

NOV 14 2024

NEVADA COMMISSION FOR
COMMON INTEREST COMMUNITIES
AND CONDOMINIUM HOTELS*mgallo*

My name is Ray Pulliam. My wife Jayme and I owned a condo located at *****, Las Vegas, Nevada. The property management company is P**** C***** Management. The Community Manager for the Property is K***** L**. Ms. L**'s assistant is E***** G***. The Supervisory Community Manager for Ms. L** is S***** D*****. The President of P**** Community Management is A**** P*****.

My wife Jayme and I decided to sell the condo and listed it for sale. Since we still owned the condo on February *,2024, \$***.00 was taken from our account through auto pay for the February HOA dues. Proof was provided to the Ombudsman's office when I filed my formal complaint as exhibit #1.

A buyer was found, and the escrow company used was S***** T****. S*** F***** and K**** H**** are the S***** T**** employees that handled the sale and transfer of title / deed. Escrow closed on February **, 2024.

On February **, 2024, one week prior to the close of escrow, Jayme called P**** C***** Management and spoke to Community Manager K**** L**. Jayme had her phone speaker on, and I was listening to her conversation with Ms. L**. Jayme told Ms. L** that the condo was sold and as of February **, 2024, we would no longer own the condo. Jayme told Ms. L** we were revoking auto payment beginning in March, since we would no longer own the condo or be a part of the HOA. Ms. L** instructed us to send her an email with that information. After Jayme hung up with Ms. L**, I sent her an email requesting autopay be stopped. Proof was provided to the Ombudsman's office when I filed my formal complaint as exhibit #2.

Final escrow documents from S***** T**** show that escrow closed on February **, 2024, and Jayme and I were issued a \$**.00 credit from the buyer for February **** HOA dues that we had already paid. Proof was provided to the Ombudsman's office when I filed my formal complaint as exhibit #3.

We received a final inspection opt -out from P**** C***** Management, which shows the assessment was paid through February **,2024. It states the next assessment is due on March 1,2024. This document also shows there is a zero balance for other fees we owed to the HOA. . Proof was provided to the Ombudsman's office when I filed my formal complaint as exhibit #4.

Additional proof that we no longer owned the condo after February **,2024 is a copy of the Clark County Assessor real property form showing a recording date of February **, 2024, and the property now owned by R***** D*** V*****. . Proof was provided to the Ombudsman's office when I filed my formal complaint as exhibit #5

Since Ms. L** had not acknowledged or responded to my email dated February ** to stop autopay on February **, 2024 I sent an email to P**** C***** Management President

A**** P***** and Supervisory Community Manager S***** D***** complaining that Ms. L** had not responded to the email and asked Ms. D***** as Ms. L**'s supervisor to look into stopping the autopay. . Proof was provided to the Ombudsman's office when I filed my formal complaint as exhibit #6.

On March **, 2024, I checked my bank account on-line and discovered that P**** M***** Company had withdrawn \$***.00 from my account via autopay for March HOA dues, even though we had revoked autopay both verbally and in writing. Proof was provided to the Ombudsman's office when I filed my formal complaint as exhibit # 7.

On March **, 2024, I sent an email to Supervisory Community Manager S***** D***** and carbon copied it to P**** C***** Management President A**** P*****, Community Manager K**** L** and E***** G***, advising of the withdrawal of funds from my account even though autopay had been revoked and a request them to rectify the matter. Out of the four recipients, no one responded or acknowledged the email. Proof was provided to the Ombudsman's office when I filed my formal complaint as exhibit #8.

On March **, 2024, I emailed the Ombudsman Office and asked a question regarding this situation. Chief Compliance Investigator T**** W***** responded to the email. In Mr. W*****'s response he stated he contacted Ms. D***** and Ms. D***** wanted me to contact her via email. Mr. W***** also stated that Ms. D***** was confident the matter could be easily resolved. Proof was provided to the Ombudsman's office when I filed my formal complaint as exhibit # 9.

On March **, 2024, I emailed Supervisory Community Manager S***** D***** and carbon copied P**** C***** Management President A**** P*****, Community Manager K**** L** and E***** G*** as requested by Mr. W***** to try and resolve this matter. Proof was provided to the Ombudsman's office when I filed my formal complaint as exhibit #10

I use a program called email tracker to track emails sent to see when they have been opened. According to the tracking program the email sent on March ** was opened on March ** at 9:15:26 PM. Out of the four recipients, no one responded or acknowledged the email. Proof was provided to the Ombudsman's office when I filed my formal complaint as exhibit #11.

Since I had made numerous attempts to resolve this matter and both Community Manager L** and her Supervisor Supervisory Community Manager D***** have not responded, on March **, 2024, I sent an email to Ms. L** advising her that if she does not respond to this email I would be filing a formal complaint with the Ombudsman Office for violations of NRS 116A.630 – Standards of practice for Community Managers and NRS 116-31183 – Retaliatory action. . Proof was provided to the Ombudsman's office when I filed my formal complaint as exhibit # 12.

According to email tracker Ms. L** opened this email on March ** at 9:32:17 PM. As of April *, 2024, Ms. L** has not responded or acknowledged this email. Proof was provided to the Ombudsman's office when I filed my formal complaint as exhibit #13

On March **, 2024, at 5:34 PM, Jayme and I contacted our bank to dispute the \$***.00 removed from our account by P**** C***** Management after autopay had been revoked. During this conversation we asked our bank to prevent P**** C***** Management from removing additional funds from our account. The bank usually charges \$**.00 for this service but waived the fee for us. The bank conducted an investigation and credited our account for \$***.00 for the money removed by P**** C***** Management after autopay had been revoked. Proof was provided to the Ombudsman's office when I filed my formal complaint as exhibits 14, 15 and 16.

On March **,2024, I emailed S***** T**** Escrow Officer S*** F***** asking for her help with this matter. Ms. F***** was unavailable, so Escrow Officer K**** H**** responded to the email. On March **,2024, I received a demand letter from P**** C***** Management in the amount of \$***.00 since autopay had been revoked for March HOA dues. I emailed Ms. H**** to ask for her assistance with this matter. On March **,2024, at 4:15 PM, Ms. H**** emailed P**** C***** Management employee D**** M***** asking for her assistance to get this matter resolved. In the email Ms. H**** included a copy of the grant deed showing that I no longer owned the property as of February ** and a copy of a voided check. According to Ms. H**** the March HOA dues were paid through escrow and P**** C***** Management deposited the check on March ** 2024. As of April *, 2024, Ms. M***** has not acknowledged or responded to the email. Proof was provided to the Ombudsman's office when I filed my formal complaint as exhibits 17,18,19 and 20.

On page ** of the Declaration of Covenants, Conditions and Restrictions for T*** * and * Condominiums it states under section 18.7 "Monthly Payment of Common Expenses: All Common Expenses assessed under Sections 18.1 and 18.2 of this Declaration shall be due and payable monthly, at 1/12th of the annual total (in cases where an annual total is applicable)." This shows that HOA dues are paid monthly. Since we no longer owned the condo in March, \$***.00 should not have been taken from our bank account. Proof was provided to the Ombudsman's office when I filed my formal complaint as exhibit 21.

On April *, 2024, at about 1205, I called F**** C***** Bank and spoke to J***** Z***** regarding the demand letter from the bank. Ms. Z***** checked the bank records and stated the property still shows as being owned by Jayme and me. Ms. Z***** said that it is P**** C***** Management's responsibility to notify F**** C***** Bank and to update the property records. Ms. Z***** said I should contact P**** C***** Management and ask them to update their records. Ms. Z***** went on to say that if P**** C***** Management does not update their records soon, most likely I will get a demand letter from F**** C***** Bank for not paying the April HOA dues. I asked Ms. Z***** if I could get something in writing regarding our conversation today. Ms. Z***** said she would send me an email as written

proof. Proof was provided to the Ombudsman's office when I filed my formal complaint as exhibit 22.

Below are additional things I have done that were not included in the Ombudsman complaint.

On April **, 2024, I contacted the Neighborhood Justice Center and requested assistance / mediation to get proof from P**** C***** Management that I had a zero balance. The Neighborhood Justice Center sent letters to P**** C***** Management President A**** P***** and Supervisory Community Manager S***** D*****. Neither Ms. P***** nor Ms. D***** contacted the Neighborhood Justice Center. The Neighborhood Justice Center left voicemail messages for Ms. P***** and Ms. D*****. Neither contacted the Neighborhood Justice Center. The Neighborhood Justice Center closed my request since no one from P**** C***** Management contacted them to try and resolve the matter. Proof can be provided, if requested.

May *, 2024, I attended free event National Law Day Ask-A-Lawyer at P***** Recreation & Senior Center. Met with an Attorney that has specialized in Debt Collection and creditors rights. He said he has dealt with HOA boards in the past. He said that legally P**** C***** Management should not have withdrawn funds from my account for March since 1) Auto pay authorization had been revoked and 2) I no longer owned the property. He said unfortunately, some property management companies are poorly run or mismanaged and sometimes things like this occur. He said since my bank reimbursed me; I have no more legal standing for a financial loss. However, my bank could take action to recover the money reimbursed to me. He said I should be concerned about P**** C***** Management refusing to provide written proof of a zero balance. He recommends that I check my credit reports for a while to ensure that P**** C***** Management has not reported the supposed fees owed to a debit collection company or filed a negative comment regarding my credit. He concluded by saying if P**** C***** Management were to try and collect the debit that is not owed or file anything negative regarding my credit, I should consider filing a lawsuit against P**** C***** Management.

On May *, 2024, I filed a Better Business Bureau complaint against P**** C***** Management. Although the P**** C***** Management employee did not provide their name it appears that Ms. D***** was the person responding to the complaint. Ms. D***** started out by falsely stating no money was removed from my account after the condo had been sold. My bank records prove that to be untrue. Ms. D***** also stated that the Ombudsman office never contacted her because P**** C***** Management did not do anything wrong. (Ombudsman Chief Compliance Investigator T**** W***** and his supervisor Deputy Administrator C***** F****, both disagree with this statement and stated that my complaint was "substantial".) At some point, Ms. D***** finally wrote that I have a zero balance with P**** C***** Management.

Based on the statement by Ms. D*****, I did a freedom of information request for prior complaints against Ms. D***** and Ms. L**. The freedom of information request returned with no prior complaints against Ms. D***** and Ms. L**.

Emails to Mr. W***** and Mr. F*****, confirmed that my Ombudsman complaint was sustained, but under NRS 116A.270, the information is considered confidential and not subject to review under a freedom of information request.

Other important information: I when I discovered my complaint was not discoverable during a freedom of information request, I contacted Chief Compliance Investigator T**** W***** and requested his supervisor's information. Chief Compliance Investigator T**** W***** refused to provide me with Deputy Administrator C***** F****'s information. I had to take it upon myself to locate Deputy Administrator C***** F****'s information and email him myself.

After talking to Deputy Administrator C***** F****, I was still extremely unsatisfied with the lack of results from the Ombudsman office. I contacted Nevada State Senator C***** B***. I explained to Senator B*** what had occurred. I also explained to Senator B*** that I feel it is important that NRS 116A.270 be amended or repealed, so no other Nevada resident would be victimized by a Property Management Company and the Ombudsman office. The way NRS 116A.270 is currently written, it appears that P**** C***** Management was more concerned about the Better Business Bureau complaint than the Ombudsman complaint, since it was not until the Better Business Bureau complaint was filed that this matter finally got resolved.

Senator B*** put me in touch with her legislative staff. In speaking with the legislative staff, I was told to contact Deputy Administrator C***** F****, to let him know that Senator B***'s staff would be contacting him. Deputy Administrator C***** F****'s, response to me was:

"Mr. Pulliam. Thank you for reaching out on this matter. The Division is always open to working with law makers to provide any information or background on a particular issue or proposed changes to Statute under its jurisdiction. Please have the Senator's staff reach out to us at their convenience and we can discuss. Please have them email my assistant S***** B**** (email address was also provided).

From talking to Senator B***'s legislative staff member I learned that the only person he spoke regarding potentially amending or repealing a current law was Deputy Administrator C***** F****'s, assistant.

Personally, I found Deputy Administrator C***** F****'s response regarding this matter to be unacceptable. I then researched and reached out to Administrator C*****. On October *, 2024, Administrator C***** and I spoke on the phone regarding this matter.

Since speaking to Administrator C*****, Senator B***'s staff has contacted me and requested that I testify before the state Legislators during the 2025 legislative session regarding how I was

treated by a property management company and the Nevada Real Estate Division. I told them it would be my honor to testify and inform the State Legislators how my complaint was handled.