

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 & INDUSTRY, STATE OF
7 NEVADA,

8 Petitioner,

9 vs.

10 HIGHLANDS RANCH NORTH
11 LANDSCAPE MAINTENANCE
12 CORPORATION, A NEVADA NON-PROFIT
13 CORPORATION
(ENTITY NO. C26944-2004)

14 Respondent.

Case No. 2024-636

FILED

AUG 08 2024

NEVADA COMMISSION FOR
COMMON INTEREST COMMUNITIES
AND CONDOMINIUM HOTELS

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15 **COMPLAINT FOR DISCIPLINARY**
16 **ACTION AND NOTICE OF HEARING**

17 The Real Estate Division of the Department of Business and Industry, State of
18 Nevada (the "Division"), by and through its counsel, Aaron D. Ford, Attorney General of
19 the State of Nevada, and Phil W. Su, Senior Deputy Attorney General, hereby notifies
20 HIGHLAND RANCH NORTH LANDSCAPE MAINTENANCE CORPORATION, A
21 NEVADA NON-PROFIT CORPORATION ("RESPONDENT" or "RESPONDENT
22 ASSOCIATION") of an administrative hearing before the Commission for Common-
23 Interest Communities and Condominium Hotels, State of Nevada, which is to be held
24 pursuant to Chapters 233B and Chapters 116 of the Nevada Revised Statutes ("NRS") and
25 Chapter 116 of the Nevada Administrative Code ("NAC"). The purpose of the hearing is
26 to consider the allegations stated below and to determine if an administrative penalty will
27 be imposed on the RESPONDENT pursuant to the provisions of NRS and NAC including,
28 but not limited to NRS 116.785 and NRS 116.790.

JURISDICTION AND NOTICE

During all relevant times, RESPONDENT ASSOCIATION is a common-interest

1 community located in Las Vegas, Nevada (Entity Number C26944-2004) and is, therefore,
2 subject to the provisions of Chapter 116 of each the Nevada Revised Statutes (“NRS”) and
3 the Nevada Administrative Code (“NAC”) (hereinafter collectively referred to as “NRS
4 116”) and are subject to the jurisdiction of the Division, and the Commission for Common-
5 Interest Communities pursuant to the provisions of NRS 116.750.

6 FACTUAL ALLEGATIONS

7 1. RESPONDENT ASSOCIATION is a common-interest community located in
8 Las Vegas, Nevada (Entity Number C26944-2004) with 278 units. CIC0001-0002.

9 2. At all times relevant to the Complaint, RESPONDENT’S management
10 company was FirstService Residential, and its assigned community manager was Felicia
11 Norris. CIC0001-0002.

12 3. RESPONDENT ASSOCIATION’S 2023 Annual Association Registration
13 form, submitted November 13, 2023, indicated that it only had two out of the three
14 required board member positions filled.

15 4. RESPONDENT ASSOCIATION subsequently filed a Registration Filing
16 Addendum, which indicated that it lost its third board, Tameika Ortiz, as of April 17, 2023.
17 CIC0006-0007.

18 5. On July 10, 2024, the Division’s Investigator, James Johnston, issued a letter
19 opening investigation to RESPONDENT ASSOCIATION’S community manager Felicia
20 Norris, via Certified Mail, with cc: to the RESPONDENT ASSOCIATION’S two current
21 board members, Jennilyn Chiu and Ha Tran, to inquire regarding the Association’s failure
22 to have at least three board members registered with the Division, pursuant to the
23 Registration Filing Addendum. CIC0003-0004.

24 6. The opening investigation letter requested election documentation from 2023
25 through 2024 and an updated form 623 identifying the current community manager and
26 board members, with documentation to be provided to the Division by July 17, 2024.
27 CIC0003-0004.

28 7. On or about July 19, 2024, community manager Norris sent Investigator

1 Johnston an emailed response with election documentation, including an updated form
2 623 and nomination forms issued to homeowners in February and March 2024. CIC0005-
3 0016.

4 8. Board Member Chiu also inquired of community manager Norris about the
5 investigation and was informed by community manager Norris that she has responded
6 and was cooperating with the Division investigation on RESPONDENT ASSOCIATION'S
7 behalf. CIC0017-0020.

8 9. On July 26, 2024, the Division sent RESPONDENT ASSOCIATION, through
9 community manager Norris, and with cc: to Board Members Chiu and Tran, a NRS 233B
10 letter via certified mail notifying them that it obtained sufficient evidence to commence
11 disciplinary action by filing a complaint as a result of its investigation. CIC0021-0022.

12 **VIOLATIONS OF LAW**

13 1. RESPONDENT violated NRS 116.31034(1) by failing to elect a minimum of
14 three executive board members.

15 **DISCIPLINE AUTHORIZED**

16 Pursuant to the provisions of NRS 116.615; NRS 116.755; NRS 116.785; and NRS
17 116.790 the Commission has discretion to take any or all of the following actions:

18 1. Issue an order directing Respondent to take affirmative action to correct any
19 conditions resulting from the violation.

20 2. Impose an administrative fine of up to \$1,000 for each violation by
21 Respondent.

22 3. Order the Respondent to pay the costs of the proceedings incurred by the
23 Division, including, without limitation, the cost of the investigation and reasonable
24 attorney's fees.

25 4. Approve application to a court of competent jurisdiction for the appointment
26 of a receiver for the Respondent.

27 The Commission may order one or any combination of the discipline described
28 above.

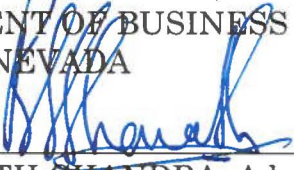
1 choice. At the hearing, the Division has the burden of proving the allegations in the
2 complaint and will call witnesses and present evidence against you. You have the right to
3 respond and to present relevant evidence and argument on all issues involved. You have
4 the right to call and examine witnesses, introduce exhibits, and cross-examine opposing
5 witnesses on any matter relevant to the issues involved.

6 You have the right to request that the Commission issue subpoenas to compel
7 witnesses to testify and/or evidence to be offered on your behalf. In making this request,
8 you may be required to demonstrate the relevance of the witness' testimony and/or
9 evidence. Other important rights and obligations, including your obligation to answer the
10 complaint, you have are listed in NRS Chapter 116 and NAC Chapter 116, including
11 without limitation, NRS 116.770 through 116.780, and NAC 116.500 through NAC
12 116.635 and NRS Chapter 233B.

13 Note that under NAC 116.575, not less than five (5) working days before a hearing,
14 RESPONDENT must provide to the Division a copy of all reasonably available documents
15 that are reasonably anticipated to be used to support his position, and a list of witnesses
16 RESPONDENT intend to call at the time of the hearing. Failure to provide any document
17 or to list a witness may result in the document or witness being excluded from
18 RESPONDENT'S defense. The purpose of the hearing is to determine if the
19 RESPONDENT has violated the provisions of NRS 116, and to determine what
20 administrative penalty is to be assessed against RESPONDENT.

21 DATED this 7 day of August, 2024.

22
23 REAL ESTATE DIVISION,
24 DEPARTMENT OF BUSINESS & INDUSTRY,
25 STATE OF NEVADA

26 By: 
27 SHARATH CHANDRA, Administrator
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By: /s/ Phil W. Su

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