

1 **BEFORE THE COMMISSION FOR COMMON-INTEREST**  
2 **COMMUNITIES AND CONDOMINIUM HOTELS**  
3 **STATE OF NEVADA**

3 SHARATH CHANDRA, Administrator,  
4 REAL ESTATE DIVISION, DEPARTMENT  
5 OF BUSINESS AND INDUSTRY, STATE  
6 OF NEVADA,

6 Petitioner,

7 vs.

8 VILLAGIO COMMUNITY ASSOCIATION.  
9 (Entity Number C11529-1997)

9 Respondent.

Case No. 2023-38

**FILED**

APR 19 2024

NEVADA COMMISSION FOR  
COMMON INTEREST COMMUNITIES  
AND CONDOMINIUM HOTELS

*mgallo*

10  
11 **COMPLAINT FOR DISCIPLINARY**  
12 **ACTION AND NOTICE OF HEARING**

13 The Real Estate Division of the Department of Business and Industry, State of  
14 Nevada (the "Division"), by and through its counsel, Aaron D. Ford, Attorney General of  
15 the State of Nevada, and Christal P. Keegan, Deputy Attorney General, hereby notifies  
16 Villagio Community Association ("RESPONDENT") of an administrative hearing before  
17 the Commission for Common-Interest Communities and Condominium Hotels, State of  
18 Nevada, which is to be held pursuant to Chapters 233B and Chapters 116 of the Nevada  
19 Revised Statutes ("NRS") and Chapter 116 of the Nevada Administrative Code ("NAC").  
20 The purpose of the hearing is to consider the allegations stated below and to determine if  
21 an administrative penalty will be imposed on the RESPONDENT pursuant to the  
22 provisions of NRS and NAC including, but not limited to NRS 116.785 and NRS 116.790.

23 **JURISDICTION AND NOTICE**

24 During all relevant times, RESPONDENT is a common-interest community  
25 of about 280 condominium units located in North Las Vegas, Nevada (Entity No. C11529-  
26 1997) and is, therefore, subject to the provisions of Chapter 116 of each the Nevada  
27 Revised Statutes ("NRS") and the Nevada Administrative Code ("NAC") (hereinafter  
28 collectively referred to as "NRS 116") and are subject to the jurisdiction of the Division,

1 and the Commission for Common-Interest Communities pursuant to the provisions  
2 of NRS 116.750.

3 **FACTUAL ALLEGATIONS**

4 1. RESPONDENT'S Registration Filing Addendum dated March 8, 2023,  
5 reported its two current executive board members as, President Fran Dugan, and  
6 Treasurer/Secretary Gary Renis. *Exhibit 1, NRED Files, CICC 003.*

7 2. The Registration Filing Addendum indicated former President Francisco  
8 Jimenez's term expired December 15, 2022, and former Director Shervin Melamed  
9 resigned October 24, 2022. *Exhibit 1, NRED Files, CICC 003.*

10 3. On or about March 13, 2023, the Division opened an investigation against  
11 the RESPONDENT pursuant to its audit findings, with a deadline to respond by March  
12 27, 2023. *Exhibit 3, NRED Letter, CICC 024 – 027.*

13 4. At all times relevant, RESPONDENT'S community manager Francesca  
14 "Frankie" Stevenson (CAM.0000274-SUPR) of Pinnacle Community Association  
15 Management, requested an extension which the Division granted.

16 5. Thereafter, RESPONDENT'S CAM Stevenson responded to the Division by  
17 the new due date.

18 6. On or about January 8, 2023, the Division sent a second request for  
19 information following up on the case. *Exhibit 3, NRED Letter, CICC 028 – 030.*

20 7. On or about March 30, 2024, the Division closed its investigation and  
21 notified the RESPONDENT its case would proceed formally before the Commission.  
22 *Exhibit 3, NRED Letter, CICC 031 - 032.*

23 8. The RESPONDENT'S reserve study dated on or about March 29, 2023,  
24 determined the Association's current funding plan was below baseline funding and  
25 recommended increasing funding. *Exhibit 5, Reserve Studies, CICC 045.*

26 9. The Reserve Study recommended Contribution in the amount of \$204,000 for  
27 the 2024 baseline funding plan. *Exhibit 5, Reserve Studies, CICC 057.*

28 . . .



1 **DISCIPLINE AUTHORIZED**

2 Pursuant to the provisions of NRS 116.615; NRS 116.755; NRS 116.785; and NRS  
3 116.790, the Commission has discretion to take any or all of the following actions:

4 1. Issue an order directing RESPONDENT to take affirmative action to correct  
5 any conditions resulting from the violation.

6 2. Impose an administrative fine of up to \$1,000 for each violation by  
7 RESPONDENT.

8 3. Order an audit of the ASSOCIATION, at the expense of the ASSOCIATION.

9 4. Require RESPONDENTS to pay the costs of the proceedings incurred by the  
10 Division, including, without limitation, the cost of the investigation and reasonable  
11 attorney's fees.

12 5. Take whatever further disciplinary action the Commission deems  
13 appropriate.

14 The Commission may order one or any combination of the discipline described  
15 above. If the Commission finds that the RESPONDENT knowingly and willfully violated  
16 the provisions of NRS or NAC 116, the Commission may order that RESPONDENT be  
17 personally liable for all fines and costs imposed.

18 **NOTICE OF HEARING**

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

23 **THE HEARING WILL TAKE PLACE** at the Commission meeting(s) scheduled  
24 for June 11-13, 2024, beginning at approximately 9:00 a.m. each day, or until such time  
25 as the Commission concludes its business. The Commission meeting will be held at the  
26 Nevada State Business Center, 3300 W. Sahara Avenue, 4th Floor, Nevada Room, Las  
27 Vegas, Nevada 89102 on June 11 & 12, 2024, with videoconferencing to Department of  
28 Business & Industry, Division of Insurance, 1818 E. College Parkway, Suite 103, Carson

1 City, Nevada 89706. The Commission meeting will be held at the Nevada State Business  
2 Center, 3300 W. Sahara Avenue, 4th Floor, Tahoe Room, Las Vegas, Nevada 89102 on  
3 June 13, 2024 with videoconferencing to Department of Business and Industry, Division  
4 of Insurance, 1818 E. College Parkway, Suite 103, Carson City, Nevada 89706.

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

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

27 You have the right to request that the Commission issue subpoenas to compel  
28 witnesses to testify and/or evidence to be offered on your behalf. In making this request,

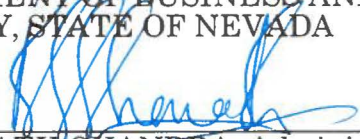


1 you may be required to demonstrate the relevance of the witness' testimony and/or  
2 evidence. Other important rights and obligations, including your obligation to answer the  
3 complaint, you have are listed in NRS Chapter 116 and NAC Chapter 116, including  
4 without limitation, NRS 116.770 through 116.780, and NAC 116.500 through NAC  
5 116.635 and NRS Chapter 233B.

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

14  
15 DATED this 18 day of April 2024.

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

17  
18 By:   
19 SHARATH CHANDRA, Administrator  
20 3300 W. Sahara Avenue, Suite 350  
Las Vegas, Nevada 89102  
(702) 486-4033

21 DATED this 17th day of April 2024.

AARON D. FORD  
Attorney General

22  
23 By:   
24 CHRISTAL P. KEEGAN (Bar No. 12725)  
25 Deputy Attorney General  
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