

1 **BEFORE THE COMMISSION FOR COMMON-INTEREST**
2 **COMMUNITIES AND CONDOMINIUM HOTELS**

3 **STATE OF NEVADA**

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

8 Petitioner,

9 vs.

10 MESA VERDE COMMUNITY
11 ASSOCIATION,
12 (Entity No. E0390302014-7)


13 Respondent.

Case No. 2024-112

FILED

SEP 19 2024

NEVADA COMMISSION FOR
COMMON INTEREST COMMUNITIES
AND CONDOMINIUM HOTELS



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

15 This matter came on for hearing before the Commission for Common-Interest
16 Communities and Condominium Hotels, State of Nevada (the "Commission") during a
17 regular agenda set on a three-day stack beginning at 9:00 a.m. on September 10, 2024 (the
18 "Hearing."). The current Community Association Manager ("CAM") Kellea E. Smith
19 (CAM.0007543-SUPR) of Nevada Community Management, appeared on behalf of Mesa
20 Verde Community Association ("RESPONDENT") with no board members present.
21 Christal P. Keegan, Deputy Attorney General with the Nevada Attorney General's Office,
22 appeared on behalf of the Real Estate Division of the Department of Business and
23 Industry, State of Nevada (the "Division").

24 The CAM did not contest the Division's factual allegations and violations of law in
25 its Complaint filed July 31, 2024. Mrs. Keegan informed the Commission that the
26 RESPONDENT has since satisfactorily demonstrated it has resolved the three (3) member
27 issue by way of its Forms 562 and 623 dated August 7, 2024. Additional information was
28 provided by the CAM regarding the adoption of the outstanding reserve study.

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1 **FINDINGS OF FACT**

2 Based on a preponderance of the evidence in the record, the documents admitted at
3 the Hearing, and by stipulation of the parties, the Commission voted, to find all the
4 following factual allegations were proven:

5 1. At all times relevant to the Complaint, the RESPONDENT was managed by
6 Nevada Community Management, by and through its community association manager
7 (CAM) Amanda Flores (CAM.0008698-SUPR). *Exhibit A, CICC 000005.*

8 2. The RESPONDENT'S Annual Registration Form 562 dated July 26, 2022,
9 technically demonstrated only two executive board members. *Exhibit A, CICC 000005.*

10 3. Therefore, on or about February 6, 2024, the Division opened an investigation
11 against the RESPONDENT. *Exhibit A, CICC 000006 – CICC 000008.*

12 4. RESPONDENT'S CAM admitted attempts to get people on the Board failed.
13 *Exhibit B, CICC 000015 – CICC 000018.*

14 5. Yet, the RESPONDENT'S Registration Filing Addendum Form 623
15 dated April 5, 2024, continued to report only two executive board members. *Exhibit A,*
16 *CICC 000003.*

17 6. Further, the RESPONDENT'S Annual Registration Form, represented its
18 site reserve study was conducted on September 14, 2016. *Exhibit A, CICC 000005.*

19 7. On or about February 23, 2024, RESPONDENT'S CAM admitted
20 the Association was past the reserve study required due date. *Exhibit B, CICC 000014 –*
21 *CICC 000015.*

22 8. On or about June 5, 2024, the Division informed the RESPONDENT it would
23 refer this matter to the Commission. *Exhibit A, CICC 000010 – CICC 000011.*

24 **CONCLUSIONS OF LAW**

25 Based on the foregoing factual findings and the preponderance of the evidence, the
26 Commission voted, that all the following violations of law occurred:

27 9. RESPONDENT violated NRS 116.31034(1) for failing to elect a minimum of
28 three executive board members.

1 Submitted by:

2 AARON D. FORD
3 Attorney General

4 By: *epkeegan*

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