

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, STATE OF
7 NEVADA,

8 Petitioner,

9 vs.

10 JAMIE EVANS,
11 (CAM.0001457-SUPR)

12 Respondent.

Case No. 2024-327

FILED

JUL 31 2024

NEVADA COMMISSION FOR
COMMON INTEREST COMMUNITIES
AND CONDOMINIUM HOTELS

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13 **COMPLAINT FOR DISCIPLINARY**
14 **ACTION AND NOTICE OF HEARING**

15 The Real Estate Division of the Department of Business and Industry, State of
16 Nevada (the "Division"), by and through its counsel, Aaron D. Ford, Attorney General of
17 the State of Nevada, and Christal P. Keegan, Deputy Attorney General, hereby notifies
18 JAMIE EVANS ("RESPONDENT") of an administrative hearing before the Commission
19 for Common-Interest Communities and Condominium Hotels, State of Nevada, which is
20 to be held pursuant to Chapters 233B and Chapters 116 and 116A of the Nevada Revised
21 Statutes ("NRS") and Chapter 116 and 116A of the Nevada Administrative Code ("NAC").
22 The purpose of the hearing is to consider the allegations stated below and to determine if
23 an administrative penalty will be imposed on the RESPONDENT pursuant to the
24 provisions of NRS and NAC including, but not limited to NAC 116A.360.

25 **JURISDICTION AND NOTICE**

26 During all relevant times mentioned in this complaint, RESPONDENT held a
27 community manager certificate from the Division (CAM.0001457-SUPR) and is, therefore,
28 subject to the jurisdiction of the Division and the provisions of NRS Chapters 116 and
116A and NAC Chapters 116 and 116A. RESPONDENT'S certificate is currently in
inactive status.

FACTUAL ALLEGATIONS

1
2 1. On or about July 24, 2023, the Division initiated an audit against the Vegas
3 Star Condominium Association, Inc. ("Association"). *Exhibit 1, CICC 000003.*

4 2. From about June of 2017 to April of 2023, RESPONDENT Jamie Evans was
5 the community manager for the Association. *Exhibit 1, CICC 000003.*

6 3. On or before March of 2018, the Association hired the RESPONDENT and
7 Battle Born Management Services, LLC. *Exhibit 1, CICC 000025.*

8 4. At all times relevant to the Complaint, Battle Born Management Services
9 was not a management company in Division's records. *Exhibit 1, CICC 000011 –*
10 *CICC 000012.*

11 5. At all times relevant, in addition to Battle Born Management, the Association
12 simultaneously utilized Property Management, Inc. ("PMI"). *Exhibit 1, CICC 000025.*

13 6. At all times relevant to this Complaint, RESPONDENT represented to the
14 Division she worked with PMI Henderson in 2021 and 2022. *Exhibit 1, CICC 000034 –*
15 *CICC 000035.*

16 7. But the Division's Licensing History indicated RESPONDENT worked
17 for various other management companies from 2017 through 2022. *Exhibit 1, CICC*
18 *000035 – CICC 000036.*

19 8. After the hiring of Battle Born and PMI, the Association stopped conducting
20 meetings, did not have the required Reserve Study or CPA Audits performed, and the
21 annual budgets were not created. *Exhibit 1, CICC 000025.*

22 9. The Association's bank statements for January 1, 2020, through April 30,
23 2023, revealed approximately 480 checks paid to the RESPONDENT totaling \$576,272.51
24 in Association Operating funds, and \$2,906.52 from the Reserve Account in 2020. *Exhibit*
25 *1, CICC 000037 – CICC 000044.*

26 10. Furthermore, the Operating account check images for January 1, 2020,
27 through April 30, 2023, revealed most checks were co-signed by the RESPONDENT.
28 *Exhibit 1, CICC 000014 – CICC 000016, and CICC 000050.*

1 11. Additionally, from about July 25, 2022, to April 24, 2023, 99 checks totaling
2 \$54,400 were paid to the RESPONDENT containing the signature of both the
3 RESPONDENT and the board member, Ana Nellis, who no longer served on the board nor
4 owned a home in the community anymore. *Exhibit 2, CICC 002188.*

5 12. As of April 30, 2023, the Association transferred funds from the
6 Reserve account to the Operating account, the resulting Reserve balance was only \$703.33.
7 *Exhibit 1, CICC 000015.*

8 13. On or before March of 2023, the Association terminated the RESPONDENT.
9 *Exhibit 2, CICC 002153.*

10 14. On or about May 1, 2023, Jamie Collins (CAM.0000212-SUPR) with Shelter
11 Management Group, began management of the Association. *Exhibit 1, CICC 000005.*

12 15. RESPONDENT provided little to no help with the transition to the
13 succeeding management company. *Exhibit 2, CICC 002152 – CICC 002153.*

14 16. Shelter Management Group could only identify about 280 checks payable to
15 the RESPONDENT, which came to a total of \$300,690.08. *Exhibit 2, CICC 000958.*

16 17. On or about June 23, 2023, CAM Collins submitted a claim to the
17 Association's insurance for monies embezzled by the RESPONDENT. *Exhibit 2, CICC*
18 *002152.*

19 18. Thereafter, on or about September 18, 2023, a police report was filed against
20 RESPONDENT with the Las Vegas Metropolitan Police Department for embezzlement.
21 *Exhibit 2, CICC 001096 – CICC 001097.*

22 19. Accordingly, on or about May 27, 2024, the Division sent the RESPONDENT
23 a letter informing her it intended to formally file the matter with the Commission for using
24 in excess of \$300,000 of Association funds for her personal use. *Exhibit 3, CICC 002222 –*
25 *CICC 002223.*

26 VIOLATIONS OF LAW

27 20. RESPONDENT violated NRS 116A.620(6) for failing to transfer and/or
28 reconcile the documents upon her termination to the succeeding community manager.

1 21. RESPONDENT violated NRS 116A.630(1)(a) for failing to act as a fiduciary
2 to the client when she embezzled funds from the Association.

3 22. RESPONDENT violated NRS 116A.630(1)(b) pursuant to NRS 116A.630(17)
4 for reporting inaccurate information regarding Association management to the Division.

5 23. RESPONDENT violated NRS 116A.630(6)(b) for practices that led to
6 extremely low funding in both Reserve and Operating accounts due to severe lack of
7 internal controls and negligent money handling practices.

8 24. RESPONDENT violated NRS 116A.630(15) for failing to maintain internal
9 accounting controls.

10 25. RESPONDENT violated NRS 116A.630(9) for failing to make the financial
11 records of the Association available for inspection by the Division.

12 26. RESPONDENT violated NRS 116A.640(2)(c) for concealing facts and
13 documents relating to the Association's business.

14 27. RESPONDENT violated NRS 116A.640(5) for cosigning checks, many of
15 which were to herself, in the years 2020, 2021, 2022, and 2023.

16 28. RESPONDENT violated NRS 116A.640(10) for collecting amounts from her
17 client above and beyond the agreed upon amounts specified in the management
18 agreements.

19 29. RESPONDENT committed unprofessional conduct pursuant to NAC
20 116A.355 when she:

21 a. Violated NAC 116A.355(2)(i) for exceeding the authority granted to her
22 by the management agreement; and/or

23 b. Violated NAC 116A.355(2)(c) for engaging in deceitful, fraudulent
24 and/or dishonest conduct when she wrote and signed Association
25 checks to herself.

26 ...

27 ...

28 ...

1 **DISCIPLINE AUTHORIZED**

2 Pursuant to the provisions of NAC 116A.360, the Commission has discretion to
3 impose discipline as it deems appropriate, including, but not limited to one or more of the
4 following actions:

- 5 (a) Revoke or suspend the certificate or temporary certificate;
- 6 (b) Refuse to renew or reinstate the certificate;
- 7 (c) Place the community manager on probation;
- 8 (d) Issue a reprimand or censure to the community manager;
- 9 (e) Impose a fine of not more than \$5,000 for each violation of a statute
10 or regulation;
- 11 (f) Require the community manager to pay restitution;
- 12 (g) Require the community manager to pay the costs of the investigation
13 and hearing;
- 14 (h) Require the community manager to obtain additional education relating to the
15 management of common-interest communities; or
- 16 (i) Take such other disciplinary action as the Commission deems appropriate.

17 The Commission may order one or any combination of the discipline
18 described above.

19 **NOTICE OF HEARING**

20 **PLEASE TAKE NOTICE** that a disciplinary hearing has been set to consider this
21 Administrative Complaint against the above-named RESPONDENT in accordance with
22 Chapters 233B and 116 and 116A of the Nevada Revised Statutes and Chapter 116 and
23 116A of the Nevada Administrative Code.

24 **THE HEARING WILL TAKE PLACE** at the Commission meeting(s) scheduled
25 for September 10-12, 2024, beginning at approximately 9:00 a.m. each day, or until such
26 time as the Commission concludes its business. The Commission meeting will be held at
27 the Nevada State Business Center, 3300 W. Sahara Avenue, 4th Floor, Nevada Room, Las
28 Vegas, Nevada 89102, with videoconferencing to Department of Business and Industry,

1 Division of Insurance, 1818 E. College Parkway, Suite 103, Carson City,
2 Nevada 89706.

3 **STACKED CALENDAR:** Your hearing is one of several hearings that may
4 be scheduled at the same time as part of a regular meeting of the Commission
5 that is expected to take place on September 10-12, 2024. Thus, your hearing may
6 be continued until later in the day or from day to day. It is your responsibility
7 to be present when your case is called. If you are not present when your hearing
8 is called, a default may be entered against you and the Commission may decide
9 the case as if all allegations in the complaint were true. If you need to negotiate
10 a more specific time for your hearing in advance because of coordination with
11 an out of state witness or the like, please call Maria Gallo, Commission
12 Coordinator, at (702) 486-4074.

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

25 You have the right to request that the Commission issue subpoenas to compel
26 witnesses to testify and/or evidence to be offered on your behalf. In making this request,
27 you may be required to demonstrate the relevance of the witness's testimony and/or
28 evidence. Other important rights and obligations, including your obligation to answer the

1 complaint, you have are listed in NAC 116A.560 through NAC 116A.655, NRS Chapter
2 233B, and NRS Chapters 116 and 116A and NAC 116 and 116A.

3 Note that under NAC 116A.585, not less than five (5) working days before a hearing,
4 RESPONDENT must provide to the Division a copy of all reasonably available documents
5 that are reasonably anticipated to be used to support his or her position, and a list of
6 witnesses RESPONDENT intends to call at the time of the hearing. Failure to provide
7 any document or to list a witness may result in the document or witness being excluded
8 from RESPONDENT'S defense. The purpose of the hearing is to determine if the
9 RESPONDENT has violated any of the provisions of NRS and NAC Chapters 116 and
10 116A, and to determine what administrative penalty is to be assessed against
11 RESPONDENT, if any, pursuant to NAC 116A.360.

12 DATED this 31st day of July, 2024.

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

13
14
15 By: 

CHARVEZ FOGGER
Deputy Administrator
3300 W. Sahara Avenue, Suite 350
Las Vegas, Nevada 89102
(702) 486-4033

16
17
18 DATED this 26th day of July, 2024.

AARON D. FORD
Attorney General

19
20 By: 

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