

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,

7 Petitioner,

8 vs.

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

11 Respondent.

Case No. 2023-57

FILED

OCT 05 2023

NEVADA COMMISSION FOR
COMMON INTEREST COMMUNITIES
AND CONDOMINIUM HOTELS

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

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

20 Mrs. Keegan advised the Commission that RESPONDENT was aware of her
21 attendance at the hearing, and that her hearing was scheduled for the June 13-15, 2023
22 hearings, but the RESPONDENT requested a continuance, which the Commission
23 granted. The Division sent the RESPONDENT Meeting Re-Notices no later than 30 days
24 prior to the September 26-28, 2023 hearings. The RESPONDENT never filed an Answer
25 as part of the record in the proceedings and did not ask for a second continuance.

26 Therefore, the Commission, having considered the evidence introduced by the
27 Division and being fully advised, enters the following Findings of Fact, Conclusions of
28 Law, and Order. Under Nevada Revised Statutes (NRS) and Nevada Administrative Code

1 (NAC) Chapter 116A, the Commission has legal jurisdiction and authority over
2 this matter.

3 FINDINGS OF FACT

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

7 1. RESPONDENT is the Community Association Manager for Desert Trails
8 Property Owners Association (“Association”). *CICC 001.*

9 2. At all times relevant to this Complaint, the RESPONDENT’S community
10 manager certificate was expired from October 1, 2022 through January 27, 2023.
11 *CICC 001.*

12 3. While RESPONDENT’S license was expired, her company Heritage
13 Management Group, L.L.C. was paid (“Management Company”). *CICC 008 – CICC 009.*

14 4. On or about February 2, 2023, the Division sent the RESPONDENT
15 a Request for response and/or information letter due by February 16, 2023.
16 *CICC 001 – CICC 002, and CICC 020.*

17 5. The RESPONDENT did not respond and/or provide information to the
18 Division by February 16, 2023.

19 6. On or about February 27, 2023, the Division issued the RESPONDENT with
20 a Notice of Violation with imposition of an administrative fine in the amount of \$250.00
21 due by April 15, 2023. *CICC003 – CICC015.*

22 7. The RESPONDENT did not pay her administrative fine to the Division by
23 April 15, 2023.

24 8. Shortly thereafter, the Division sent the RESPONDENT reminders that her
25 payment was past due. *CICC 018 – CICC 019, and CICC 021.*

26 9. As of April 25, 2023, the RESPONDENT has not paid her administrative fine
27 nor responded to the Division. *CICC 017.*

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1 **CONCLUSIONS OF LAW**

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

4 10. RESPONDENT violated NRS 116A.400 when she acted as a community
5 manager with an expired certificate.

6 11. RESPONDENT violated NRS 116A.630(1)(b) for failing to exercise ordinary
7 and reasonable care when she failed to renew her certificate, and accepted payment from
8 the Association during that period of non-renewal status.

9 12. RESPONDENT violated NAC 116A.355(2)(f) when she failed to cooperate
10 with the Division's requests for a response and/or production of documents.

11 13. RESPONDENT violated NRS 116A.640(2)(a) for impeding the Division's
12 investigation by failing to comply with requests to provide documents.

13 14. RESPONDENT violated NAC 116A.355(1)(a)(1) and (2) by engaging in
14 unprofessional conduct and professional incompetence by failing to pay and/or respond to
15 the Division's administrative fine.

16 **ORDER**

17 The Commission, being fully apprised in the premises and good cause appearing,
18 ORDERS as follows:

19 1. RESPONDENT'S certificate (CAM.0009065) is immediately revoked;

20 2. RESPONDENT shall pay the outstanding \$250 administrative fine;

21 3. RESPONDENT shall pay a fine of \$2,500 per violation (5 violations) for a
22 total administrative fine amount of \$12,500;

23 4. RESPONDENT shall pay the costs of the investigation and the hearing in
24 the amount of \$7,323.23 which is actual, reasonable, and necessary;

25 5. The total amount due is \$20,073.23 and shall be paid in full within 90 days
26 of this Order;

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1 6. If payment is not actually received by the Division on or before its due date,
2 it shall be a default by RESPONDENT. In the event of default, the unpaid balance of the
3 administrative fine and costs, together with any attorney's fees and costs that may have
4 been assessed, shall be due in full to the Division within ten (10) calendar days of the date
5 of default, and the Division may obtain a judgment for the amount owed, including
6 collection fees and costs;

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

9 DATED this 5th day of October, 2023.

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

14 By: 
15 CHARLES NIGGEMEYER
16 VICE CHAIRMAN

17 Submitted by:

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