

SEP 10 2024

NEVADA COMMISSION FOR
COMMON INTEREST COMMUNITIES
AND CONDOMINIUM HOTELS

mgallo

September 10, 2024 Presentation – CICCH/HOA Meeting, Public Comment

My name is Wagner Chaves, and I am a homeowner at the Boca Raton Condominium Community Association in Las Vegas.

Boca Raton is far from a typical HOA. Instead of the usual issues between individual owners and the board or management company, we face scandal after scandal. Not only does Boca Raton have one of the highest HOA fees in the valley, but the root of these problems lies in investor-controlled boards and illegal apartment rental businesses. Here are some of the major issues:

- **Stolen funds:** \$11 million, including construction defect settlement funds, have been misappropriated.
- **Budget shortfalls:** Our HOA faces significant financial gaps despite having one of the highest fees in Las Vegas.
- **Lack of transparency:** There have been failures to complete required audited financial statements and to properly update minority owners on our financial situation.
- **Underfunded Reserve Fund:** Major special assessments are needed to address various issues, ranging from \$3,868 to \$7,583 depending on the unit size. Many minority owners fear this year's assessment won't be the last.
- **Lawsuits:** Since 2019, there have been three lawsuits involving former and current majority owners, including illegal apartment rentals that violate our governing documents and Clark County zoning laws.

Secrecy, conflicts of interest, and dishonesty have plagued our HOA. The for-profit goals of the apartment rental business conflict with our HOA's non-profit legal requirements, leading to repeated failures under both former and current majority owners.

Some minority owners have faced unresolved issues with parking spaces, storage units, and deeds since Boca opened in 2007. These problems persist because the apartment rental business prioritizes its tenants' needs.

The board and management often ignore or hide problems that could negatively impact the majority owner's rental business, including squatters, homeless people on the premises, thefts, and violations of our CC&Rs.

From 2007 to November 2018, homeowners were denied representation on the board, despite being entitled to control it by 2013. As of June 2021, homeowners held two of the five board seats, but the majority owner took one away in June 2022. Following the June 2024 election, minority owners now have no representation on the board. The management company consistently prioritizes the majority owner's interests over those of minority owners.

The ongoing issues at Boca Raton demonstrate that combining a non-profit HOA with a for-profit apartment rental business is unsustainable and fraught with conflict.

NRED should immediately intervene in our HOA Board and give control to the homeowners of Boca as it was supposed to be done since 2013 and stop the corruption of the Board Members employed by the rental investor.

Sincerely,
Wagner Chaves
Owner, Unit 3-209
Boca Raton Luxury Condominiums

