1 2 3	BEFORE THE COMMISSION FOR COMMON-INTEREST COMMUNITIES AND CONDOMINIUM HOTELS STATE OF NEVADA	
4 5 7 8 9 10	SHARATH CHANDRA, Administrator, REAL ESTATE DIVISION, DEPARTMENT OF BUSINESS & INDUSTRY, STATE OF NEVADA, Petitioner, vs. WALNUT GLEN LANDSCAPE MAINTENANCE ASSOCIATION, INC. (ENTITY NO. C28072-2002) Respondent.	Case No. 2024-633 FILED JAN 21 2025 NEVADA COMMISSION FOR COMMON INTEREST COMMUNITIES AND CONDOMINIUM HOTELS MA
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FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

This matter came on for hearing before the Commission for Common-Interest Communities and Condominium Hotels, State of Nevada (the "Commission") on Tuesday, December 3, 2024. (the "Hearing") Respondent Walnut Glen Landscape Maintenance Association ("RESPONDENT ASSOCIATION") appeared by and through their community manager, Cathy Blazevich. Phil W. Su, Senior Deputy Attorney General, appeared on behalf of the Real Estate Division of the Department of Business and Industry, State of Nevada (the "Division").

The RESPONDENT ASSOCIATION did not contest the Division's factual allegations or the violation of law in the Complaint filed October 29, 2024. The parties 22 stipulated to the admission of the Division's documents bates stamped CICCH001-024. Attorney Su further noted that RESPONDENT ASSOCIATION filed its Form 562 Annual 24 Association Registration with the Division on November 7, 2024, identifying their third board member after the Complaint was filed with the Division. 26

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FINDINGS OF FACT

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

RESPONDENT ASSOCIATION is a common-interest community located in 1 Las Vegas, Nevada (Entity Number C28072-2002) with 373 units. CICCH001-002.

7 2. At all times relevant to the Complaint, RESPONDENT'S management company was FirstService Residential, Nevada, and its assigned community manager was 8 Cathy Blazevich. CICCH001-002. 9

RESPONDENT ASSOCIATION'S 2023 Annual Association Registration 10 3. form, submitted November 20, 2023, indicated that it only had two out of the three required 11 board member positions filled. CICCH001-002. 12

On July 10, 2024, the Division's Investigator, James Johnston, issued a letter 13 4 opening investigation to RESPONDENT ASSOCIATION'S CAM, Cathy Blazevich, via 14 15 Certified Mail, to inquire regarding the Association's failure to have at least three board 16 members registered with the Division. CICCH003-004.

17 5. On July 18, 2024, Investigator Johnston issued a second request for information letter to RESPONDENT ASSOCIATION reiterating his request for documents 18 19 and a response. CICCH005-006.

20 6. On July 23, 2024, CAM Blazevich informed Investigator Johnston by email that the RESPONDENT ASSOCIATION only had two (2) board members for the past two 21 22 years, and that one of the current board members had just sold her home, necessitating the search for two (2) board members. CICCH009. 23

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7. CAM Blazevich also provided a copy of the 'beg letter mailer' and candidate 25 statement form that she was sending out to unit owners. CICCH009; 013-014.

26 8. On August 28, 2024, CAM Blazevich reported to Investigator Johnston that 27 only one (1) candidate statement had been received. CICCH021.

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On August 28, 2024, the Division sent RESPONDENT ASSOCIATION, 1 9. 2 through by mailing to CAM Blazevich, an NRS 233B letter via certified mail notifying them 3 that it obtained sufficient evidence to commence disciplinary action by filing a complaint as a result of its investigation. CICCH023-024. 4 5 CONCLUSIONS OF LAW Based on the foregoing factual findings and the preponderance of the evidence, the 6 7 Commission voted, that all the following violations of law occurred: 8 1. RESPONDENT violated NRS 116.31034(1) by failing to elect a minimum of three executive board members. 9 10 ORDER The Commission, being fully apprised in the premises and good cause appearing, 11 ORDERS as follows: 12 **RESPONDENT ASSOCIATION** shall pay to the Division a total amount of 13 1. ONE THOUSAND ONE HUNDRED FORTY-SIX DOLLARS and 68/100 cents (\$1,146.68) 14 15 ("Amount Due"), within sixty (60) days of entry of Order. This total amount reflects no administrative fine amounts for committing the above-stated violation of law, but the costs 16 of the investigation, the attorney's fees, and the hearing; 17 2.18 If payment is not actually received by the Division on or before its due date, it 19 shall be construed as a default by RESPONDENT ASSOCIATION. In the event of default, 20 the unpaid balance of the administrative fine and costs, together with any attorney's fees 21 and costs that may have been assessed, shall be due in full to the Division within ten (10) 22 calendar days of the date of default, and the Division may obtain a judgment for the amount owed, including collection fees and costs; 23 **RESPONDENT ASSOCIATION** is on notice that if it violates any order by the 24 3. 25 Commission, the Commission may impose an administrative fine of not more than \$1,000 26 for each violation; and 27 28 Page 3 of 4

1	4. The Commission retains jurisdiction for correcting any errors that may have	
2	occurred in the drafting and issuance of this document.	
3	DATED: January 2157 , 2025	
4 5	COMMISSION FOR COMMON-INTEREST COMMUNITIES AND CONDOMINIUM HOTELS, DEPARTMENT OF BUSINESS	
6	AND INDUSTRY, STATE OF NEVADA	
7	By: Styllis M. Vomasso Phyllis Tomasso, Chairwoman	
8	Phyllis Tomasso, Chairwoman	
9	Submitted by:	
10	AARON D. FORD Attorney General	
11		
12	By: <u>/s/ Phil W. Su</u> PHIL W. SU (Bar No. 10450)	
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15	Attorneys for Real Estate Division	
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