 for the amount owed, including collection fees and costs.

1 4. The Commission retains jurisdiction for correcting any errors that may have occurred
2 in the drafting and issuance of this document.

3 5. This order shall become effective on the 3rd day of July, 2023.
4 DATED this 3rd day of July, 2023.

6 COMMISSION FOR COMMON-INTEREST
7 COMMUNITIES AND CONDOMINIUM HOTELS

8
9 By: Charles Higgins
Vice Chair of the Commission

10
11 Submitted by:
12 AARON D. FORD
13 Attorney General of Nevada

14 By: /s/ Phil W. Su
15 PHIL W. SU, ESQ.
16 Senior Deputy Attorney General
17 555 E. Washington Avenue, Suite 3900
18 Las Vegas, Nevada 89101
19 (702) 486-3655
20 Attorneys for Nevada Real Estate Division
21
22
23
24
25
26
27
28