

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 TODD JOSLIN,

11 Respondent.

Case No. 2024-372

FILED

OCT 31 2024

NEVADA COMMISSION FOR
COMMON INTEREST COMMUNITIES
AND CONDOMINIUM HOTELS

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12 **COMPLAINT FOR DISCIPLINARY**
13 **ACTION AND NOTICE OF HEARING**

14 The Real Estate Division of the Department of Business and Industry, State of
15 Nevada (the "Division"), by and through its counsel, Aaron D. Ford, Attorney General of
16 the State of Nevada, and Phil W. Su, Senior Deputy Attorney General, hereby notifies
17 TODD JOSLIN ("RESPONDENT") of an administrative hearing before the Commission
18 for Common-Interest Communities and Condominium Hotels, State of Nevada, which is
19 to be held pursuant to Chapters 233B and Chapters 116 of the Nevada Revised Statutes
20 ("NRS") and Chapter 116 of the Nevada Administrative Code ("NAC"). The purpose of
21 the hearing is to consider the allegations stated below and to determine if an
22 administrative penalty will be imposed on the RESPONDENTS pursuant to the
23 provisions of NRS and NAC including, but not limited to NRS 116.785 and NRS 116.790.

24 **JURISDICTION AND NOTICE**

25 During all relevant times, RESPONDENT was an executive board
26 member/director of a common-interest community located in Las Vegas, Nevada,
27 Meadows Condominiums Unit Owners Association (the "Association"), and is, therefore,
28 subject to the provisions of Chapter 116 of each the Nevada Revised Statutes ("NRS")
and the Nevada Administrative Code ("NAC") (hereinafter collectively referred to as

1 “NRS 116”) and are subject to the jurisdiction of the Division, and the Commission for
2 Common-Interest Communities pursuant to the provisions of NRS 116.750.

3 **FACTUAL ALLEGATIONS**

4 1. On April 12, 2024, the Division received an Intervention Affidavit from
5 Complainant Joseph Gallagher regarding an allegation that RESPONDENT, while
6 serving on the association board of directors, disclosed confidential information and
7 referred to the Complainant, a fellow board member, as a pedophile. **CICCH001-037.**

8 2. On May 17, 2024, Division Investigator Christina Pitch sent an initial open
9 investigation and request for information to RESPONDENT, requesting responses to
10 allegations that he disclosed confidential information from executive sessions, and that
11 he personally attacked other board members in letters to residents and accused another
12 board member of being a pedophile. **CICCH038-040.**

13 3. On June 6, 2024, Attorney John Leach, representing the Association,
14 forwarded additional emails where RESPONDENT verbally abused the Association’s
15 CAM. **CICCH041-044.**

16 4. On June 17, 2024, Investigator Pitch requested a copy of the 4-page “door
17 note” given by RESPONDENT to other unit owners, pertaining to the underlying towing
18 dispute and where he personally attacked other board members, Joe Gallagher and Gail
19 Holt. **CICCH045-046.**

20 5. Investigator Pitch subsequently received the door note, in which
21 RESPONDENT says board member Joe Gallagher is “acting like a reckless dictator,”
22 alleges Gallagher acted unilaterally in authorizing the tow, and alleges board member
23 Gail Holt of “covering up for Joe.” **CICCH047-050.**

24 6. On June 11, 2024, RESPONDENT, by and through his attorney Bret
25 Whipple, provided a response to the investigation letters and RFIs, denying allegation
26 #1, that he had disclosed any confidential information from executive sessions, and
27 denying allegation #2, that he accused board member Gallagher of being a pedophile,
28 and that he simply repeated what he heard from others. **CICCH052-054.**

1 7. On July 19, 2024, Division Investigator Christina Pitch sent a second
2 request for information to RESPONDENT, requesting names of the individuals whose
3 comments regarding board member Gallagher RESPONDENT had repeated.

4 **CICCH051.**

5 8. On August 2, 2024, the Division sent, via Certified Mail, NRS 233B letter
6 notifying the RESPONDENT that it would pursue disciplinary action in a hearing before
7 the Commission for potential violations of NRS 116. **CICCH056-057.**

8 **VIOLATIONS OF LAW**

9 1. RESPONDENT willfully and knowingly violated NRS 116.3103(1) through
10 NAC 116.405(4) by failing to exercise ordinary and reasonable care when he disclosed
11 confidential information, obtained from the board’s executive session, relating to a unit
12 owner through his “Door Note” to other unit owners.

13 2. RESPONDENT violated NRS 116.3103 through NAC 116.405(3)(a) and/or
14 3(b) by acting in an incompetent and negligent manner on several occasions, including,
15 but not limited to, when he made several personal attacks against other board members
16 via his “Door Note” to other unit owners and when he stated that another board member
17 was a pedophile in an email communication.

18 **DISCIPLINE AUTHORIZED**

19 Pursuant to the provisions of NRS 116.615; NRS 116.755; NRS 116.785; and NRS
20 116.790 the Commission has discretion to take any or all of the following actions:

21 1. Issue an order directing Respondent to take affirmative action to correct
22 any conditions resulting from the violation.

23 2. Impose an administrative fine of up to \$1,000 for each violation by
24 Respondent.

25 3. Order the Respondent to pay the costs of the proceedings incurred by the
26 Division, including, without limitation, the cost of the investigation and reasonable
27 attorney’s fees.

28 4. Approve application to a court of competent jurisdiction for the appointment

1 of a receiver for the Respondent.

2 The Commission may order one or any combination of the discipline described
3 above.

4 NOTICE OF HEARING

5 PLEASE TAKE NOTICE that a disciplinary hearing has been set to consider
6 this Administrative Complaint against the above-named RESPONDENT in accordance
7 with Chapters 233B and 116 of the Nevada Revised Statutes and Chapter 116 of the
8 Nevada Administrative Code.

9 THE HEARING WILL TAKE PLACE at the Commission meeting(s)
10 scheduled for December 3-4, 2024, beginning at approximately 9:00 a.m. each day,
11 or until such time as the Commission concludes its business. The Commission
12 meeting will be held at the Nevada State Business Center, 3300 W. Sahara
13 Avenue, 4th Floor, Nevada Room, Las Vegas, Nevada 89102 on December 3 – 4,
14 2024, with videoconferencing to Department of Business & Industry, Division of
15 Insurance, 1818 E. College Parkway, Suite 103, Carson City, Nevada 89706. The
16 Commission meeting will be held at the Nevada State Business Center, 3300 W.
17 Sahara Avenue, 4th Floor, Tahoe Room, Las Vegas, Nevada 89102 on December 5,
18 2024, with videoconferencing to Department of Business and Industry, Division of
19 Insurance, 1818 E. College Parkway, Suite 103, Carson City, Nevada 89706.

20
21 **STACKED CALENDAR:** Your hearing is one of several hearings that may
22 be scheduled at the same time as part of a regular meeting of the Commission
23 that is expected to take place on December 3-5, 2024. Thus, your hearing may
24 be continued until later in the day or from day to day. It is your responsibility
25 to be present when your case is called. If you are not present when your
26 hearing is called, a default may be entered against you and the Commission
27 may decide the case as if all allegations in the complaint were true. If you
28 need to negotiate a more specific time for your hearing in advance because of

1 coordination with an out of state witness or the like, please call Maria Gallo,
2 Commission Coordinator, at (702) 486-4074.

3 **YOUR RIGHTS AT THE HEARING:** Except as mentioned below, the hearing is
4 an open meeting under Nevada's open meeting law and may be attended by the public.
5 After the evidence and arguments, the commission may conduct a closed meeting to
6 discuss your alleged misconduct or professional competence. You are entitled to a copy of
7 the transcript of the open and closed portions of the meeting, although you must pay for
8 the transcription. As a RESPONDENT, you are specifically informed that you have the
9 right to appear and be heard in your defense, either personally or through your counsel
10 of choice. At the hearing, the Division has the burden of proving the allegations in the
11 complaint and will call witnesses and present evidence against you. You have the right
12 to respond and to present relevant evidence and argument on all issues involved. You
13 have the right to call and examine witnesses, introduce exhibits, and cross-examine
14 opposing witnesses on any matter relevant to the issues involved.

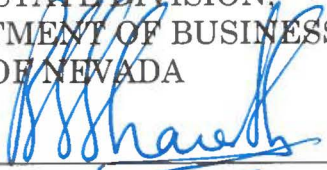
15 You have the right to request that the Commission issue subpoenas to compel
16 witnesses to testify and/or evidence to be offered on your behalf. In making this request,
17 you may be required to demonstrate the relevance of the witness' testimony and/or
18 evidence. Other important rights and obligations, including your obligation to answer
19 the complaint, you have are listed in NRS Chapter 116 and NAC Chapter 116, including
20 without limitation, NRS 116.770 through 116.780, and NAC 116.500 through NAC
21 116.635 and NRS Chapter 233B.

22 Note that under NAC 116.575, not less than five (5) working days before a
23 hearing, RESPONDENT must provide to the Division a copy of all reasonably available
24 documents that are reasonably anticipated to be used to support his position, and a list
25 of witnesses RESPONDENT intend to call at the time of the hearing. Failure to provide
26 any document or to list a witness may result in the document or witness being excluded
27 from RESPONDENT'S defense. The purpose of the hearing is to determine if the
28 RESPONDENT has violated the provisions of NRS 116, and to determine what

1 administrative penalty is to be assessed against RESPONDENT.

2 DATED this 30 day of OCTOBER, 2024.

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4 REAL ESTATE DIVISION,
5 DEPARTMENT OF BUSINESS & INDUSTRY,
6 STATE OF NEVADA

7 By: 
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14 By: /s/ Phil W. Su
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