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NEVADA COMMISSION FOR
COMMON INTEREST COMMUNITIES
AND CONDOMINIUM HOTELS

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1 DAVID J. MALLEY (8171)
TODD W. PRALL (9154)
2 HUTCHISON & STEFFEN, PLLC
3 10800 West Alta Drive, Suite 200
Las Vegas, NV 89145
4 Telephone: (702) 385-2500
dmalley@hutchlegal.com
5 tprall@hutchlegal.com

6 *Attorneys for Respondent Tamra Trainer*

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8 **BEFORE THE COMMISSION FOR COMMON-INTEREST
COMMUNITIES AND CONDOMINIUM HOTELS**

9 SHARATH CHANDRA, Administrator, REAL
10 ESTATE DIVISION, DEPARTMENT OF
BUSINESS & INDUSTRY, STATE OF
11 NEVADA,

Case No. 2023-309

12 *Petitioner,*

13 v.

14
15 TURNBERRY TOWERS EAST UNIT-
OWNERS' ASSOCIATION; TONEY
16 RECTOR; JAMES ORR, LAWRENCE
(LARRY) KARP; MANU SETHI, and
17 TAMRA TRAINER,

18 *Respondents.*

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20 **RESPONDENT TAMRA TRAINER'S ANSWER TO**
21 **COMPLAINT FOR DISCIPLINARY ACTION**
22 **RESPONSE TO FACTUAL ALLEGATIONS**

23 Respondent Tamra Trainer ("Trainer") responds to the Complaint for Disciplinary Action (the
24 "Complaint") filed by the Real Estate Division, Department of Business and Industry, State of Nevada
25 (the "Division") as follows:

- 26 1. Trainer admits the allegations set forth in Paragraph 1 of the Complaint.
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1 2. Trainer lacks sufficient knowledge and information to form a belief as to the truth of
2 the allegations set forth in Paragraph 2 of the Complaint but is informed and believes that the
3 allegations are true.

4 3. Trainer admits the allegations set forth in Paragraph 3 of the Complaint. Trainer notes
5 that since the filing of the Complaint, Trainer has resigned her position on the board.

6 4. Answering Paragraph 4 of the Complaint, the Initial Audit identified in Paragraph 4 of
7 the Complaint speaks for itself.

8 5. Trainer lacks sufficient knowledge and information to form a belief as to the truth of
9 the allegations set forth in Paragraph 5 of the Complaint and, on that basis, denies them.

10 6. Answering Paragraph 6 of the Complaint, the Initial Audit as identified in the
11 Complaint speaks for itself.

12 7. Answering Paragraph 7 of the Complaint, the Initial Audit as identified in the
13 Complaint speaks for itself. Trainer denies that she was involved with or negligently allowed any of
14 the matters alleged in Paragraph 7 to have occurred.

15 8. Answering Paragraph 8 of the Complaint, the Initial Audit as identified in the
16 Complaint speaks for itself. Trainer denies that she was involved with or negligently allowed any of
17 the matters alleged in Paragraph 8 to have occurred.

18 9. Answering Paragraph 9 of the Complaint, the Initial Audit as identified in the
19 Complaint speaks for itself. Trainer further affirmatively asserts that to the extent that Rector did act
20 unilaterally for many business practices, his activities were both hidden and concealed from other
21 board members by Rector's actions, the management company, and employees hired by Rector.

22 10. Answering Paragraph 10 of the Complaint, the Initial Audit as identified in the
23 Complaint speaks for itself. Further, Trainer denies any allegation that she, as a member of the Board,
24 was derelict in her duties toward the association or acted in intentional disregard of her statutory duties.

25 11. Answering Paragraph 11 of the Complaint, the Initial Audit as identified in the
26 Complaint speaks for itself. Trainer further affirmatively asserts that to the extent that Rector used
27 monies for personal gain, those moneys should be reimbursed to the Association.

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1 12. Answering Paragraph 12 of the Complaint, Trainer admits that a letter was sent on
2 January 11, 2024, and that letter speaks for itself.

3 13. Trainer lacks sufficient knowledge and information to form a belief as to the truth of
4 the allegations set forth in Paragraph 13 of the Complaint. Trainer further affirmatively asserts that
5 despite being a member of the Board, Trainer was excluded from many of the discussions of other
6 board members and the management company concerning their responses to the investigation inquiries
7 from Division Investigator Christina Pitch.

8 14. Trainer lacks sufficient knowledge and information to form a belief as to the truth of
9 the allegations set forth in Paragraph 14 of the Complaint.

10 15. Trainer lacks sufficient knowledge and information to form a belief as to the truth of
11 the allegations set forth in Paragraph 15 of the Complaint.

12 16. Trainer lacks sufficient knowledge and information to form a belief as to the truth of
13 the allegations set forth in Paragraph 16 of the Complaint.

14 17. Trainer lacks sufficient knowledge and information to form a belief as to the truth of
15 the allegations set forth in Paragraph 17 of the Complaint.

16 18. Trainer lacks sufficient knowledge and information to form a belief as to the truth of
17 the allegations set forth in Paragraph 18 of the Complaint.

18 19. Trainer lacks sufficient knowledge and information to form a belief as to the truth of
19 the allegations set forth in Paragraph 19 of the Complaint.

20 20. Trainer lacks sufficient knowledge and information to form a belief as to the truth of
21 the allegations set forth in Paragraph 20 of the Complaint.

22 21. Trainer lacks sufficient knowledge and information to form a belief as to the truth of
23 the allegations set forth in Paragraph 21 of the Complaint.

24 22. Trainer lacks sufficient knowledge and information to form a belief as to the truth of
25 the allegations set forth in Paragraph 22 of the Complaint.

26 23. Trainer lacks sufficient knowledge and information to form a belief as to the truth of
27 the allegations set forth in Paragraph 23 of the Complaint.

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1 5. At all relevant times and in her capacity as a member of the Board, Trainer never
2 committed an act or omission which amounts to incompetence, negligence or gross negligence.

3 6. At all relevant times and in her capacity as a member of the Board, Trainer fully
4 cooperated with any investigation of the Division and never impeded or otherwise interfered with an
5 investigation of the Division. Specifically, Trainer complied with requests by the Division for
6 information and documents, never supplied false or misleading information to any investigator,
7 auditor, or other officer or agent of the Division, and did not conceal any facts or documents relating
8 to the business of the association.

9 7. At all relevant times and in her capacity as a member of the Board, Trainer cooperated
10 with the Division in resolving complaints filed with the Division.

11 8. At all relevant times and in her capacity as a member of the Board, Trainer exercised
12 good faith to be kept informed of laws, regulations and developments relating to common-interest
13 communities and to follow the rules and regulations applicable to the duties of a board member and to
14 homeowners' associations including those duties set forth in NRS 116.3103 and related regulations.
15 In Trainer's efforts to do so, Trainer relied upon the representations of the licensed management
16 company and its employees and on other board members, including Rector, up and until the time that
17 the Division initiated the audit. At that time and because of the audit notice (which is the first time
18 Trainer had any notice that there were issues like those alleged in the Complaint), Trainer began to
19 complete her own investigation and take steps to make the necessary changes. To the extent Trainer
20 was unable to fulfill these duties or ensure that the association was properly completing the required
21 tasks or fulfilling its duties to the homeowners, Trainer was blocked by the bad faith actions or
22 misrepresentations of others.

23 WHEREFORE, Trainer prays that this Commission:

24 1. To the extent necessary issue any order to ensure that the Association takes any
25 necessary affirmative action to correct conditions resulting from the violation that has not already been
26 corrected.

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