

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,
7 STATE OF NEVADA,

8 Petitioner,

9 vs.

10 TROPICANA SQUARE HOMES
11 ASSOCIATION,
12 (Entity Number C2743-1972)

13 Respondent.

Case No. 2023-846

FILED

JUN 20 2024

NEVADA COMMISSION FOR
COMMON INTEREST COMMUNITIES
AND CONDOMINIUM HOTELS

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14 **FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER**

15 This matter came on for hearing before the Commission for Common-Interest
16 Communities and Condominium Hotels, State of Nevada (the "Commission") during a
17 regular agenda set on a three-day stack beginning at 9:00 am on June 11, 2024 (the
18 "Hearing."). John E. Leach, with Leach Kern Gruchow Song, appeared on behalf of
19 Tropicana Square Homes ("RESPONDENT") with community association manager
20 ("CAM") Tiffany Stanfill present (CAM.0001037-SUPR). Christal P. Keegan, Deputy
21 Attorney General with the Nevada Attorney General's Office, appeared on behalf of the
22 Real Estate Division of the Department of Business and Industry, State of Nevada
23 (the "Division").

24 Since the RESPONDENT admitted to the Division's factual allegations and
25 stipulated to violations of law numbered 13 and 14 in the Complaint filed January 31,
26 2024, Mrs. Keegan presented limited testimony from the Division's Investigator Vanessa
27 Ward regarding her investigation findings substantiating violation of law NAC 116.415.
28 The parties stipulated to the Division's documents CICC 001-057, and the
RESPONDENT'S funding plan was admitted. Additional information was provided by the
CAM Ms. Stanfill.

1 **FINDINGS OF FACT**

2 Based on a preponderance of the evidence in the record, the documents admitted at
3 the Hearing, and by stipulation of the parties, the Commission voted, to find all the
4 following factual allegations were proven:

5 1. At all times relevant to the Complaint, the RESPONDENT was managed by
6 Prime Community Management, by and through its community manager Tiffany Stanfill
7 (CAM.0001037 – SUPR). *CICC 057.*

8 2. On or about August 17, 2023, the RESPONDENT submitted its Form 562
9 dated July 27, 2023, to the Division, which reported the projected reserve account balance
10 would be approximately 27% of the required reserve account funding needed at the end of
11 the fiscal year (\$112,071.04 and \$414,292.24, respectively). *CICC 056 – CICC 057.*

12 3. On or about October 11, 2023, the Division opened an investigation against
13 the RESPONDENT’S Executive Board with a Request for Information response deadline
14 of October 25, 2023. *CICC 002 – CICC 003.*

15 4. On October 25, 2023, the RESPONDENT transmitted via facsimile its Form
16 609 Reserve Study Summary Form dated June 10, 2023. *CICC 037 - CICC 038.*

17 5. Therein, the Form 609 indicated the RESPONDENT’S reserves were
18 currently funded only at 20%. *CICC 038.*

19 6. Further, the RESPONDENT’S Form 609 admitted it had several delinquent
20 accounts. *CICC 038.*

21 7. The RESPONDENT proposed “if required” it would perform another
22 assessment to fund major reserve components. *CICC 038.*

23 8. The RESPONDENT attributed its financial state to “Previous boards never
24 increased assessments, community is old and requires lots of maintenance.” *CICC 038.*

25 9. Also, the RESPONDENT’S Form 562 dated August 17, 2023, represented a
26 Reserve Study was commenced on January 19, 2023 and adopted by the Board on June 1,
27 2023. *CICC 057.*

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g. Insurance.

3. RESPONDENT'S new President of the Association shall appear at the September 10-12, 2024 Commission Meeting and advise on the direction for funding.

4. If payment is not actually received by the Division on or before its due date, it shall be a default by RESPONDENT. In the event of default, the unpaid balance of the administrative fine and costs, together with any attorney's fees and costs that may have been assessed, shall be due in full to the Division within ten (10) calendar days of the date of default, and the Division may obtain a judgment for the amount owed, including collection fees and costs;


5. The Commission retains jurisdiction for correcting any errors that may have occurred in the drafting and issuance of this document.

DATED this 20th day of June, 2024.

COMMISSION FOR COMMON-INTEREST
COMMUNITIES AND CONDOMINIUM
HOTELS DEPARTMENT OF BUSINESS
AND INDUSTRY STATE OF NEVADA

By: 
PHYLLIS TOMASSO
CHAIRMAN

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