

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,  
7 STATE OF NEVADA,

8 Petitioner,

9 vs.

10 MESA VERDE COMMUNITY  
11 ASSOCIATION,  
12 (Entity No. E0390302014-7)

13 Respondent.

Case No. 2024-112

**FILED**

SEP 19 2024

NEVADA COMMISSION FOR  
COMMON INTEREST COMMUNITIES  
AND CONDOMINIUM HOTELS



14 **FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER**

15 This matter came on for hearing before the Commission for Common-Interest  
16 Communities and Condominium Hotels, State of Nevada (the "Commission") during a  
17 regular agenda set on a three-day stack beginning at 9:00 a.m. on September 10, 2024 (the  
18 "Hearing."). The current Community Association Manager ("CAM") Kellea E. Smith  
19 (CAM.0007543-SUPR) of Nevada Community Management, appeared on behalf of Mesa  
20 Verde Community Association ("RESPONDENT") with no board members present.  
21 Christal P. Keegan, Deputy Attorney General with the Nevada Attorney General's Office,  
22 appeared on behalf of the Real Estate Division of the Department of Business and  
23 Industry, State of Nevada (the "Division").

24 The CAM did not contest the Division's factual allegations and violations of law in  
25 its Complaint filed July 31, 2024. Mrs. Keegan informed the Commission that the  
26 RESPONDENT has since satisfactorily demonstrated it has resolved the three (3) member  
27 issue by way of its Forms 562 and 623 dated August 7, 2024. Additional information was  
28 provided by the CAM regarding the adoption of the outstanding reserve study.

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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 Nevada Community Management, by and through its community association manager  
7 (CAM) Amanda Flores (CAM.0008698-SUPR). *Exhibit A, CICC 000005.*

8 2. The RESPONDENT'S Annual Registration Form 562 dated July 26, 2022,  
9 technically demonstrated only two executive board members. *Exhibit A, CICC 000005.*

10 3. Therefore, on or about February 6, 2024, the Division opened an investigation  
11 against the RESPONDENT. *Exhibit A, CICC 000006 – CICC 000008.*

12 4. RESPONDENT'S CAM admitted attempts to get people on the Board failed.  
13 *Exhibit B, CICC 000015 – CICC 000018.*

14 5. Yet, the RESPONDENT'S Registration Filing Addendum Form 623  
15 dated April 5, 2024, continued to report only two executive board members. *Exhibit A,*  
16 *CICC 000003.*

17 6. Further, the RESPONDENT'S Annual Registration Form, represented its  
18 site reserve study was conducted on September 14, 2016. *Exhibit A, CICC 000005.*

19 7. On or about February 23, 2024, RESPONDENT'S CAM admitted  
20 the Association was past the reserve study required due date. *Exhibit B, CICC 000014 –*  
21 *CICC 000015.*

22 8. On or about June 5, 2024, the Division informed the RESPONDENT it would  
23 refer this matter to the Commission. *Exhibit A, CICC 000010 – CICC 000011.*

24 **CONCLUSIONS OF LAW**

25 Based on the foregoing factual findings and the preponderance of the evidence, the  
26 Commission voted, that all the following violations of law occurred:

27 9. RESPONDENT violated NRS 116.31034(1) for failing to elect a minimum of  
28 three executive board members.

1 10. RESPONDENT violated NRS 116.31152(1) by failing to conduct the reserve  
2 study prior to the 5-year expiration date.

3 **ORDER**

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

6 1. RESPONDENT shall provide a status report at the December 3-5, 2024  
7 Commission Meeting and verify the reserve study has been completed and adopted;

8 2. RESPONDENT shall pay the costs of the investigation and the hearing in  
9 the amount of \$2,005.45 which are actual, reasonable, and necessary within thirty (30)  
10 days of entry of Order;

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

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

19 DATED this 19<sup>th</sup> day of September, 2024.

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

23 By:   
24 PHYLLIS TOMASSO  
CHAIRWOMAN

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1 Submitted by:

2 AARON D. FORD  
3 Attorney General

4 By: *epkeegan*

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