

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

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

6 Petitioner,

7 vs.

8 HIGHLANDS RANCH NORTH
9 LANDSCAPE MAINTENANCE
10 CORPORATION, A NEVADA NON-
11 PROFIT CORPORATION
12 (ENTITY NO. C26944-2004)

11 Respondent.

Case No. 2024-636

FILED

OCT 15 2024

NEVADA COMMISSION FOR
COMMON INTEREST COMMUNITIES
AND CONDOMINIUM HOTELS

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

14 This matter came on for hearing before the Commission for Common-Interest
15 Communities and Condominium Hotels, State of Nevada (the "Commission") on
16 Wednesday, September 11, 2024. (the "Hearing") Respondent HIGHLAND RANCH
17 NORTH LANDSCAPE MAINTENANCE CORPORATION, A NEVADA NON-PROFIT
18 CORPORATION ("RESPONDENT ASSOCIATION") appeared by and through their
19 community manager, Felicia Norris. Phil W. Su, Senior Deputy Attorney General,
20 appeared on behalf of the Real Estate Division of the Department of Business and
21 Industry, State of Nevada (the "Division").

22 The parties agreed to stipulate to the facts and legal violations as set forth in the
23 Complaint. Attorney Su further noted that RESPONDENT ASSOCIATION appointed
24 their third board member after the Complaint was filed with the Division and is in
25 compliance with the statutory board member requirement as of August 17, 2024.

26 **FINDINGS OF FACT**

27 Based on a preponderance of the evidence in the record and the documents admitted
28 at the Hearing, the Commission hereby finds that the following factual allegations were

1 proven:

2 JURISDICTION AND NOTICE

3 During all relevant times, RESPONDENT ASSOCIATION is a common-interest
4 community located in Las Vegas, Nevada (Entity Number C26944-2004) and is, therefore,
5 subject to the provisions of Chapter 116 of each the Nevada Revised Statutes (“NRS”) and
6 the Nevada Administrative Code (“NAC”) (hereinafter collectively referred to as “NRS
7 116”) and are subject to the jurisdiction of the Division, and the Commission for Common-
8 Interest Communities pursuant to the provisions of NRS 116.750.

9 FACTUAL ALLEGATIONS

10 1. RESPONDENT ASSOCIATION is a common-interest community located in
11 Las Vegas, Nevada (Entity Number C26944-2004) with 278 units. CIC0001-0002.

12 2. At all times relevant to the Complaint, RESPONDENT’S management
13 company was FirstService Residential, and its assigned community manager was Felicia
14 Norris. CIC0001-0002.

15 3. RESPONDENT ASSOCIATION’S 2023 Annual Association Registration
16 form, submitted November 13, 2023, indicated that it only had two out of the three
17 required board member positions filled.

18 4. RESPONDENT ASSOCIATION subsequently filed a Registration Filing
19 Addendum, which indicated that it lost its third board, Tameika Ortiz, as of April 17, 2023.
20 CIC0006-0007.

21 5. On July 10, 2024, the Division’s Investigator, James Johnston, issued a letter
22 opening investigation to RESPONDENT ASSOCIATION’S community manager Felicia
23 Norris, via Certified Mail, with cc: to the RESPONDENT ASSOCIATION’S two current
24 board members, Jennilyn Chiu and Ha Tran, to inquire regarding the Association’s failure
25 to have at least three board members registered with the Division, pursuant to the
26 Registration Filing Addendum. CIC0003-0004.

27 6. The opening investigation letter requested election documentation from 2023
28 through 2024 and an updated form 623 identifying the current community manager and

1 board members, with documentation to be provided to the Division by July 17, 2024.
2 CIC0003-0004.

3 7. On or about July 19, 2024, community manager Norris sent Investigator
4 Johnston an emailed response with election documentation, including an updated form
5 623 and nomination forms issued to homeowners in February and March 2024. CIC0005-
6 0016.

7 8. Board Member Chiu also inquired of community manager Norris about the
8 investigation and was informed by community manager Norris that she has responded
9 and was cooperating with the Division investigation on RESPONDENT ASSOCIATION'S
10 behalf. CIC0017-0020.

11 9. On July 26, 2024, the Division sent RESPONDENT ASSOCIATION, through
12 community manager Norris, and with cc: to Board Members Chiu and Tran, a NRS 233B
13 letter via certified mail notifying them that it obtained sufficient evidence to commence
14 disciplinary action by filing a complaint as a result of its investigation. CIC0021-0022.

15 **CONCLUSIONS OF LAW**

16 Based on the foregoing factual findings and upon a preponderance of the evidence,
17 the Commission hereby finds that the following violation of law occurred:

18 1. RESPONDENT violated NRS 116.31034(1) by failing to elect a minimum of
19 three executive board members.

20 **ORDER**

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

23 1. RESPONDENT ASSOCIATION shall pay to the Division a total amount of
24 \$1,215.81, which entirely consists of the Division's prehearing costs and attorney's fees.
25 The total amount is payable within thirty (30) days of the effective date of this Order.

26 2. The total amount due reflects that no administrative fine has been assessed
27 by the Commission to RESPONDENT ASSOCIATION for committing the above-stated
28 violation of law.

