

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, STATE
7 OF NEVADA,

8 Petitioner,

9 vs.

10 VILLAGIO COMMUNITY ASSOCIATION.
11 (Entity Number C11529-1997)

12 Respondent.

Case No. 2023-38

FILED

JUN 20 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") during
16 a regular agenda set on a three-day stack beginning at 9:00 a.m. on June 11, 2024 (the
17 "Hearing."). John E. Leach, with Leach Kern Gruchow Song, appeared on behalf
18 of Villagio Community Association ("RESPONDENT") with provisional community
19 manager Jennifer Thompson (CAM.0010458-PROV), Francesca ("Frankie") Stevenson
20 (CAM.0000274-SUPR), and board member Gary Renis. Christal P. Keegan, Deputy
21 Attorney General with the Nevada Attorney General's Office, appeared on behalf of the
22 Real Estate Division of the Department of Business and Industry, State of Nevada
(the "Division").

23 Since the RESPONDENT admitted to the Division's factual allegations and
24 stipulated to violations of law numbered 16 and 17 in the Complaint filed April 19, 2024,
25 Mrs. Keegan presented limited testimony from the Division's Auditor Noel Thornton
26 regarding her audit findings substantiating violation of law NRS 116.31151(1)(a) and (b).
27 The parties stipulated to the Division's documents CICC 001-198, and the
28 ...

1 RESPONDENT'S funding plan was admitted. Additional information was provided by
2 Board Member Mr. Renis.

3 FINDINGS OF FACT

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

7 1. RESPONDENT'S Registration Filing Addendum dated March 8, 2023,
8 reported its two current executive board members as, President Fran Dugan, and
9 Treasurer/Secretary Gary Renis. *Exhibit 1, NRED Files, CICC 003.*

10 2. The Registration Filing Addendum indicated former President Francisco
11 Jimenez's term expired December 15, 2022, and former Director Shervin Melamed
12 resigned October 24, 2022. *Exhibit 1, NRED Files, CICC 003.*

13 3. On or about March 13, 2023, the Division opened an investigation against
14 the RESPONDENT pursuant to its audit findings, with a deadline to respond by March
15 27, 2023. *Exhibit 3, NRED Letter, CICC 024 – 027.*

16 4. At all times relevant, RESPONDENT'S community manager Francesca
17 "Frankie" Stevenson (CAM.0000274-SUPR) of Pinnacle Community Association
18 Management, requested an extension which the Division granted.

19 5. Thereafter, RESPONDENT'S CAM Stevenson responded to the Division by
20 the new due date.

21 6. On or about January 8, 2023, the Division sent a second request for
22 information following up on the case. *Exhibit 3, NRED Letter, CICC 028 – 030.*

23 7. On or about March 30, 2024, the Division closed its investigation and notified
24 the RESPONDENT its case would proceed formally before the Commission. *Exhibit 3,*
25 *NRED Letter, CICC 031 - 032.*

26 8. The RESPONDENT'S reserve study dated on or about March 29, 2023,
27 determined the Association's current funding plan was below baseline funding and
28 recommended increasing funding. *Exhibit 5, Reserve Studies, CICC 045.*

1 **ORDER**

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

4 1. RESPONDENT shall pay the costs of the investigation and the hearing in
5 the amount of \$5,022.71 which are actual, reasonable, and necessary within 60 days of
6 entry of Order.

7 2. RESPONDENT shall provide a status report at the September 10-12, 2024
8 Commission Meeting on the following:

- 9 a. Funding plan;
- 10 b. Due to the reserve amount funding \$131,829;
- 11 c. Construction defect account; and
- 12 d. Draft budget for 2025.

13 3. If payment is not actually received by the Division on or before its due date,
14 it shall be a default by RESPONDENT. In the event of default, the unpaid balance of the
15 administrative fine and costs, together with any attorney's fees and costs that may have
16 been assessed, shall be due in full to the Division within ten (10) calendar days of the date
17 of default, and the Division may obtain a judgment for the amount owed, including
18 collection fees and costs.

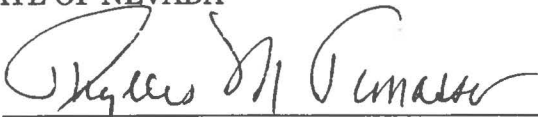
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4. The Commission retains jurisdiction for correcting any errors that may have occurred in the drafting and issuance of this document.

DATED this 26th day of June, 2024.

COMMISSION FOR COMMON-INTEREST
COMMUNITIES AND CONDOMINIUM HOTELS
DEPARTMENT OF BUSINESS AND INDUSTRY
STATE OF NEVADA

By: 
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CHAIRWOMAN

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