1	BEFORE THE COMMISSION COMMUNITIES AND CO	
2	STATE OF	
3	STATE OF	NEVADA
4	SHARATH CHANDRA, Administrator, REAL ESTATE DIVISION, DEPARTMENT	Case No. 2023-846
5	OF BUSINESS AND INDUSTRY,	Case No. 2023-846
6	STATE OF NEVADA,	FILED
7	Petitioner,	
	vs.	JUN 2 0 2024
8	TROPICANA SQUARE HOMES	NEVADA COMMISSION FOR
9	ASSOCIATION,	COMMON INTEREST COMMUNITIES AND CONDOMINIUM HOTELS
10	(Entity Number C2743-1972)	mallo
	Respondent.	
11		
12	FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER	
13	This matter came on for hearing befor	ore the Commission for Common-Interest

Communities and Condominium Hotels, State of Nevada (the "Commission") during a 14 15 regular agenda set on a three-day stack beginning at 9:00 am on June 11, 2024 (the 16 "Hearing."). John E. Leach, with Leach Kern Gruchow Song, appeared on behalf of Tropicana Square Homes ("RESPONDENT") with community association manager 17 ("CAM") Tiffany Stanfill present (CAM.0001037-SUPR). Christal P. Keegan, Deputy 18 19 Attorney General with the Nevada Attorney General's Office, appeared on behalf of the 20 Real Estate Division of the Department of Business and Industry, State of Nevada 21 (the "Division").

Since the RESPONDENT admitted to the Division's factual allegations and
stipulated to violations of law numbered 13 and 14 in the Complaint filed January 31,
2024, Mrs. Keegan presented limited testimony from the Division's Investigator Vanessa
Ward regarding her investigation findings substantiating violation of law NAC 116.415.
The parties stipulated to the Division's documents CICC 001-057, and the
RESPONDENT'S funding plan was admitted. Additional information was provided by the
CAM Ms. Stanfill.

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	Prime Community Management, by and through its community manager Tiffany Stanfill	
7	(CAM.0001037 – SUPR). CICC 057.	
8	2. On or about August 17, 2023, the RESPONDENT submitted its Form 562	
9	dated July 27, 2023, to the Division, which reported the projected reserve account balance	
10	would be approximately 27% of the required reserve account funding needed at the end of	
11	the fiscal year (\$112,071.04 and \$414,292.24, respectively). CICC 056 – CICC 057.	
12	3. On or about October 11, 2023, the Division opened an investigation against	
13	the RESPONDENT'S Executive Board with a Request for Information response deadline	
14	of October 25, 2023. CICC 002 - CICC 003.	
15	4. On October 25, 2023, the RESPONDENT transmitted via facsimile its Form	
16	609 Reserve Study Summary Form dated June 10, 2023. CICC 037 - CICC 038.	
17	5. Therein, the Form 609 indicated the RESPONDENT'S reserves were	
18	currently funded only at 20%. CICC 038.	
19	6. Further, the RESPONDENT'S Form 609 admitted it had several delinquent	
20	accounts. CICC 038.	
21	7. The RESPONDENT proposed "if required" it would perform another	
22	assessment to fund major reserve components. CICC 038.	
23	8. The RESPONDENT attributed its financial state to "Previous boards never	
24	increased assessments, community is old and requires lots of maintenance." CICC 038.	
25	9. Also, the RESPONDENT'S Form 562 dated August 17, 2023, represented a	
26	Reserve Study was commenced on January 19, 2023 and adopted by the Board on June 1,	
27	2023. CICC 057.	
28	•••	

1	10. But the RESPONDENT untimely submitted the Form 609 Reserve Study	
2	Summary Form to the Division on October 25, 2023, beyond the 210-day allowance.	
3	11. Further, the RESPONDENT failed to show proof to the Division within	
4	45 days of adoption of the reserve study results by the executive board.	
5	CONCLUSIONS OF LAW	
6	Based on the foregoing factual findings and the preponderance of the evidence, the	
7	Commission voted, that all the following violations of law occurred:	
8	12. RESPONDENT violated NAC 116.415 for failing to resolve proper funding of	
9	their reserve funds.	
10	13. RESPONDENT violated NAC 116.435 by failing to provide a summary of the	
11	Reserve Study (Form 609) to the Division not later than 210-day allowance.	
12	14. RESPONDENT violated NRS 116.31152(4) by failing to submit a summary	
13	of the study of the reserves to the Division within 45 days of adoption.	
14	ORDER	
15	The Commission, being fully apprised in the premises and good cause appearing,	
16	ORDERS as follows:	
17	1. RESPONDENT shall pay the costs of the investigation and the hearing in	
18	the amount of \$4,771.89 which are actual, reasonable, and necessary within 60 days of	
19	entry of Order;	
20	2. RESPONDENT shall provide a status report at the September 10-12, 2024	
21	Commission Meeting on the following:	
22	a. Election occurred;	
23	b. Budget for 2025 (draft or anticipated);	
24	c. Funding plan;	
25	d. Potential sale of property;	
26	e. Transfer amount due from and due to the reserve account;	
27	f. Collections current as of financial statements for end of July 31, 2024;	
28	and	
	Page 3 of 4	

Insurance. g. 1 RESPONDENT'S new President of the Association shall appear at the 3. 2 September 10-12, 2024 Commission Meeting and advise on the direction for funding. 3 4 4. If payment is not actually received by the Division on or before its due date, it shall be a default by RESPONDENT. In the event of default, the unpaid balance of the 5 6 administrative fine and costs, together with any attorney's fees and costs that may have been assessed, shall be due in full to the Division within ten (10) calendar days of the date 7 of default, and the Division may obtain a judgment for the amount owed, including 8 9 collection fees and costs; 10 The Commission retains jurisdiction for correcting any errors that may have 5. occurred in the drafting and issuance of this document. 11 DATED this  $\lambda 0^{4}$  day of June, 2024. 12 13 COMMISSION FOR COMMON-INTEREST **COMMUNITIES AND CONDOMINIUM** 14 HOTELS DEPARTMENT OF BUSINESS AND INDUSTRY STATE OF NEVADA 15 16 macu By: 17 PHYLLIS TOMASSO CHAIRMAN 18 19 Submitted by: 20 AARON D. FORD Attorney General 21 22 epkeegan By: 23 CHRISTAL P. KEEGAN (Bar No. 12725) 24 **Deputy Attorney General** 5420 Kietzke Lane, Suite 202 25 Reno, Nevada 89511 (775) 687-2141 26 ckeegan@ag.nv.gov 27 Attorney for Real Estate Division 28 Page 4 of 4