

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 SOMERSET PARK HOMEOWNERS  
11 ASSOCIATION (ENTITY NO. C620-1985);

12 Respondent.

Case No. 2022-530

**FILED**

FEB 26 2026

NEVADA COMMISSION FOR  
COMMON INTEREST COMMUNITIES  
AND CONDOMINIUM HOTELS



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

14 This matter came on for hearing before the Commission for Common-Interest  
15 Communities and Condominium Hotels, State of Nevada (the "Commission") on December  
16 10, 2025, the 2<sup>nd</sup> day of the three-day hearing stack set for December 2025 (the "Hearing").  
17 Ryan Hastings, Esq., with Leach Kern Gruchow Song, appeared on behalf of SOMERSET  
18 PARK HOMEOWNERS ASSOCIATION ("RESPONDENT"). Phil W. Su, Senior Deputy  
19 Attorney General, appeared on behalf of the Real Estate Division of the Department of  
20 Business and Industry, State of Nevada (the "Division").

21 Because the RESPONDENT admitted in its Answer to the Division's factual  
22 allegations and stipulated to the sole alleged violation of law in the Complaint filed August  
23 7, 2025, Attorney Su presented limited testimony from the Division's Investigator,  
24 Christina Pitch, regarding her investigation findings substantiating violation of NRS  
25 116.3115. Attorney Hastings discussed the RESPONDENT'S proposed reserve funding  
26 plan, relevant portions of which were attached to RESPONDENT'S Answer, and noted  
27 that the Reserve Study Specialist, Mari Jo Betterly, and other industry vendors  
28 substantially reduced their prices to accommodate the RESPONDENT'S difficult financial  
condition while producing the reserve funding plan. The Division's documents CICCH 001-  
158, and the RESPONDENT'S reserve funding plan were admitted into evidence.

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. RESPONDENT ASSOCIATION, Entity Number C620-1985, consists of 85  
6 currently annexed units, in a common interest community located in Henderson, Nevada.<sup>1</sup>

7 2. Upon review of 2025 financial report and 2026 draft reserve studies provided  
8 by the RESPONDENT ASSOCIATION, the Division assigned Investigator Christina Pitch  
9 to investigate an allegation of critical underfunding of reserves by the executive board.

10 3. On June 13, 2025, Investigator Pitch contacted Supervisor Community  
11 Association Manager Renee Smith of CAMCO via email to request the last three months  
12 of financial records and bank account statements for all accounts.

13 4. Investigator Pitch did not receive a response to that email request and would  
14 later come to find out Smith had departed from CAMCO in April.

15 5. On July 2, 2025, Investigator Pitch sent a Request for Information letter to  
16 the RESPONDENT ASSOCIATION'S Board, through CAMCO and Supervisor CAM Terri  
17 L. Acedilla, requesting a response to allegations that the executive board violated NRS  
18 116.3115 by allowing the Association's reserve funds to become critically underfunded, at  
19 only 2% of the recommended funding level.

20 6. On July 10, 2025, Supervising CAM Acedilla provided an emailed response  
21 noting that "when we got this community from Heritage Management [*n.b.*: the prior  
22 CAM] there was \$563.43 in the reserve account."

23 7. The response included copies of February 2023 bank statement from  
24 Heritage showing a balance of \$11,637.58, a March 2023 statement showing balance of  
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26 1. In August 2024, the City of Henderson contacted unit owners of Somerset  
27 Park HOA to inform them of the failed private water distribution system that had created  
28 a danger to life, health and safety of residents and the public. See <https://www.cityofhenderson.com/government/departments/community-development-and-services/community-resources/somerset-park-community-resources>

1 \$563.02, and an August 2023 statement showing that same amount.

2 8. The response further stated that CAMCO took over management of the  
3 community on August 1, 2023, and concluded by noting the reserve balance, as of the July  
4 10, 2025, email, was \$30,306.31.

5 9. The draft reserve studies recommend a Special Reserve Assessment in the  
6 amount of either \$1,292,000.00 or \$1,589,500.00. Therefore, as of July 10, 2025, the  
7 reserve fund was just over 2% funded.

8 10. In a July 16, 2025, email exchange, Supervising CAM Acedilla confirmed that  
9 the draft reserve study would be considered for adoption at the end of that month, and  
10 further noted that the current draft study might need to be revised because their irrigation  
11 system was continuing to have problems with leaks.

12 11. On July 22, 2025, the Division sent, via Certified Mail, an NRS 233B letter  
13 notifying the RESPONDENT that it would pursue disciplinary action in a hearing before  
14 the Commission for potential violation of NRS 116.3115, failure to maintain adequate  
15 reserve funding levels.

#### 16 **CONCLUSIONS OF LAW**

17 Based on the foregoing factual findings and the preponderance of the evidence, the  
18 Commission voted unanimously that the following violation of law has been proven by a  
19 preponderance of the evidence:

20 1. RESPONDENT ASSOCIATION, through its executive board, violated NRS  
21 116.3115 by allowing its reserve funds to become critically underfunded, at just over 2%  
22 of the Special Reserve Assessment in the Association's draft reserve studies.

#### 23 **ORDER**

24 The Commission, being fully apprised in the premises and good cause appearing,  
25 ORDERS as follows:

26 1. In recognition of the RESPONDENT Association's difficult financial  
27 condition and the efforts by the reserve funding specialist and other vendors in reducing  
28 their prices to help produce the reserve funding plan, the Commission shall not impose

1 any fines, fees or costs for Case No. 2022-530.

2       2.     RESPONDENT will require all board members who are in office as of the  
3 effective date of this Order to complete six (6) hours of “CICCH/HOA Board Member and  
4 Unit Owner Training,” as provided by the Division’s Education Section. Training is to be  
5 completed before the Commission’s December 2026 regularly scheduled hearing, with  
6 proof of completion to be supplied to the Division.

7       3.     RESPONDENT Association shall appear at the Commission’s December  
8 2026 regularly scheduled hearing and provide a status report on the following:

- 9           a.     The most recent interim financial statement, including discussion of  
10                 any funding delinquencies;
- 11           b.     Reserve funding update;
- 12           c.     Copy of proposed/adopted 2027 budget;
- 13           d.     Comparison of funding plan vs. actual;
- 14           e.     Proof of the “CICCH/HOA Board Member and Unit Owner Training”  
15                 courses taken by RESPONDENT’S board members as required by this  
16                 Order; and
- 17           f.     Copy of audited 2025 financials.

18           All required documents must be filed with the Division at least ten (10) business  
19 days prior to the December 2026 hearing stack.

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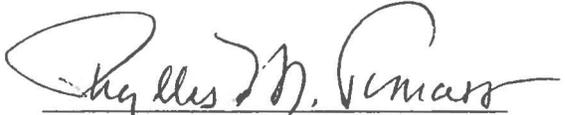
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2 4. The Commission retains jurisdiction for correcting any errors that may have  
3 occurred in the drafting and issuance of this document.

4 DATED this 26<sup>th</sup> day of February, 2026.

6 NEVADA COMMISSION FOR COMMON-  
7 INTEREST COMMUNITIES AND  
8 CONDOMINIUM HOTELS

9 By:   
10 Chairman Phyllis M. Tomasso

11 Submitted by:

12 By: /s/ Phil W. Su  
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