

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 DAYBREAK AT SUNRISE HIGHLANDS
11 HOMEOWNERS ASSOCIATION,
12 (Entity Number E0320662013-4)

13 Respondent.

Case No. 2024-592

FILED

APR 01 2025

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 a.m. on March 11, 2025 (the
18 "Hearing"). Supervising Community Manager Alicia Mason (CAM.0009654-SUPR), with
19 CAMCO Nevada, appeared on behalf of Daybreak at Sunrise Highlands Homeowners
20 Association ("RESPONDENT"). Christal Park Keegan, Deputy Attorney General ("DAG")
21 with the Nevada Attorney General's Office, appeared on behalf of the Real Estate Division
22 of the Department of Business and Industry, State of Nevada (the "Division").

23 The Commission considered the parties presentations and the filed documents,
24 Division's documents Exhibits A-B, bated stamped pages *NRED 000001-000046*, and the
25 RESPONDENT'S Form 623 filed November 27, 2024 and its most recent nomination forms
26 filed February 27, 2025.

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1 **FINDINGS OF FACT**

2 Based on a stipulation of the parties, all the following factual allegations
3 were proven:

4 1. The RESPONDENT'S executive board has failed to have a third member
5 since about June 15, 2017. *Exhibit A, NRED 000011-CICC 000042.*

6 2. As of June of 2023, the RESPONDENT'S Forms 562 Annual Association
7 Registration indicated only one board member, President Christine Ramos. *Exhibit A,*
8 *NRED 000001-000012, and NRED 000023-000024.*

9 3. Therefore, on or about July 3, 2024, the Division opened an investigation
10 against the RESPONDENT'S Executive Board, requesting a response. *Exhibit A, NRED*
11 *000002-000003.*

12 4. On or about July 12, 2024, the Division sent the RESPONDENT a second
13 request for a response. *Exhibit A, NRED 000004-000005.*

14 5. On August 14, 2024, the Division made its third attempt to obtain a response
15 from the RESPONDENT. *Exhibit A, NRED 000007.*

16 6. On August 27, 2024, the Division made its fourth attempt to obtain a
17 response from the RESPONDENT. *Exhibit B, NRED 000044.*

18 7. Finally, the RESPONDENT'S supervisory community association manager
19 ("CAM"), Autumn Pacheco (CAM.0009469-SUPR), responded: "We have appointed [Board
20 President] Christine's [Ramos] husband. Still looking for other members." *Exhibit B,*
21 *NRED 000045.*

22 8. Therefore, on or about August 28, 2024, the Division closed its investigation
23 and informed the RESPONDENT that it would be bringing this matter before the
24 Commission. *Exhibit A, NRED 000009 - 000010.*

25 **CONCLUSIONS OF LAW**

26 Based on stipulation of the parties, the following violations of law occurred:

27 9. RESPONDENT violated NRS 116.31034 for failing to elect a minimum of
28 three executive board members since June of 2017.

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1. That the matter be continued to the June 10-12, 2025 Hearing stack.
2. RESPONDENT shall submit a compliance filing within one (1) week of their April 16, 2025 Board Meeting (April 24, 2025), and show proof sufficient to the Division that the board member has been appointed and the issue has been resolved. If that has occurred, the matter would be vacated and closed out subject to the terms of this Order.

4. Notwithstanding, if the Board does appoint a board member after April 25, 2025 but prior to the June Meeting, the Commission may consider a reduction to the \$1,000 administrative fine.

6. 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;

7. RESPONDENT is on notice that if it violates any order by the Commission, the Commission may impose an administrative fine of not more than \$1,000 for each violation; and

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

3 DATED this 1st day of ~~March~~, 2025.


4 April

5 COMMISSION FOR COMMON-INTEREST
6 COMMUNITIES AND CONDOMINIUM
7 HOTELS, DEPARTMENT OF BUSINESS
8 AND INDUSTRY, STATE OF NEVADA

9 By: 
10 Phyllis M. Tomasso, Chair

11 Submitted by:

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13 Attorney General

14 By: 
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