

1 **BEFORE THE COMMISSION FOR COMMON-INTEREST**
2 **COMMUNITIES AND CONDOMINIUM HOTELS**
3 **STATE OF NEVADA**

3 SHARATH CHANDRA, Administrator,
4 REAL ESTATE DIVISION, DEPARTMENT
5 OF BUSINESS AND INDUSTRY, STATE
6 OF NEVADA,

6 Petitioner,

7 vs.

8 LAKE MEAD & DOLLY 20
9 HOMEOWNERS ASSOCIATION,
(Entity Number E0420822018-0)

10 Respondent.

Case No. 2023-827

FILED

JAN 31 2024

NEVADA COMMISSION FOR
COMMON INTEREST COMMUNITIES
AND CONDOMINIUM HOTELS

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11 **COMPLAINT FOR DISCIPLINARY**
12 **ACTION AND NOTICE OF HEARING**

13 The Real Estate Division of the Department of Business and Industry, State of
14 Nevada (the "Division"), by and through its counsel, Aaron D. Ford, Attorney General of
15 the State of Nevada, and Christal P. Keegan, Deputy Attorney General, hereby notifies
16 Lake Mead & Dolly 20 Homeowners Association ("RESPONDENT") of an administrative
17 hearing before the Commission for Common-Interest Communities and Condominium
18 Hotels, State of Nevada, which is to be held pursuant to Chapters 233B and Chapters 116
19 of the Nevada Revised Statutes ("NRS") and Chapter 116 of the Nevada Administrative
20 Code ("NAC"). The purpose of the hearing is to consider the allegations stated below and
21 to determine if an administrative penalty will be imposed on the RESPONDENT pursuant
22 to the provisions of NRS and NAC including, but not limited to NRS 116.785 and
23 NRS 116.790.

24 **JURISDICTION AND NOTICE**

25 During all relevant times, RESPONDENT is a common-interest community located
26 in Las Vegas, Nevada (Entity Number E0420822018-0) and is, therefore, subject to the
27 provisions of Chapter 116 of each the Nevada Revised Statutes ("NRS") and the Nevada
28 Administrative Code ("NAC") (hereinafter collectively referred to as "NRS 116") and are

1 subject to the jurisdiction of the Division, and the Commission for Common-Interest
2 Communities pursuant to the provisions of NRS 116.750.

3 **FACTUAL ALLEGATIONS**

4 1. At all times relevant to the Complaint, the RESPONDENT'S executive board
5 failed to have a third member. *CICC 001 – CICC 002.*

6 2. At all times relevant to the Complaint, the RESPONDENT was managed by
7 Associa Nevada South, by and through its community manager William LaFrance
8 (CAM.0008580).

9 3. On or about September 29, 2023, the Division opened an investigation
10 against the RESPONDENT'S Executive Board with a Request for Information response
11 deadline of October 16, 2023. *CICC 001 – CICC 002.*

12 4. On October 16, 2023, the RESPONDENT failed to respond to the Division.

13 5. Therefore, on or about November 13, 2023, the Division served the
14 RESPONDENT with a Compliance Demand Letter with a due date of December 10, 2023.
15 *CICC 003 – CICC 004.*

16 6. On December 10, 2023, the RESPONDENT again failed to respond to the
17 Division. *CICC 003 – CICC 004.*

18 7. As of December 15, 2023, the Division received no proof of compliance with
19 its Compliance Demand Letter.

20 8. Therefore, on or about December 18, 2023, the Division closed its
21 investigation and informed the RESPONDENT that it would be bringing this matter
22 before the Commission. *CICC 009 – CICC 010.*

23 **VIOLATIONS OF LAW**

24 9. RESPONDENT violated NRS 116.31034 for failing to elect a minimum of
25 three executive board members.

26 10. RESPONDENT violated NAC 116.405(5) by and through its Executive Board
27 and/or its community manager's failure to respond to the Division's requests.

28 . . .

1 **DISCIPLINE AUTHORIZED**

2 Pursuant to the provisions of NRS 116.615; NRS 116.755; NRS 116.785; and NRS
3 116.790, the Commission has discretion to take any or all of the following actions:

4 1. Issue an order directing RESPONDENT to take affirmative action to correct
5 any conditions resulting from the violation.

6 2. Impose an administrative fine of up to \$1,000 for each violation
7 by RESPONDENT.

8 3. Order the RESPONDENT to pay the costs of the proceedings incurred by the
9 Division, including, without limitation, the cost of the investigation and reasonable
10 attorney's fees.

11 4. Approve application to a court of competent jurisdiction for the appointment
12 of a receiver for the RESPONDENT.

13 The Commission may order one or any combination of the discipline
14 described above.

15 **NOTICE OF HEARING**

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

20 **THE HEARING WILL TAKE PLACE** at the Commission meeting(s) scheduled
21 for March 5-7, 2024, beginning at approximately 9:00 a.m. each day, or until such time as
22 the Commission concludes its business. The Commission meeting will be held at the
23 Nevada State Business Center, 3300 W. Sahara Avenue, 4th Floor, Tahoe Room, Las
24 Vegas, Nevada 89102 with videoconferencing to Department of Business & Industry,
25 Division of Insurance, 1818 E. College Parkway, Suite 103, Carson City, Nevada 89706.

26 **STACKED CALENDAR: Your hearing is one of several hearings that may**
27 **be scheduled at the same time as part of a regular meeting of the Commission**
28 **that is expected to take place on March 5-7, 2024. Thus, your hearing may be**

1 continued until later in the day or from day to day. It is your responsibility to
2 be present when your case is called. If you are not present when your hearing
3 is called, a default may be entered against you and the Commission may decide
4 the case as if all allegations in the complaint were true. If you need to negotiate
5 a more specific time for your hearing in advance because of coordination with
6 an out of state witness or the like, please call Maria Gallo, Commission
7 Coordinator, at (702) 486-4074.

8 **YOUR RIGHTS AT THE HEARING:** Except as mentioned below, the hearing is
9 an open meeting under Nevada's Open Meeting Law and may be attended by the public.
10 After the evidence and arguments, the commission may conduct a closed meeting to
11 discuss your alleged misconduct or professional competence. You are entitled to a copy of
12 the transcript of the open and closed portions of the meeting, although you must pay for
13 the transcription. As a RESPONDENT, you are specifically informed that you have the
14 right to appear and be heard in your defense, either personally or through your counsel of
15 choice. At the hearing, the Division has the burden of proving the allegations in the
16 complaint and will call witnesses and present evidence against you. You have the right to
17 respond and to present relevant evidence and argument on all issues involved. You have
18 the right to call and examine witnesses, introduce exhibits, and cross-examine opposing
19 witnesses on any matter relevant to the issues involved.


20 You have the right to request that the Commission issue subpoenas to compel
21 witnesses to testify and/or evidence to be offered on your behalf. In making this request,
22 you may be required to demonstrate the relevance of the witness' testimony and/or
23 evidence. Other important rights and obligations, including your obligation to answer the
24 complaint, you have are listed in NRS Chapter 116 and NAC Chapter 116, including
25 without limitation, NRS 116.770 through 116.780, and NAC 116.500 through NAC
26 116.635 and NRS Chapter 233B.

27 Note that under NAC 116.575, not less than five (5) working days before a hearing,
28 RESPONDENTS must provide to the Division a copy of all reasonably available

1 documents that are reasonably anticipated to be used to support his position, and a list of
2 witnesses RESPONDENTS intend to call at the time of the hearing. Failure to provide
3 any document or to list a witness may result in the document or witness being excluded
4 from RESPONDENTS' defense. The purpose of the hearing is to determine if the
5 RESPONDENTS have violated the provisions of NRS 116, and to determine what
6 administrative penalty is to be assessed against RESPONDENTS.


7
8 DATED this 30 day of January 2024.

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

9
10
11 By: 
12 SHARATH CHANDRA, Administrator
13 3300 W. Sahara Ave., Ste. 350
Las Vegas, Nevada 89102
(702) 486-4033

14 DATED this 29th day of January 2024.

AARON D. FORD
Attorney General

15
16 By: 
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