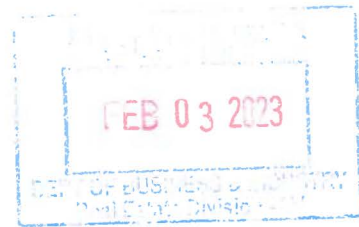


Nevada Real Estate Division  
3300 W. Sahara Ave. #350  
Las Vegas, Nevada 89102



Subject: Pending Sheriff Sale of Vistana Condo due to illegal activity of NRED General Counsel

Dear Commissioner Filios

I am writing this letter directly to you since apparently various members of the NRED office, both past and present, haven't advised the Commission of disturbing developments that have taken place. My name is Lynn Williams and I am the past president of the Vistana HOA. You may recall that Vistana was in the news for a number of years as it was the first Nevada HOA that was targeted by Mr. Leon Benzer and Ms. Nancy Quon for defrauding numerous Las Vegas HOA's out of Construction Defect settlements. Vistana was the first victim to lose money to these individuals. Without going into specific details I will give you a Readers Digest version.

Vistana's HOA Board was taken over by various individuals and over \$19,000,000 was stolen. Vistana reported various illegal activities to NRED, the police department, the District Attorney and every other agency they thought should help. After a couple of years did the FBI take an interest and proceed with a criminal investigation. The FBI brought in Assistant United States Attorney's from Los Angeles, San Diego and Washington D. C. The results were approximately 44 individuals were found guilty. Six attorneys were disbarred, four individuals died from natural causes and at least four others committed suicide. The Federal Government had information on numerous other potential violators however they did not meet the threshold for prosecution at that time. Mr. Kieth Gregory was the Vistana attorney and he told the Vistana homeowners that what Attorney Quon was doing was legal. The homeowners requested Gregory obtain a second opinion and he had a Mr. John Leach address the Vistana homeowners. Ultimately Mr. Leach agreed with Mr. Gregory's opinion and relayed this information to the Vistana owners.. Mr. Gregory stood trial and after being found guilty he was sentenced to 10 years in Federal prison.

In 2010 I ran for the Vistana HOA Board years prior to the Federal trial and after the construction defect monies had been stolen in order to provide my assistance in trying to recover the stolen millions of dollars. I am a retired Treasury Special Agent with over 26 years experience being a criminal investigator. I was the Vistana HOA president and given the responsibility to negotiate for the Board any settlements from those involved in this matter. I again will provide you with a brief synopsis of our accomplishments. I attended every day of the Federal trial and assisted our new Vistana's attorney, Richard Haskin in the recovery process. One of the first violators we settled with was Mr. Gregory. He gave the Vistana HOA \$100,000 prior to going to prison. The Vistana HOA sued the estate of Nancy Quon after a forensic accountant proved that she had commingled the stolen Vistana funds with her personal accounts. Vistana collected over \$6,000,000 from her estate. The Vistana HOA sued one of the largest law firms in Nevada; Kummer, Kaempfer, Bonner, Renshaw and Ferrario. They

represented Mr. Leon Benzer and his construction company. This law firm gave the Vistana HOA over \$4,000,000 to settle our lawsuit against them..

During the years that the Vistana Board was collecting these monies we were not as diligent as we should have been in supervising our CAM, Ms. Rosie Orozco, a First Service employee. Ms. Orozco signed a contract with Quality Tow to move cars from one part of the Vistana property to another in order to repave the parking areas at Vistana. The results are outlined in my request to the FBI which is attached. Also attached is a copy of the written results from the NRED Commission hearing dated September 20, 2017 (also provided to the FBI). Apparently this investigation against the Board was initiated by the NRED office since there were no formal complaints made by any Vistana owner/renter. This also took over another year to take to a Commission hearing.

Throughout 2018, the Vistana HOA tried to determine which vehicles were involved that were towed and made in person reports to the NRED Commission. Both Investigator Pitch and Senior Deputy Attorney General Briggs were present and were aware of our efforts. After another year the NRED Commission advised us that we need not be required to continue trying to locate any more victims. It took me almost **two** more years before I was able to discover 118 pages of NRED documents that were withheld from Vistana for the original hearing against the Vistana Board. 100% of these documents are Bate stamped with the NRED Stamp. Some of the pages included every vehicle towed, the date towed, the parking area towed from, the amount of fine by Ms. Orozco, the license plate of the vehicle and/or the vin number and the Vistana parking sticker on the vehicle's window. Apparently this was a NRED document from the original NRED hearing against Ms. Orozco. If one of the missions of NRED is to protect the owners and renters, why was this information intentionally withheld from the Vistana Board who spent countless hours trying to identify this information? This document proves that the NRED office intentionally withheld this information.

These newly discovered documents also contained written documents from me requesting specific information about Investigator Pitch. NRED's' actions cost Vistana residences thousands of dollars. During a different State Court proceedings I was called to testify regarding some of these activities. While under oath Ms. Briggs asked me. "If I would be surprised if she told me that Mr. Haskin never called her?" I answered, "I would be VERY surprised." Later in the same State Court proceedings Mr. Haskin testified that he did in fact call Ms. Briggs a number of times and spoke directly with her. Ms. Briggs did not cross examine Mr. Haskin regarding her questions to me nor any other issues. Ms. Pitch also testified under oath and when questioned, she advised the Court that she had not talked with any of the Vistana Board members other than Mr. Rykie, nor any of the towing victims. She also testified that she had not written any investigative reports regarding this investigation. When you review the transcripts of her testimony at the open and public meetings you will see that her answer to a specific question from the Commission on the amount of money spent (salary?) on the investigation of the Vistana Board she testified that the amount was "\$20,000". We started making monthly payments to NRED based on this figure.

During another open NRED Commission hearing a Vistana resident (Mr. Christopher Rees) stood up and made a verbal claim that he had filed a complaint against the Vistana Board for not allowing him to run for the Board. The previous year he refused to submit the required paperwork proving that he owned a unit. The paperwork was forwarded to the NRED offices and Vistana was instructed not to put him on the ballot. Apparently he called the NRED office and someone called the Vistana CAM and was told to list him on the next ballot. Senior Deputy Assistant Attorney General stood up and addressed the Commission and demanded that both Mr. Kniep and I be immediately removed from the Vistana Board because she “was tired of dealing with us”. The NRED Commission ordered both of us off the Vistana Board. The following week we were both elected by the Home Owners to continue on the Board however Mr. Haskin advised us that we could not serve. This Commission ruling was done without any legal representation and no proof that Mr. Rees ever filed a complaint.

Mr. Carlos Aguirre was voted for and became the next Vistana Board president. Mr. Aguirre is a retired FBI Special Agent. The new Vistana Board appointed me to continue attempting to recover the stolen millions of dollars for the Vistana HOA. Mr. Rees and others ran for the Board at the next election. They promised the owners that they knew of another \$10,000,000 that was coming to the Vistana HOA. He put in writing that he along with the other three individuals making the same claim they would give each owner \$13,000. Mr. Aguirre and I meet with U. S. Postal Inspector Trevor Hudson and provided copies of Mr. Rees claims sent to all 732 homeowners. The Postal Inspectors reviewed the documents and agreed that they had committed Mail Fraud, Section 18 U. S. C. Section 1341(attached). They stated that they would not file against them at this time due to the sole fact that no one had lost any money yet. Now that the Vistana HOA has now seized over \$26,000 from me and two of those individuals who made this claim are still on the Board.

After the two individuals who made these claims were elected approximately 40 Owners attended the open meeting and asked when they would be getting the \$13,000 per unit. A supervisor from First Service advised the audience that she would answer the questions. She readily said that there was **no \$10 million dollars and there never was**. That “NRED allowed anyone running for a HOA seat on any Nevada Board was allowed to make any claims he/she wanted to as long as you didn’t say anything bad about another candidate”. This was recorded and available to NRED if they want/need it for proof. This Board immediately advised me in writing that I was no longer needed to assist them in recovering any more stolen funds. Mr. Haskin was fired and the negotiations with First Service to recover the \$75,000 for monies spent on our defense for the towing matter stopped.

The new Board stopped the civil cases against the additional 18 convicted defendants for the civil recovery of stolen funds. The new Board hired Mr. Leach’s law firm as counsel for Vistana. Mr. Leach was recommended by First Service Management to be Vistana’s lawyer since he was currently providing training for their managing CAM’s. Vistana had previously obtained a \$36,000,000 judgment however the new Board and Mr. Leach has not indicated how their efforts are going in trying to recover any of these funds.

Mr. Kniep apparently had heard that someone was going to sue the Vistana Board for “knowingly and willfully” being involved with the towing incident. I advised that we were exonerated by the NRED Commission and we both had completed the required training as required. Mr. Kniep went out and hired the law firm of Boyack Orme & Anthony to represent the old Vistana Board. Mr. Edward Boyack continued to try and force Mr. Kniep to settle this case and I kept trying to explain to Mr. Kniep that I was NOT going to plead guilty for a crime I did not commit. I personally never spoke with Mr. Boyack but dealt with Ms. Colli McKiever, an attorney in his office. I provided Ms. McKiever with a written transcript of the NRED hearing along with other documents dealing with the new Vistana Board. I asked her why Mr. Boyack wanted only to settle this claim. Her response to me was that Mr. Boyack was a friend of Mr. John Leach and he would never do anything against him.

Near the end of 2022 apparently Mr. Boyack notified the Nevada Court that he was no longer going to represent Mr. Kniep et al. Mr. Boyack did call Mr. Kniep and Ms. Nelson (another old Vistana Board member) and advise them that Vistana was going to seize their bank accounts. I happened to be in Las Vegas after this telephone call and I advised (Kniep) that I had not received a telephone call from Mr. Boyack and I doubted if Mr. Fitch had. Mr. Kniep advised me that he couldn't sleep nor eat and that he had taken all his wife's jewelry and given it away to his children. I immediately spoke with other friends of Mr. Kniep and they also were concerned about his immediate health. If you review Mr. Kniep's testimony of August 29, 2017 you will see that the reason he was not able to recall some of the happenings while the vehicles were being towed was because he was in the hospital recovering from a heart attack.

Approximately one week later I received a call from his friend regarding his inability to contact Mr. Kniep. He stated he had a key and asked my opinion on what to do. I immediately advised him to call the Las Vegas police and request an immediate wellness check. They responded and discovered Mr. Kniep in his bed, DEAD. The police department searched his Condo and discovered a great deal of cash hidden throughout his home. Mr. Kniep had gone to a number of banks and closed out all of his accounts and took the money in cash so that Vistana could not seize it. Ms. Nelson advised me that Vistana had tried to seize her bank funds however that was in August, 2022. They were unsuccessful since 100% of the funds were from Social Security. When Mr. Leach filed the seizure request from the Nevada Courts he included Mr. Kniep's name even though he had died the calendar year before.

I was never notified of any pending seizure by anyone. You must remember that I was aware that the NRED Commission never claimed that any of the Vistana Board were found guilty of “knowingly and willfully” did anything. As you read the August 30, 2017 transcript the clearly state that we were not guilty of these charges. My eldest daughter died this past year and I made the funeral arrangements at Cypress Forest Lawn. On Friday, August 24<sup>th</sup> I was advised that I needed an additional \$14,000 to complete the purchase of the burial plots. I immediately drove to my Chase bank to get a cashier's check for the Funeral in 18 hours. Once at the bank I discovered that both my savings account and checking account were frozen and 100% of my money (over \$26,000) was gone. I had to go to my wife's saving account which solely contained her settlement for a workman's comp account to satisfy Forest Lawn. I doubt if you can understand the stress this added to burying our child.

I finally received a partial copy of the court documents filed by Senior Deputy Attorney General Michelle Briggs. This is truly an interesting sworn statement. She filed this document in behalf of the **NRED Commission**. You can examine the attached letter from the NRED Commission dated September 20, 2017 which outlined the findings from Case No. 2015-3373. Please refer to page 2 and you will see that the same Michelle Briggs received a copy of the findings. I would assume that Mr. Leach will claim that he was only going by what was filed with the Nevada Court when he seized my bank accounts. The problem with this argument is that Ms. Briggs also claimed in the same court filings was that I, Lynn Williams, acting in my capacity as the President of the Vistana Board also (and somehow) used my position” to demand and receive payments in the amount of \$22,708.42 for providing consulting and/or legal services.” The document submitted to the court for the **Sheriff’s Sale of my property at Vistana** claims that the Vistana Association incurred additional costs of \$116,010.91.

Apparently Mr. Leach again didn’t review the findings of the August 30, 2017 NRED Commission hearing. The Commission determined that the costs were to be divided among all four members of the Board. Mr. Haskin (our previous attorney) had put a legal cap on the costs of \$75,000. Mr. Leach is now demanding \$147,176.91 for costs including his fees.

Since Mr. Leach is the legal council for Vistana I am sure he inquired with the First Service Management company to be sure that the \$22,708.42 Ms. Briggs swore to was correct. If he didn’t verify this amount why didn’t he? Another interesting question is since these charges reportedly took place in 2017, why did Mr. Leach wait a number of years to start this law suit?

I believe that the NRED Commission sits in Review of the Nevada Real Estate laws. Under the Commission are Investigators and a Deputy Attorney General for the State of Nevada. These individuals bring forth cases for your judgment. You have the power to remove volunteers from their duly elected positions on all HOA’s Boards, the ability to issue fines and have your assigned State Attorney testify in State Court. If you discover a fraud has happened you can request the State legislature to amend the State laws. Attached for your review is a copy of Title 18, U.S.C. Section 242. The title of this law is Deprivation of Rights under Color of Law. This is a Federal Statute. Basically this is when an Investigator and/or Prosecutor acting under color of law violate the Civil Rights of a citizen. If you read through this law you will come to the section which deals with what the offense is punishable for.

**The penalty is punishable by a range of up to a life term.**

You may want to check the State Statutes to see if Nevada has a similar law. To date I have lost over \$26,000. Unless the NRED Commission takes immediate action I will soon lose my Vistana Condo. The value of my condo is at least \$275,000 as we were required to remodel one of the bathrooms to ensure my disabled wife could utilize the shower which now accommodates her disability. (For your information my wife had polio in 1952 and has been required to wear a leg brace for the past 70 years). I have not been able to conduct my Consulting business and you can guess what the seizure of my Chase bank accounts has done to my credit rating.

I did not include in this Reader Digest version the host of other laws that have taken place due to Ms. Pitch and Ms. Briggs actions:

Vistana did not collect \$600,000 from 18 convicted individuals who stole \$19,000,000. The new Vistana Board sided with the convicted violators.

There are violations of the American with Disability Act.

Vistana Board immediately removed \$300,000 from the Construction Defect investment account. What did they spend these funds on?

There are wire transfer violations that First Service claim they forwarded them to the NRED office. They also claimed it was only your (NRED's) responsibility to remove their CAM for illegally changing the Vistana minutes and their responsibility was completed. This was from there Vice-President. These changes cost Vistana \$1,000 of dollars and the same CAM used the Vistana credit card for her personal use. First Service stated it was their policy (when this happens) to add these costs onto their employees W-2 for tax purposes.

While NRED requires a study for all HOA reserve accounts, the company recommended by First Service suggested \$5,000 for replacing the fire sprinklers. The old Board discovered a Nationwide recall. We spent \$400,000 on replacements however not all of the units were fixed. The new board canceled the remaining replacements. Those units do **NOT** have fire insurance if a fire develops in their unit where the non replaced fire sprinklers wasn't replaced. Who is responsible now? The new Vistana Board, NRED or the other owners?

I suggest that you review the August, 2017 hearing transcripts and concentrate on the Commission statements. One Commissioner stated that if one Vistana Board member had simply returned Ms. Pitch telephone call that this hearing would not have been required. After years of investigation I believe now that I have proved that we did make that call. Over a year after the hearing and the fact that no one other than Ms. Pitch and Ms. Briggs opened a new investigation. That they did not provide the required Discovery evidence required and Ms. Briggs was conveniently missing from the hearing. That literally years after this hearing I discovered 118 pages of discovery evidence from the **NRED files** which prove that the Las Vegas office lied. Again years went by prior to Senior Deputy Nevada Attorney General filed false documents in a Nevada State Court making false claims against the four Vistana Board members. I did call the NRED office and tried to speak with the Ombudsman. I advised that I had information that Ms. Pitch may have lied in State Court. He stated flatly that he would not discuss this topic and hung up. Again months went by and only after Ms. Briggs left being the attorney of record for NRED did Mr. Leach file seizure requests from the Court.

The only major question that I have not been able to discover is how Mr. Leach became aware of the Ms. Briggs Nevada State Court filings. Did Ms. Briggs notify him? We know that Mr. Leach provided a second opinion for Mr. Gregory that was proven false. We know that First Service was hiring him for providing instruction for their employees. Since First Service had

previously agreed with Mr. Haskin as to the guilt of Ms. Orozco but had not agreed on the dollar amount. This conversation was held with Mr. Aguirre (retired FBI agent) another attorney and myself after I was no longer on the Vistana Board. Mr. Kniep hired an attorney firm to try and protect the old Vistana Board members however that attorney refused to defend us and unfortunately the actions taken against us certainly didn't help his known heart condition. What happened to these funds from First Service?

The number of witnesses you can verify the above information with include sworn Federal Law Enforcement officers. The old Vistana Board held recorded monthly public meetings in which 100% were recorded. We have examples of numerous mail fraud examples along with illegal written minutes of public Vistana Board minutes. All of these records are available to the NRED Commission at any time you are available to review them at your convenience. Although I live In Long Beach CA., I will appear before your Commission if requested on any day or time that you request.

In order to resolve the immediate issue of my Sheriff's sale of my condo I am recommending a couple of possible solutions. I also suggest that you contact the previous Commission members and determine what they thought of our interaction while dealing with them.

If you want to involve an independent individual or agency I suggest that you contact the Las Vegas United States Attorney office. Both parties have made very serious claims regarding the investigative activities. If I am guilty of stealing or receiving over \$22,708 from the Vistana HOA I should be prosecuted and I agree that my Vistana condo should be sold at auction. I should be prosecuted for making false claims against both NRED Investigator Pitch and Senior Deputy Attorney General Briggs. I have been testifying in Federal Court since 1970 and there has never been any question about by reputation. The same set of rules should be enforced for the Sworn testimony made by both Briggs and Pitch. They either have evidence that the four old Vistana Board members "knowingly and willfully" violated Nevada Real Estate laws and the NRED Commission verified it or they don't. They will also be able to testify who if anyone they advised the Nevada State Courts ruling. Were there additional co-conspirators?

Another possible solution would be to immediately remove the current Vistana HOA Board. You can use the exact same process that was used to remove both Mr. Kniep and myself when Mr. Rees (a current Board member) claimed to have filed a complaint with NRED. I am sure that Ms. Briggs has a copy since she had the previous NRED Commission remove us without any testimony provided. I suggest that the Commission appoint new Board members. I suggest that the Commission use their authority to reinstate the election results for Mr. Kniep and myself. I also the recommend you add two or more previous Board members who were aware of the efforts to recover the additional millions of dollars stolen from the Vistana HOA. I believe the new appointed Vistana Board could cancel the Sheriff's Sale and obtain new legal counsel. This would only be a stop gap and that Vistana could hold new elections within the next three or four months. I would also suggest that the new Board would hold monthly meetings and have a NRED representative at all Board functions to monitor the previous activities and sole source contracts issued by this Board including with millions of dollars spent with First Service Management.

I will be in Las Vegas after February 7, 2023 and I will be able to meet with you individually or with those NRED Commission members who are available to review the additional information that I have alluded to. The additional victims in this matter are the over 700 owners/renters of the Vistana HOA. We were the victims of over a \$19 million dollar theft and the current Board is now again costing these individuals \$1,000's again. Please leave me a message at (562 708-5178) if you need to contact me. We cannot allow Investigators and/or officers of the Court to decide on their own that the NRED Commission made mistakes and they not only knew better but determined to lie to the Courts and violate the Civil Rights of anyone they don't like or agree with.

Thank you for any consideration.



Lynn F. Williams      1/30/23