1	BEFORE THE COMMISSION FOR COMMON-INTEREST	
2	COMMUNITIES AND CONDOMINIUM HOTELS	
3	STATE OF NEVADA	
4	SHARATH CHANDRA, Administrator, REAL ESTATE DIVISION, DEPARTMENT	0N. 0004 696
5	OF BUSINESS & INDUSTRY, STATE OF NEVADA,	Case No. 2024-636
6	Petitioner,	FILED
7	vs.	
8		AUG 0 8 2024
9	HIGHLANDS RANCH NORTH LANDSCAPE MAINTENANCE CORPORATION, A NEVADA NON-PROFIT	NEVADA COMMISSION FOR COMMON INTEREST COMMUNITIES AND CONDOMINIUM HOTELS
10	CORPORATION (ENTITY NO. C26944-2004)	
11	Respondent.	
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14	COMPLAINT FOR DISCIPLINARY ACTION AND NOTICE OF HEARING	
15	ACTION AND NOTICE OF HEARING	
16	The Real Estate Division of the Department of Business and Industry, State of	
17	Nevada (the "Division"), by and through its counsel, Aaron D. Ford, Attorney General of	
18	the State of Nevada, and Phil W. Su, Senior Deputy Attorney General, hereby notifies	
19	HIGHLAND RANCH NORTH LANDSCA	PE MAINTENACE CORPORATION, A
20	NEVADA NON-PROFIT CORPORATION	("RESPONDENT" or "RESPONDENT
21	ASSOCIATION") of an administrative hear	ing before the Commission for Common-
22	Interest Communities and Condominium Hotels, State of Nevada, which is to be held	
23	pursuant to Chapters 233B and Chapters 116 of the Nevada Revised Statutes ("NRS") and	
24	Chapter 116 of the Nevada Administrative Co	ode ("NAC"). The purpose of the hearing is
25	to consider the allegations stated below and to determine if an administrative penalty will	
26	be imposed on the RESPONDENT pursuant to the provisions of NRS and NAC including	
27	but not limited to NRS 116.785 and NRS 116.790.	
28	JURISDICTION AND NOTICE	

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

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

2. At all times relevant to the Complaint, RESPONDENT'S management company was FirstService Residential, and its assigned community manager was Felicia 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.

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

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

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

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

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

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

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

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VIOLATIONS OF LAW

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

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DISCIPLINE AUTHORIZED

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

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

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

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

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

27 The Commission may order one or any combination of the discipline described28 above.

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NOTICE OF HEARING

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

THE HEARING WILL TAKE PLACE at the Commission meeting(s) scheduled for September 10-12, 2024, beginning at approximately 9:00 a.m. each day, or until such time as the Commission concludes its business. The Commission meeting will be held at the Nevada State Business Center, 3300 W. Sahara Avenue, 4th Floor, Nevada Room, Las Vegas, Nevada 89102 with videoconferencing to Department of Business & Industry, Division of Insurance, 1818 E. College Parkway, Suite 103, Carson City, Nevada 89706.

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

YOUR RIGHTS AT THE HEARING: Except as mentioned below, the hearing is an open meeting under Nevada's open meeting law and may be attended by the public. After the evidence and arguments, the commission may conduct a closed meeting to discuss your alleged misconduct or professional competence. You are entitled to a copy of the transcript of the open and closed portions of the meeting, although you must pay for the transcription. As a RESPONDENT, you are specifically informed that you have the right to appear and be heard in your defense, either personally or through your counsel of choice. At the hearing, the Division has the burden of proving the allegations in the
 complaint and will call witnesses and present evidence against you. You have the right to
 respond and to present relevant evidence and argument on all issues involved. You have
 the right to call and examine witnesses, introduce exhibits, and cross-examine opposing
 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 RESPONDENT has violated the provisions of NRS 116, and to determine what 19 20 administrative penalty is to be assessed against RESPONDENT.

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DATED this \neq day of August, 2024.

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

By:

SHARATH CHANDRA, Administrator 3300 W. Sahara Ave. Ste 350 Las Vegas, Nevada 89102 (702) 486-4033

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