

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  
NEVADA,

7 Petitioner,

8 vs.

9 RIO VISTA HOMEOWNERS  
10 ASSOCIATION,  
(ENTITY NO. E0245962006-9)

11 Respondent.

Case No. 2024-638

**FILED**

DEC 10 2024

NEVADA COMMISSION FOR  
COMMON INTEREST COMMUNITIES  
AND CONDOMINIUM HOTELS

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13 **STIPULATION AND ORDER FOR SETTLEMENT OF DISCIPLINARY ACTION**

14 This Stipulation for Settlement of Disciplinary Action ("Stipulation") is entered into  
15 by and between the State of Nevada, Department of Business and Industry, Real Estate  
16 Division ("Division"), through its Administrator Sharath Chandra ("Petitioner"), by and  
17 through their attorney of record, Phil W. Su, and RESPONDENT Rio Vista Homeowners  
18 Association ("RESPONDENT" or "RESPONDENT ASSOCIATION").

19 **JURISDICTION AND NOTICE**

20 During all relevant times, RESPONDENT is a common-interest community located  
21 in Las Vegas, Nevada (Entity Number E0245962006-9) and is, therefore, subject to the  
22 provisions of Chapter 116 of each the Nevada Revised Statutes ("NRS") and the Nevada  
23 Administrative Code ("NAC") (hereinafter collectively referred to as "NRS 116") and are  
24 subject to the jurisdiction of the Division, and the Commission for Common-Interest  
25 Communities pursuant to the provisions of NRS 116.750.

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1           **SUMMARY OF FACTUAL ALLEGATIONS SET FORTH IN THE COMPLAINT**

2           1.       RESPONDENT is a common-interest community located in Las Vegas,  
3 Nevada (Entity Number E0245962006-9) with 298 units. CIC0001-0002.

4           2.       At all times relevant to the Complaint, RESPONDENT'S management  
5 company was CAMCO, and its assigned community manager was Autumn Pacheco.  
6 CIC0001-0002.

7           3.       On April 9,2024, the Division discovered, based on the RESPONDENT  
8 ASSOCIATION'S submission of its annual association registration form, that  
9 RESPONDENT ASSOCIATION did not have at least three board members registered as  
10 required by its own governing documents, with a vacancy in its President position for the  
11 executive board. CIC0002.

12          4.       On or about July 10, 2024, the Division's Investigator, James Johnston, issued  
13 a letter opening investigation to RESPONDENT ASSOCIATION'S community manager,  
14 Autumn Pacheco, via Certified Mail, with cc: to the RESPONDENT ASSOCIATION'S two  
15 current board members, Patricia Domingo and H. Shane Burgos, to inquire regarding the  
16 Association's failure to have at least three board members per statute. CIC0003-0004.

17          5.       The opening investigation letter requested election documentation from 2023  
18 through 2024 and an updated form 623 identifying the current community manager and  
19 board members, with documentation to be provided to the Division by July 17, 2024.  
20 CIC0003-0004.

21          6.       On or about July 18, 2024, Investigator Johnston issued a second request for  
22 information letter to RESPONDENT ASSOCIATION reiterating his request for documents  
23 and a response. CIC0005-0007.

24          7.       RESPONDENT ASSOCIATION, through community manager Pacheco,  
25 spoke with Investigator Johnston by phone on or about July 22, 2024, and confirmed that  
26 she has yet to schedule elections for RESPONDENT ASSOCIATION.

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1 8. On July 26, 2024, the Division sent RESPONDENT ASSOCIATION, by  
2 mailing to community manager Pacheco, with cc: to Board Members Domingo and Burgos,  
3 a NRS 233B letter via certified mail notifying them that it obtained sufficient evidence to  
4 commence disciplinary action by filing a complaint as a result of its investigation. CIC0008-  
5 0009.

#### 6 VIOLATIONS OF LAW ALLEGED IN THE COMPLAINT

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

#### 9 PROPOSED SETTLEMENT AGREEMENT

10 In an effort to avoid the time and expense of litigating these issues before the  
11 Commission, the RESPONDENT ASSOCIATION does not admit, but also agrees to waive  
12 its right to contest, the above factual allegations and violations as alleged in the Complaint  
13 filed in Case 2024-638. The parties desire to compromise and settle the instant controversy  
14 upon the following terms and conditions:

15 1. The RESPONDENT agrees to pay the Division a total amount of ONE  
16 THOUSAND TWO HUNDRED DOLLARS and 81/100 cents (\$1,205.81) (“Amount Due”),  
17 consisting of zero administrative fine imposed by the Division, the Division’s pre-hearing  
18 costs and fees in the amount of \$499.13, and pre-hearing attorney’s fees in the amount of  
19 \$706.68.

20 a. The Amount Due shall be payable to the Division in full within sixty  
21 (60) days of the date of the order approving this settlement.

22 b. No grace period is permitted. If the payment is not actually received by  
23 the Division on or before its due date, it shall be construed as an event of  
24 default by the RESPONDENT.

25 2. RESPONDENT and the Division agree that by entering into this Stipulation,  
26 the Division does not concede any defense or mitigation that the RESPONDENT may  
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1 assert and that once this Stipulation is approved and fully performed, the Division will  
2 close its file in this matter.

3 3. RESPONDENT agrees and understand that by entering into this Stipulation,  
4 RESPONDENT is waiving their right to a hearing at which they may present evidence in  
5 their defense, their right to a written decision on the merits of the complaint, their rights  
6 to reconsideration and/or rehearing, appeal and/or judicial review, and all other rights  
7 which may be accorded by the Nevada Administrative Procedure Act, the Nevada Common-  
8 Interest Communities and Condominium Hotels statutes and accompanying regulations,  
9 and the federal and state Constitutions. The RESPONDENT understands that this  
10 Agreement and other documentation may be subject to public records laws. The  
11 Commission members who review this matter for approval of this Stipulation may be the  
12 same members who ultimately hear, consider, and decide the Complaint if this Stipulation  
13 is either not approved by the Commission or is not timely performed by the RESPONDENT.  
14 The RESPONDENT fully understands that they have the right to be represented by legal  
15 counsel in this matter at their own expense.

16 4. Each party shall bear their own attorney's fees and costs, *except* as the  
17 Division's Attorney's pre-hearing costs provided above.

18 5. Approval of Stipulation. Once executed, this Stipulation will be filed with the  
19 Commission and will be placed on the agenda for approval at its next public meeting. The  
20 Division will recommend to the Commission approval of the Stipulation. SETTLING  
21 RESPONDENTS agree that the Commission may approve, reject, or suggest amendments  
22 to this Stipulation that must be accepted or rejected by SETTLING RESPONDENTS before  
23 any amendment is effective.

24 6. Withdrawal of Stipulation. If the Commission rejects this Stipulation or  
25 suggests amendments unacceptable to the RESPONDENT, the RESPONDENT may  
26 withdraw from this Stipulation, and the Division may pursue its Complaint before the  
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1 Commission. This Stipulation then shall become null and void and unenforceable in any  
2 manner against either party.

3 7. Release. In consideration of the execution of this Stipulation, Association and  
4 RESPONDENT for itself/themselves, its/their heirs, executors, administrators, successors,  
5 and assigns, hereby releases, remises, and forever discharges the State of Nevada, the  
6 Department of Business and Industry, and the Division, and each of their respective  
7 members, agents, employees, and counsel in their individual and representative capacities,  
8 from any and all manner of actions, causes of action, suits, debts, judgments, executions,  
9 claims, and demands whatsoever, known and unknown, in law or equity, that  
10 RESPONDENT ever had, now has, may have, or claim to have against any or all of the  
11 persons or entities named in this section, arising out of or by reason of the Division's  
12 investigation of this action, this disciplinary action, and all matters related thereto.

13 8. Indemnification. RESPONDENT hereby agrees to indemnify and hold  
14 harmless the State of Nevada, the Department of Business and Industry, Petitioner, the  
15 Division, and each of their respective members, agents, employees, and counsel, in their  
16 individual and representative capacities, against any and all claims, suits, and actions  
17 brought against said persons and/or entities by reason of the Division's investigation, this  
18 disciplinary action, and all other matters relating thereto, and against any and all  
19 expenses, damages, and costs, including court costs and attorney fees, which may be  
20 sustained by the persons and/or entities named in this section as a result of said claims,  
21 suits, and actions.

22 9. Default. In the event of default, the RESPONDENT agrees that the  
23 RESPONDENT registration status with the Division shall be immediately suspended, and  
24 the unpaid balance of the administrative fine and costs, together with any attorney's fees  
25 and costs that may have been assessed, shall be due in full to the Division within ten (10)  
26 calendar days of the date of default. Debt collection actions for unpaid monetary  
27 assessments in this case may be instituted by the Division or its assignee. RESPONDENT  
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1 agrees that the foregoing suspension of the RESPONDENT'S registration status shall  
2 continue until the unpaid monetary assessments are paid in full.

3 10. RESPONDENT'S executive board members have signed and dated this  
4 Stipulation only after reading and understanding all terms herein.

5 DATED: November 27, 2024

NEVADA DEPARTMENT OF BUSINESS  
AND INDUSTRY, REAL ESTATE DIVISION

6  
7 By:   
8 SHARATH CHANDRA  
Administrator

9 DATED: November 28, 2024

RIO VISTA HOMEOWNERS ASSOCIATION

10  
11 By:   
12 TYSON SPARROW  
President

13 DATED: November 28, 2024

RIO VISTA HOMEOWNERS ASSOCIATION

14  
15 By:   
ANDREW BONE  
Treasurer

16 DATED: November 28, 2024

RIO VISTA HOMEOWNERS ASSOCIATION

17  
18 By:   
19 LARA BERESTEANU  
Secretary

20 APPROVED AS TO FORM:

21 AARON D. FORD  
Attorney General

22  
23 By: /s/ Phil W. Su  
24 PHIL W. SU (Bar No. 10450)  
25 Senior Deputy Attorney General  
26 1 State of Nevada Way, Ste. 100  
27 Las Vegas, Nevada 89119  
28 (702) 486-3655  
*Attorneys for Real Estate Division*

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2 **COMMUNITIES AND CONDOMINIUM HOTELS**

3 **STATE OF NEVADA**

4 SHARATH CHANDRA, Administrator,  
5 REAL ESTATE DIVISION, DEPARTMENT  
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10 RIO VISTA HOMEOWNERS  
11 ASSOCIATION,  
12 (ENTITY NO. E0245962006-9)

13 Respondent.

14 **ORDER FOR SETTLEMENT OF DISCIPLINARY ACTION**

15 **IT IS ORDERED** that the foregoing Stipulation and Order for Settlement of  
16 Disciplinary Action in Case No. 2024-638 is approved in full.

17 DATED: ~~November 10~~, 2024  
18 December

19 COMMISSION FOR COMMON-INTEREST  
20 COMMUNITIES AND CONDOMINIUM  
21 HOTELS, DEPARTMENT OF BUSINESS  
22 AND INDUSTRY, STATE OF NEVADA

23 By:   
24 Phyllis Tomasso, Chairwoman

25 Submitted by:

26 AARON D. FORD  
27 Attorney General

28 By: /s/ Phil W. Su  
PHIL W. SU (Bar No. 10450)  
Senior Deputy Attorney General  
1 State of Nevada Way, Ste. 100  
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