

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 RIO VISTA HOMEOWNERS  
11 ASSOCIATION,  
(ENTITY NO. E0245962006-9)

12 Respondent.

Case No. 2024-638

**FILED**

AUG 08 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 Phil W. Su, Senior Deputy Attorney General, hereby notifies Rio  
18 Vista Homeowners Association ("RESPONDENT" or "RESPONDENT ASSOCIATION") of  
19 an administrative hearing before the Commission for Common-Interest Communities and  
20 Condominium Hotels, State of Nevada, which is to be held pursuant to Chapters 233B and  
21 Chapters 116 of the Nevada Revised Statutes ("NRS") and Chapter 116 of the Nevada  
22 Administrative Code ("NAC"). The purpose of the hearing is to consider the allegations  
23 stated below and to determine if an administrative penalty will be imposed on the  
24 RESPONDENT pursuant to the provisions of NRS and NAC including, but not limited to  
25 NRS 116.785 and NRS 116.790.

26 **JURISDICTION AND NOTICE**

27 During all relevant times, RESPONDENT is a common-interest community located  
28 in Las Vegas, Nevada (Entity Number E0245962006-9) and is, therefore, 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 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. RESPONDENT is a common-interest community located in Las Vegas,  
5 Nevada (Entity Number E0245962006-9) with 298 units. CIC0001-0002.

6 2. At all times relevant to the Complaint, RESPONDENT'S management  
7 company was CAMCO, and its assigned community manager was Autumn Pacheco.  
8 CIC0001-0002.

9 3. On April 9,2024, the Division discovered, based on the RESPONDENT  
10 ASSOCIATION'S submission of its annual association registration form, that  
11 RESPONDENT ASSOCIATION did not have at least three board members registered as  
12 required by its own governing documents, with a vacancy in its President position for the  
13 executive board. CIC0002.

14 4. On or about July 10, 2024, the Division's Investigator, James Johnston,  
15 issued a letter opening investigation to RESPONDENT ASSOCIATION'S community  
16 manager, Autumn Pacheco, via Certified Mail, with cc: to the RESPONDENT  
17 ASSOCIATION'S two current board members, Patricia Domingo and H. Shane Burgos, to  
18 inquire regarding the Association's failure to have at least three board members per  
19 statute. CIC0003-0004.

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

24 6. On or about July 18, 2024, Investigator Johnston issued a second request for  
25 information letter to RESPONDENT ASSOCIATION reiterating his request for  
26 documents and a response. CIC0005-0007.

27 7. RESPONDENT ASSOCIATION, through community manager Pacheco,  
28 spoke with Investigator Johnston by phone on or about July 22, 2024, and confirmed that

1 she has yet to schedule elections for RESPONDENT ASSOCIATION.

2 8. On July 26, 2024, the Division sent RESPONDENT ASSOCIATION, by  
3 mailing to community manager Pacheco, with cc: to Board Members Domingo and Burgos,  
4 a NRS 233B letter via certified mail notifying them that it obtained sufficient evidence to  
5 commence disciplinary action by filing a complaint as a result of its investigation.  
6 CIC0008-0009.

7 **VIOLATIONS OF LAW**

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

10 **DISCIPLINE AUTHORIZED**

11 Pursuant to the provisions of NRS 116.615; NRS 116.755; NRS 116.785; and NRS  
12 116.790 the Commission has discretion to take any or all of the following actions:

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

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

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

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

22 The Commission may order one or any combination of the discipline described  
23 above.

24 **NOTICE OF HEARING**

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

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

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

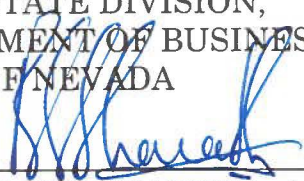
17           **YOUR RIGHTS AT THE HEARING:** Except as mentioned below, the hearing is  
18 an open meeting under Nevada's open meeting law and may be attended by the public.  
19 After the evidence and arguments, the commission may conduct a closed meeting to  
20 discuss your alleged misconduct or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

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

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

16 DATED this 7 day of August 2024.

17 REAL ESTATE DIVISION,  
18 DEPARTMENT OF BUSINESS & INDUSTRY,  
19 STATE OF NEVADA

20 By:   
21 SHARATH CHANDRA, Administrator  
22 3300 W. Sahara Ave. Ste 350  
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25 AARON D. FORD  
26 Attorney General

27 By: /s/ Phil W. Su  
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