

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

3 SHARATH CHANDRA, Administrator,
4 REAL ESTATE DIVISION, DEPARTMENT
5 OF BUSINESS AND INDUSTRY, STATE
6 OF NEVADA,

 Petitioner,

7 vs.

8 DIANA D. STEGEMAN,
9 (CAM.0009065),

 Respondent.

Case No. 2023-450

FILED

OCT 05 2023

NEVADA COMMISSION FOR
COMMON INTEREST COMMUNITIES
AND CONDOMINIUM HOTELS

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

12 This matter came on for hearing before the Commission for Common-Interest
13 Communities and Condominium Hotels, State of Nevada (the “Commission”) during a
14 regular agenda set on a three-day stack beginning at 9:00 am on September 26, 2023 (the
15 “Hearing.”). Diana D Stegeman (“RESPONDENT”) did not appear in person, through
16 counsel, or otherwise. Christal P. Keegan, Deputy Attorney General with the Nevada
17 Attorney General’s Office, appeared on behalf of the Real Estate Division of the
18 Department of Business and Industry, State of Nevada (the “Division”).

19 Mrs. Keegan informed the Commission that RESPONDENT was noticed no later
20 than 30 days prior to the hearings, that the RESPONDENT never filed an Answer as part
21 of the record in the proceedings and did not ask for a continuance.

22 Therefore, the Division proceeded with a default pursuant to NAC 116A.590. The
23 Division’s Commission Coordinator, Maria Gallo, testified regarding proper notice to the
24 RESPONDENT. The Commission found appropriate service of the notice of the hearing,
25 the complaint and notice thereof, the notice of documents, and all other efforts taken to
26 inform the RESPONDENT of the matter before the Commission.

27 Therefore, the Commission, having considered the evidence introduced by the
28 Division and being fully advised, enters the following Findings of Fact, Conclusions of

1 Law, and Order by default. Under Nevada Revised Statutes (NRS) and Nevada
2 Administrative Code (NAC) Chapter 116A, the Commission has legal jurisdiction and
3 authority over this matter.

4 FINDINGS OF FACT

5 Based on a preponderance of the evidence in the record and the documents admitted
6 at the Hearing, the Commission voted, with one abstention, to find the following factual
7 allegations were proven:

8 1. On or about June 7, 2023, the Division received a complaint against the
9 RESPONDENT from Griswold Real Estate Management. *CICC001-CICC028*.

10 2. Effective May 1, 2023, Griswold Real Estate Management (“Succeeding
11 Management Company”) had been retained by Bradford Place Community Association
12 (“Association”) to take over management services from the RESPONDENT’S company,
13 Heritage Management Group LLC. *CICC001-CICC028*.

14 3. Prior to the transfer, on or about April 13, 2023, the Succeeding Management
15 Company requested RESPONDENT provide the Association’s records by no later than
16 May 15, 2023. *CICC005-CICC006*.

17 4. As of May 18, 2023, the Succeeding Management Company only received a
18 few documents from the RESPONDENT’S Office Manager. *CICC015, and CICC027*.

19 5. Therefore, on or about June 20, 2023, the Division sent its First Request for
20 Information to the RESPONDENT with a deadline of July 5, 2023. *CICC031-CICC033*.

21 6. Hearing none, on or about July 6, 2023, the Division sent its Second Request
22 for Information to the RESPONDENT with a deadline of July 20, 2023.
23 *CICC034-CICC036*.

24 7. On or about July 28, 2023, the Succeeding Manager provided the Division
25 with an inventory log demonstrating the outstanding documents from the RESPONDENT
26 to-date:

- 27 a. Association Federal Tax ID number and 2022 tax return;
28 b. Adopted and ratified 2023 budget;

- c. March / April 2023 financials;
- d. Current year financials (2023);
- e. Last completed audit or review;
- f. Homeowner balances / ledger;
- g. Year to date general ledger report;
- h. Schedule of all prepaid expenses, accrued expenses, and automated clearing house (ACH) files;
- i. Last board and executive minutes;
- j. List of all homeowners with liens and collections;
- k. All homeowner files;
- l. All association files including community association manager files;
- m. All meeting minutes; and the
- n. Full list of utility bills and account numbers.

CICC029-CICC030.

8. As a result of RESPONDENT'S inadequate responsiveness to the Division and the Succeeding Management Company, now comes herewith.

CONCLUSIONS OF LAW

Based on the foregoing factual findings and the preponderance of the evidence, the Commission voted, with one abstention, that the following violations of law occurred:

9. RESPONDENT violated NRS 116A.620(6) for failing to transfer all books, records, and other papers of the Association to the Succeeding Management Company within 30 days after termination.

10. RESPONDENT violated NRS 116A.630(1)(b) for failing to exercise ordinary and reasonable care in the performance of her duties by not transferring the Association record's timely or completely to the Succeeding Management Company.

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1 administrative fine and costs, together with any attorney's fees and costs that may have
2 been assessed, shall be due in full to the Division within ten (10) calendar days of the date
3 of default, and the Division may obtain a judgment for the amount owed, including
4 collection fees and costs.

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

7 DATED this 5th day of October, 2023.

8 COMMISSION FOR COMMON-INTEREST
9 COMMUNITIES AND CONDOMINIUM HOTELS
10 DEPARTMENT OF BUSINESS AND INDUSTRY
11 STATE OF NEVADA

12 By: 
13 CHARLES NIGGEMEYER
14 VICE CHAIRMAN

14 Submitted by:

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16 Attorney General

17 
18 By: _____
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