

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 & INDUSTRY, STATE OF
7 NEVADA,

8 Petitioner,

9 vs.

10 REGENCY VILLAGE OWNER'S
11 ASSOCIATION INC., RALPH GLOVER,
12 KARI CRAMER, and YOLANDA
13 MCANNALY,
14 (Entity Number C2520-1970)

15 Respondents.

Case No. 2023-713

FILED

JAN 21 2025

NEVADA COMMISSION FOR
COMMON INTEREST COMMUNITIES
AND CONDOMINIUM HOTELS

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

17 This matter came on for hearing before the Commission for Common-Interest
18 Communities and Condominium Hotels, State of Nevada (the "Commission") on
19 Tuesday, December 3, 2024. (the "Hearing") Respondent Regency Village Owner's
20 Association Inc. ("RESPONDENT ASSOCIATION") and association board members Ralph
21 Glover, Kari Cramer, and Yolanda McAnnaly, ("RESPONDENT BOARD MEMBERS")
22 appeared by and through their attorney, Steven Loizzi, Esq. Phil W. Su, Senior Deputy
23 Attorney General, appeared on behalf of the Real Estate Division of the Department of
24 Business and Industry, State of Nevada (the "Division").

25 The parties agreed to stipulate as to the facts and legal violations as set forth in the
26 Complaint. Attorney Su further noted that RESPONDENT ASSOCIATION has provided
27 the Division with proof of its adoption of the draft reserve study and has provided proof of
28 adoption of a petty cash resolution. Attorney Loizzi agreed with the substance of the
Division's representations.

FINDINGS OF FACT

1 Based on a preponderance of the evidence in the record and the documents admitted
2 at the Hearing, the Commission hereby finds that the following factual allegations were
3 proven:

4 1. RESPONDENT ASSOCIATION is a common-interest community located in
5 Las Vegas, Nevada (Entity Number C2520-1970) with 297 units. *CCIC0017-0025*.

6 2. At all times relevant to the Complaint, the Respondent's management
7 company was The Management Trust, and managed by provisional community managers
8 Barbara Hargiss and Crystal Kaufman. *CCIC0004; 0017*.

9 3. At all relevant times, the RESPONDENT ASSOCIATION was governed by
10 RESPONDENT BOARD MEMBERS Ralph Glover, Kari Cramer, and Yolanda
11 McAnnaly.¹ *CCIC0004; 0017-0025*.

12 4. The Office of the Ombudsman for Owners in Common-Interest Communities
13 and Condominium Hotels ("Ombudsman") initiated an audit ("Initial Audit") of
14 RESPONDENT ASSOCIATION in May of 2023, completing the audit on August 24, 2023.
15 *CCIC0001-CCIC0016*.

16 5. The Audit noted that the RESPONDENTS had initial non-compliance issues
17 including delinquent reserve study, delinquent reserve study form 609, and sole-signed
18 checks. *CCIC 0005; 0007*.

19 6. The Audit further found that the RESPONDENTS did not have proper
20 policies and procedures for use of petty cash. *CCIC 0008-0010*.

21 7. The Audit further found that the RESPONDENTS allowed unit owners and
22 family members of unit-owners to be employed or to contract with the Association to
23 provide services, and that some of those services required a license which the contractors
24 did not have. *CCIC 0009-0010*.

25 8. The Audit further found that the RESPONDENTS failed to accurately
26 account in meeting minutes for specific details and board decisions including, but not
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28 ¹ Former Board Member Nancy Tresch was a board member during the Audit and the investigation, but by
March 2024 was no longer a member of the Board.

1 limited to, approvals for bids on association projects and petty cash and debit card
2 transactions. *CCIC 0010-0011*.

3 9. On September 7, 2023, the Ombudsman referred the Initial Audit to the
4 Division's compliance division for further investigation. *CCIC0001; 0012*.

5 10. On October 20, 2023, the Division issued a Request for Information (RFI)
6 letter via certified mail to the RESPONDENT ASSOCIATION'S CAM, Crystal Kaufman,
7 with cc: to Board Members Ralph Glover, Kari Cramer, Yolanda McAnnaly, and Nancy
8 Tresch, requesting response within ten (10) business days of the letter. *CCIC0024-0026*.

9 11. The Request for Information letter alleged:

10 #1, the Association did not perform the required quinquennial Reserve Study
11 after its last one performed in December 2017, and failed to submit the required
12 Reserve Study Summary (Form 609) since January 2018;

13 #2, the Board failed to establish policies and procedures for petty cash;

14 #3, the Board used its petty cash fund to hire unit owners and/or family
15 members of unit owners to perform services that require a license (e.g. pool services
16 and landscaping);

17 #4, the Board took votes on items in Executive Session that need to be voted
18 on in an open meeting, or which were otherwise not permitted under statute and
19 meeting minutes failed to include sufficient specific details of board actions, and

20 #5, the Board allowed approximately fifty (50) checks to be signed by a single
21 board member, Nancy Tresch, from January 1, 2022, through March 30, 2023.

22 12. Between October 26, 2023, and October 30, 2023, the Division received
23 responses from RESPONDENT BOARD MEMBERS Ralph Glover, Nancy Tresch, and
24 Kari Cramer, and from then-Board Member Nancy Tresch. *CCIC00034-0116*.

25 13. Codi McDermott, Provisional CAM, was assigned to the RESPONDENT
26 ASSOCIATION in October 2023 and requested several extensions of time to respond. The
27 CAM ultimately never provided a response to the RFI on behalf of the RESPONDENT
28 ASSOCIATION. *CCIC0117-0121*.

1 1. RESPONDENT ASSOCIATION shall pay to the Division a total amount of
2 SEVEN THOUSAND TWO HUNDRED SEVENTY ONE DOLLARS and 92/100 cents
3 (\$7,271.92) ("Amount Due"), within sixty (60) days of entry of Order. This total amount
4 reflects no administrative fine amounts for committing the above-stated violation of law,
5 but the costs of the investigation, the attorney's fees, and the hearing;

6 2. If payment is not actually received by the Division on or before its due date,
7 it shall be construed as a default by RESPONDENT ASSOCIATION. In the event of
8 default, the unpaid balance of the administrative fine and costs, together with any
9 attorney's fees and costs that may have been assessed, shall be due in full to the Division
10 within ten (10) calendar days of the date of default, and the Division may obtain a
11 judgment for the amount owed, including collection fees and costs;

12 3. Any RESPONDENT BOARD MEMBERS currently serving at the time of the
13 effective date of this Order is required to take six (6) hours of NRED board member unit
14 training and/or Community Association Manager Continuing Education, with at least
15 three (3) hours of instruction in board finances and/or reserve study, with proof of
16 completion to be submitted to the Division, within six (6) months of the effective date of
17 this Order.

18 4. RESPONDENT ASSOCIATION is on notice that if it violates any order by
19 the Commission, the Commission may impose an administrative fine of not more than
20 \$1,000 for each violation; and

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