

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,

Case No. 2024-604

8 Petitioner,

FILED

9 vs.

OCT 29 2024

10 STANLEY MONSEF, Board Member,

NEVADA COMMISSION FOR
COMMON INTEREST COMMUNITIES
AND CONDOMINIUM HOTELS

11 Respondent.

mgallo

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 Christal P. Keegan, Deputy Attorney General, hereby notifies
17 Stanley Monsef ("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 the
21 hearing is to consider the allegations stated below and to determine if an administrative
22 penalty will be imposed on the RESPONDENT pursuant to the provisions of NRS and
23 NAC including, but not limited to NRS 116.785 and NRS 116.790.

24 **JURISDICTION AND NOTICE**

25 During all relevant times, RESPONDENT STANLEY MONSEF served as board
26 member and/or officer of CANYON WILLOW PECOS OWNERS' ASSOCIATION (the
27 "Association"), a common-interest community located in Las Vegas, Nevada.
28 RESPONDENT is also an owner of a unit and is, therefore, subject to the provisions of

1 Chapter 116 of each the Nevada Revised Statutes (“NRS”) and the Nevada Administrative
2 Code (“NAC”) (hereinafter collectively referred to as “NRS 116”) and are subject to the
3 jurisdiction of the Division, and the Commission for Common-Interest Communities and
4 Condominium Hotels pursuant to the provisions of NRS 116.750.

5 **FACTUAL ALLEGATIONS**

6 1. On June 17, 2024, the RESPONDENT filed a complaint against
7 a board member and the community association manager for allegedly failing to
8 identify the legal counselors consulted for the change in the Associations bylaws;
9 Exhibit E, NRED 000206–000207.

10 2. But, the RESPONDENT already received that information as evidenced by:

11 a. A 67-page document dated July 7, 2023, sent to the
12 RESPONDENT regarding his Request for By-Law Records as of
13 June 23, 2024 (which included legal counsel invoices and
14 meeting minutes discussing lawyers engaged in the bylaws changes).

15 Exhibit D, NRED 000089–000155;

16 b. On or about May 17, 2023, Executive Board Meeting, the Community
17 Manager handed out packets to everyone, including the
18 RESPONDENT, which included the attorney invoices demonstrating
19 attorney and board member involvement with the creation of
20 the bylaws. Exhibit B, NRED 000017–000018, NRED 000019,
21 NRED 000022, NRED 000025, NRED 000037, NRED 000059–000060;

22 c. Invoice #602826, from the Association’s counsel, for time spent on
23 February 27, 2023: “Review message from Mr. Monsef; prepare
24 message to management regarding same.” Exhibit A, NRED 000015;

25 d. Letter dated September 22, 2022, from the Association’s counsel to the
26 unit owners regarding the Proposed Amendment to Association’s
27 Bylaws. Exhibit A, NRED 000011–000014; and

28 ...

1 e. The Division's Closure letter dated December 19, 2023, to
2 RESPONDENT for cases 2023-817 and 2023-990, filed against
3 the same individuals and involving the same allegations as in
4 this case no. 2024-559. Exhibit A, NRED 000009-000010, and
5 Exhibit F, NRED 000208-000220.

6 **VIOLATIONS OF LAW**

7 3. RESPONDENT violated NRS 116.760 by filing a false or fraudulent affidavit
8 with the Division.

9 **DISCIPLINE AUTHORIZED**

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

12 1. Issue an order directing RESPONDENT to cease and desist from continuing
13 to engage in the unlawful conduct that resulted in the violation.

14 2. Issue an order directing RESPONDENT to take affirmative action to correct
15 any conditions resulting from the violation.

16 3. Impose an administrative fine of up to \$1,000 for each violation
17 by RESPONDENT.

18 4. If RESPONDENT is found to have knowingly and willfully committed a
19 violation of NRS or NAC 116 AND it is in the best interest of the Association, such
20 RESPONDENT may be removed from his/her position as a director and/or officer.

21 5. Require RESPONDENT to pay the costs of the proceedings incurred by the
22 Division, including, without limitation, the cost of the investigation and reasonable
23 attorney's fees.

24 6. Take whatever further disciplinary action the Commission
25 deems appropriate.

26 ...
27 ...
28 ...

1 The Commission may order one or any combination of the discipline described
2 above. If the Commission finds that the RESPONDENT knowingly and willfully violated
3 the provisions of NRS or NAC 116, the Commission may order that RESPONDENT be
4 personally liable for all fines and costs imposed.

5 NOTICE OF HEARING

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

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

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 be**
24 **continued until later in the day or from day to day. It is your responsibility to**
25 **be present when your case is called. If you are not present when your hearing**
26 **is called, a default may be entered against you and the Commission may decide**
27 **the case as if all allegations in the complaint were true. If you need to negotiate**
28 **a more specific time for your hearing in advance because of coordination with**

1 an out-of-state witness or the like, please call Maria Gallo, Commission
2 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 of
10 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 to
12 respond and to present relevant evidence and argument on all issues involved. You have
13 the right to call and examine witnesses, introduce exhibits, and cross-examine opposing
14 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 the
19 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
21 NAC 116.635 and NRS Chapter 233B.

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

1 RESPONDENT has violated the provisions of NRS 116, and to determine what
2 administrative penalty is to be assessed against RESPONDENT.

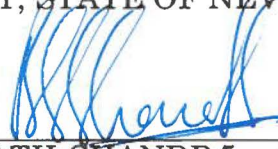
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DATED this 28 day of October 2024.

DATED this 23rd day of October 2024.

REAL ESTATE DIVISION,
DEPARTMENT OF BUSINESS AND
INDUSTRY, STATE OF NEVADA

AARON D. FORD
Attorney General

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