

March 31st, 2023

Commission for Common Interest
Communities and Condominium Hotels
Dept. of Business and Industry
3300 W. Sahara Ave., Suite 350
Las Vegas, Nevada 89102-3203

FILED

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NEVADA COMMISSION FOR
COMMON INTEREST COMMUNITIES
AND CONDOMINIUM HOTELS

mgallo

ATTN: Maria Gallo, Commission Coordinator
RE: March (?) and Dec. 15th ORDER - Case # 2018-1663

RESPONDENT INFORMATIONAL STATEMENT

Dep. Attorney General Su and Commissioners :

If your Office and the Common Interest Community Commission (CICC) have completed a New ORDER for Sierra Ranchos Property Owners Association based on our March 7th, 2023 Meeting and discussion, I have not seen it. Equus Management has been telling SRPOA what they *think* the Dec. 15th ORDER says, and what the March (?) ORDER *might* say, but they have not seen it. Your ORDERS always say that I must report / document progress / problems *before* the next meeting, and I have tried to do that. **I would wait, but I think this time is appropriate.**

I. PROGRESS

One area of progress is that we have finally obtained an Engineering Site Visit Report and set of Recommendations from Nortech. This report is needed to discuss specific complaint / Violation Notices from Washoe County, and hopefully to close these cases (Washoe County "Issues"). There are no surprises in this report. Nortech's laboratory findings are consistent with past soil analyses of properties in our basin. Their recommendations are Standard recommendations for drainage and improvement of low traffic Rural Roads.

II. CONTINUING PROBLEMS

- a) As you were aware, Recall Petitions were received by Equus Management in early March. I indicated to the CICC in both written questions and testimony that any New ORDERS to SRPOA must ensure (i) accuracy in FACTs RE: Washoe County "Violations" and (ii) be enforceable to ALL future SRPOA Boards under CICC authorities - since I might not be a Board member by your next (June 2023) meeting.
- b) At SRPOA's last Board meeting (3-22-2023) adverse events occurred which degraded my outlook with respect to SRPOA's ability to make further progress:
 - (i) Mr. Loren Pierce was "*appointed*" by unilateral action of a new (to SRPOA) Equus manager - "BJ" Brown - without a Vote or even Motion of the Board. He was simply directed to "his" seat.
 - (ii) *Prior to the Board meeting, I was verbally threatened by BJ Brown "... if you don't vote FOR Mr. Pierce, we [Equus Management] will quit ... and IF you can find another management company, you [SRPOA] will have to pay a LOT more ..."*
 - (iii) As NRED investigators Cristina Pitch (case 2020-524) and Nicole Micheal (2022-364) can testify, Mr. Pierce has filed at least 4 false / frivolous complaints against me (I have been served with a DRAFT copy of a 5th) and recklessly destroyed 2017-2020 improvements made to the

road I live on - apparently **in retaliation for Ms. Pitch's rejection of complaint #2020-524**. This record of complaints, and Mr. Pierce's physical attacks on other SRPOA members (Washoe Co. Sheriff and Court Records) make it impossible for me to vote for him as a Board member.

iv) One day before the 3-22-2023 Board meeting, I was sent (by BJ Brown) the nomination form for another SRPOA member (Ms. Murray) who would have been acceptable to me, and I informed Equus and Joy Marvin that I would vote for her (Ms. Murray). At the last minute before the meeting Ms. Murray's nomination was withdrawn (why?). That left me with no option but to publically discuss my reasoning and vote **AGAINST** Mr. Pierce.

As stated under **II(b)(i)** NEITHER I OR Joy Marvin had the CHANCE to vote (for or against appointment). BJ Brown simply indicated that Mr. Pierce should take "his" seat at the table, and went on to the next Agenda item (meeting recorded).

c) (i) President Joy Marvin resigned a few days after the Board meeting. After the Board meeting, I received a private email from Joy Marvin telling me that she planned to resign. She notified Equus Management effective March 27th 2023.

(ii) I don't know exactly why Joy changed her mind, but like my own thoughts on this matter, the continuing attacks, sabotage of efforts to obtain Engineering Reports, and now - threats and subterfuge of the Board's ability to appoint Temporary members by BJ Brown of Equus lead me to feel that I cannot be sure of my ability to do **anything useful** for SRPOA as a Board member.

III. TIME IS SHORT - Fair Elections May Not Occur

a) I am currently serving my 4th year on the SRPOA Board. This has been one tiring, continuous battle between myself, Loren Pierce, Greg Defehr, Community Managers (Terra West ...) and attorneys (LKG) who bankrupted SRPOA in 2019 (\$ 8500 unpaid) and in 2021 (\$ 40 K unpaid).

b) Most members I have talked with are increasingly disgusted with SRPOA and feel that they are getting little or NOTHING for the assessments they pay. This is why some who do not know me signed the Recall Petition. While SRPOA assessments have been low for many years, the money collected has gone almost entirely to Attorneys and Community Management since 2019.

c) Our Articles of Incorporation were written to expire after 50 years - 1974 to 2024. It is now one year before expiration, and **highly unlikely** that 51 % of the membership will approve **EVEN simple extension**, much less the revisions and / or amendments needed to bring SRPOA Governing Documents out of Obsolescence and into consistency / compliance with current Corporate Law and NRS / NAC 116 Regulations.

IV. VIOLATION OF TRUST AND LAW

To summarize, I have, during the last 3+ years done everything possible to get the SRPOA Board and Community Managers to help us make road improvements and comply with Nevada Law. Joy Marvin has tried to work with me for more than a year, but the battle has been fierce, and other than improving SRPOA's Reserve Account balance (post- INSOLVENCY), we have little to show for our efforts.

Can Equus Management be relied upon to comply with NRS 116.31034(5) / 116.31034(7) and other election regulations? So far they have ignored the Authority of the existing Board and unilaterally appointed a new member despite our concerns about him.

Given events of the past 3 years, I have no confidence that anything useful can be done by the

SRPOA Board when fighters and saboteurs suffer no discipline and in fact are encouraged by attorneys and community managers who profit by their occupation of the Board.

We (members & neighbors) will survive - with or without SRPOA.

Respectfully,

A handwritten signature in blue ink that reads "William L. Roth". The signature is written in a cursive style with a long horizontal flourish extending to the right.

William L. Roth, Secretary
Sierra Ranchos POA

