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BEFORE THE COMMISSION FOR COMMON-INTEREST  
COMMUNITIES AND CONDOMINIUM HOTELS  
STATE OF NEVADA

Sharath Chandra, Administrator,  
Real Estate Division, Department of Business &  
Industry, State of Nevada,

Petitioner,

vs.

Keith Dempsey,

Respondent.

Case No. 2023-552

**FILED**

DEC 15 2023

NEVADA COMMISSION FOR  
COMMON INTEREST COMMUNITIES  
AND CONDOMINIUM HOTELS

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

This matter came on for hearing before the COMMISSION FOR COMMON-INTEREST COMMUNITIES AND CONDOMINIUM HOTELS STATE OF NEVADA (“Commission”) during a regular agenda, set for three days, beginning on September 26, 2023. (the “Hearing”). RESPONDENT KEITH DEMPSEY (hereinafter, “RESPONDENT”) did not appear in person, through counsel, or otherwise, nor did he answer the complaint. Phil W. Su, Esq., Senior Deputy Attorney General with the Nevada Attorney General’s Office, appeared on behalf of the Real Estate Division of the Department of Business and Industry, State of Nevada (the “Division”).

Attorney Su noted one correction to the Complaint, that Respondent was not the subject of the recall election ballots being counted. The Commissioners noted the correction. Commission Coordinator Maria Gallo then testified regarding notices sent to the RESPONDENT and steps taken to effect proper service. The Commission found appropriate service of the notice of the hearing, the complaint and notice thereof, the notice of documents, and all other efforts taken to inform the RESPONDENT of the matter before the Commission. The Commission thereafter took notice of the documents filed by the Division to substantiate the allegations within the Complaint.

After hearing testimony and examining the evidence presented in this matter, and for good cause appearing, the Commission now enters its Findings of Fact, Conclusions of Law, and Order by default against RESPONDENT as follows:

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1 **JURISDICTION**

2 1. During all relevant times mentioned in this complaint, RESPONDENT Keith Dempsey  
3 served as a member and/or officer of Admiral’s Point Homeowners Association (“Association”), a  
4 common-interest community located in Las Vegas, Nevada.

5 2. RESPONDENT is subject to the provisions of Chapters 116 of the Nevada Revised  
6 Statutes (“NRS”) and the Nevada Administrative Code (“NAC”) (hereinafter collectively referred to as  
7 “NRS 116”) and is subject to the jurisdiction of the Division and the Commission for Common-Interest  
8 Communities and Condominium Hotels pursuant to the provisions of NRS 116.750.

9 **FINDINGS OF FACT**

10 3. At all relevant times herein, the Association is a common-interest community pursuant to  
11 NRS 116.021 located in Las Vegas, Nevada.

12 4. On or about June 16, 2023, COMPLAINANT Karen Torres (hereinafter  
13 “COMPLAINANT”) filed a Form 530 Intervention Affidavit against RESPONDENT.

14 5. COMPLAINANT alleges, in her Intervention Affidavit, that on April 5, 2023, she, in her  
15 capacity as an administrative assistant for the Association’s retained management company, attended a  
16 meeting with the Association’s community manager, Debi Pike; Association Board Member and  
17 Secretary Brian Shannon; and management company employee Edwina Daley.

18 6. During the meeting, RESPONDENT and Association homeowner Bill Farnsworth entered  
19 the meeting room uninvited and interrupted the meeting.

20 7. Debi Pike explained that it was a closed meeting between management company staff and  
21 board members, and that Mr. Farnsworth would have to leave, although RESPONDENT could stay.

22 8. RESPONDENT became verbally abusive and acted in an aggressive manner towards Pike  
23 and the other management company employees.

24 9. When the employees attempted to leave the room, the RESPONDENT prevented  
25 COMPLAINANT from leaving, made physical contact with her, and forcibly took a box that she was  
26 holding from her. [NRED0003-0004; 0012].

27 10. COMPLAINANT filed a police report regarding the incident.  
28

1 11. COMPLAINANT subsequently filed for a temporary restraining order against  
2 RESPONDENT, which was granted by Las Vegas Justice Court.

3 12. On July 13, 2023, the Division sent correspondence via certified mail informing  
4 RESPONDENT that he was the subject of a Division investigation concerning the allegations in the  
5 Intervention Affidavit, and requesting a written response to those allegations by July 27, 2023.

6 13. RESPONDENT failed to provide a response to the Division's request for information  
7 letter.

8 14. On or about August 10, 2023, the Division issued an NRS 233B letter notifying  
9 RESPONDENT that it intended to bring a disciplinary action against him for a hearing before the  
10 Commission.

### 11 CONCLUSIONS OF LAW

12 Based on the foregoing findings of facts by default, the Commission concludes by unanimous  
13 vote that RESPONDENT has committed the following violations of law by default:

14 15. RESPONDENT violated NRS 116.3103 pursuant to NRS 116.405(1) by acting outside  
15 of the scope of the authority granted to him in the Association's governing documents.

16 16. RESPONDENT violated NRS 116.3103 through NAC 116.405(2) by failing to act in  
17 good faith and in the honest belief that his actions are in the best interests of the Association by acting  
18 for reasons of self-interest, gain, prejudice, and/or revenge.

19 17. RESPONDENT violated NRS 116.3103 through NAC 116.405(5)(a) by failing to comply  
20 with a request by the Division to provide information or documents during its investigation.

### 21 ORDER

22 Based on the foregoing findings of facts and violations of law, the Commission hereby Orders:

23 1. RESPONDENT shall pay the Division a total of \$6,382.31 ("Amount Due"), consisting  
24 of \$3,000.00 in administrative fines, plus the Division's fees and costs in the amount of \$3,382.31. The  
25 Amount Due shall be paid to the Division within 90 days of the effective date of this Order.

26 2. If the Amount Due is not actually received by the Division on or before its due date, it  
27 shall be a default by RESPONDENT. In the event of default, the unpaid balance of the administrative  
28 fine and costs, together with any attorney's fees and costs that may have been assessed, shall be due in

1 full to the Division within ten calendar days of the date of default, and the Division may obtain a judgment  
2 for the amount owed, including collection fees and costs.

3 3. The RESPONDENT is hereby removed from his board member position with  
4 Admiral's Point Homeowners Association as of the effective date of this Order.

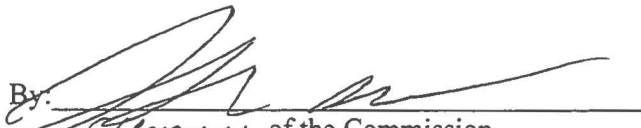
5 4. The RESPONDENT is barred from serving as an association board member for any  
6 common interest community within this state for a period of ten (10) years from the effective date of this  
7 order. If RESPONDENT thereafter wishes to seek election to an association board, he must first complete  
8 twelve (12) hours of education provided by the Division's education department and appear before this  
9 Commission at its next regularly scheduled public meeting for prior approval.

10 5. The Commission retains jurisdiction for correcting any errors that may have occurred  
11 in the drafting and issuance of this document.

12 6. This order shall become effective on the 14 day of December, 2023.

13 DATED this 11 day of December, 2023.

14  
15 COMMISSION FOR COMMON-INTEREST  
16 COMMUNITIES AND CONDOMINIUM HOTELS

17  
18 By:   
Chairman of the Commission

19 Submitted by:

20 AARON D. FORD  
21 Attorney General of Nevada

22 By: /s/ Phil W. Su  
23 PHIL W. SU, ESQ.  
24 Senior Deputy Attorney General  
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28 *Attorneys for Nevada Real Estate Division*