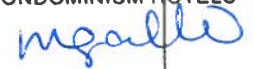


DEC 11 2023

NEVADA COMMISSION FOR  
COMMON INTEREST COMMUNITIES  
AND CONDOMINIUM HOTELS



BEFORE THE COMMISSION FOR COMMON-INTEREST  
COMMUNITIES AND CONDOMINIUM HOTELS

STATE OF NEVADA

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Sharath Chandra, Administrator,  
Real Estate Division, Department of Business &  
Industry, State of Nevada,

Petitioner,

vs.

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

Respondents.

Case No. 2021-1049

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

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.

///

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

16 By:   
17 Sharath Chandra, Administrator

18 DATED: September \_\_\_\_, 2023

MONTEREY GRAND MANOR OWNERS  
ASSOCIATION

19 By: \_\_\_\_\_  
20 Constance Belmore, Board Member

21 DATED: September \_\_\_\_, 2023

MONTEREY GRAND MANOR OWNERS  
ASSOCIATION

22 By:   
23 Zoran Djordjevic, Board Member

24 DATED: September \_\_\_\_, 2023

MONTEREY GRAND MANOR OWNERS  
ASSOCIATION

25 By: \_\_\_\_\_  
26 Josie Rigden, Board Member  
27  
28

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  
14:12:13 -0800  
8 PHIL W. SU (Bar No. 10450)  
9 Senior Deputy Attorney General  
Attorneys for Real Estate Division

10 ORDER

11  
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  
HOTELS, DEPARTMENT OF BUSINESS &  
17 INDUSTRY, STATE OF NEVADA

18 By:   
19 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  
14:12:13 -0800  
24 PHIL W. SU (Bar No. 10450)  
25 Senior Deputy Attorney General  
26 555 E. Washington Ave. Ste 3900  
Las Vegas, Nevada 89101  
27 (702) 486-3655  
psu@ag.nv.gov  
28 Attorneys for Real Estate Division