

**COMMISSION FOR COMMON-INTEREST COMMUNITIES AND
CONDOMINIUM HOTELS MEETING MINUTES JUNE 10, 2025**

**VIA IN PERSON AND WEBEX VIRTUAL MEETING
JUNE 10, 2025**

Nevada State Business Center
3300 W. Sahara Avenue
4th Floor, Nevada Room
Las Vegas, Nevada 89102

VIDEO CONFERENCE TO:
Nevada Division of Insurance
1818 College Parkway
Suite 103
Carson City, Nevada 89706

1) COMMISSION/DIVISION BUSINESS:

A) Call to order; introduction of Commissioners in attendance; and establish quorum

Chairman Tomasso called the meeting to order at 9:03 A.M.

Chairman Tomasso led the Pledge of Allegiance.

Introduction of Commissioners in attendance: Phyllis Tomasso, June Heydarian, Kim Lighthart, Robert “Bob” Sweetin, Kyle Tibbitts, and Patricia Morse Jarman, a quorum was established. Commissioner Sara Gilliam was absent.

Commission Counsel: Todd Weiss, Senior Deputy Attorney General.

B) Swearing in of new Commissioner

Chairman Tomasso swore in Commissioner Tibbitts.

C) Introduction of Division staff in attendance

Sharath Chandra, Administrator; Charvez Foger, Deputy Administrator; Sonya Meriweather, Ombudsman; Shareece Bates, Administration Section Manager; Terry Wheaton, Chief Compliance Audit Investigator; Robert Towle, Compliance Audit Investigator; Maria Gallo, Commission Coordinator; Amy Reveyrand, Commission Coordinator; Phil Su, Senior Deputy Attorney General; Christal Keegan, Deputy Attorney General and Sarah Czarnecki Attorney General Intern.

2) Public Comment

Mike Kosor stated that his testimony would exceed three minutes and submitted written testimony to be included in the meeting minutes. Mr. Kosor presented two main points. First, Mr. Kosor expressed concern that the Real Estate Division is using its discretion to ignore, dismiss, or prematurely resolve claims where violations exist. Mr. Kosor stated that this practice prevents the Commission from fulfilling its responsibilities. Mr. Kosor emphasized that the law

is clear, the Division investigates, and the Commission adjudicates. He referenced a memo he submitted that supports this position.

Second, Mr. Kosor highlighted that under the law, the Commission “may do all things necessary and convenient to carry out the provisions of the chapter,” granting broad authority to examine matters related to the chapter. Mr. Kosor expressed concern that the B&I Director believes confidentiality provisions limit the Commission’s involvement and that a memo is being used to shield the Division’s investigatory practices from review. Mr. Kosor asserted that laws are ineffective if not enforced, noting that the last regulatory review by the Commission occurred in 2022 and those changes have not yet been published. Mr. Kosor urged action on regulatory issues such as email voting, obtaining three bids, secret ballots, virtual unit owner meetings, and board conflicts of interest. Mr. Kosor stressed that these are significant, long-standing issues that continue to be ignored. Additionally, Mr. Kosor stated he requested assistance from the Ombudsman in understanding the provisions of NRS 116 but was refused and advised to seek legal counsel. Mr. Kosor stated that if the Ombudsman understood the issues, it was her duty to educate and inform. Mr. Kosor concluded by urging the Commissioners to hold the Division accountable on behalf of the public.

3) DISCIPLINARY ACTION: DISCUSSION AND POSSIBLE ACTION BY THE COMMISSION:

A) NRED v. Daybreak at Sunrise Highlands Homeowners Association, for possible action. Case No. 2024-592

Type of Respondent: Homeowners Association

Parties Present

Christal Keegan, Deputy Attorney General, was present representing the Division.

Ashley Leavens, Supervising Community Manager, appeared virtually.

Crystal Rymer, Provisional Community Manager, appeared virtually.

Lucille Sanchez, Management Company Representative, appeared virtually.

Christine Ramos, Board Member, appeared virtually.

Preliminary Matters

Ms. Keegan stated that the association is back before the Commission due to a breach of terms 3 and 5 of the Commission’s April Order. Specifically, the association failed to meet its filing deadline, and two board members appear to be related, which is not permitted by law. She noted that she spoke with Community Manager (CAM) Leavens, who indicated that the related board member situation is temporary, and that the association has sent out another mailer with nomination forms to recruit a third, unrelated board member.

Ms. Keegan stated that the association's current approach is ineffective and emphasized that sufficient time has passed to fill the board vacancy, as the original complaint was filed on October 29, 2024. She reminded the Commission that at the December 3, 2024, meeting, the association indicated they expected to have a third board member by the March 2025 meeting, which did not occur. At that time, the CAM reported that a unit owner expressed interest but ultimately did not join the board.

Ms. Keegan noted that the association has not been in compliance with the three-member board requirement since June 2017. She expressed support for issuing the maximum fine of \$1,000 for breaching the Commission’s Order and stated she is open to suggestions from the Commission on how to bring the association into compliance.

Regarding the second breach, Ms. Keegan stated that the association failed to pay the \$2,311.46 fine imposed at the March meeting by the June 2, 2025, deadline. She contacted the CAM on the due date to remind them of the payment. The check was issued two days later and mailed, but she stated it should have been hand-delivered to the Division given the delay. As of the day prior to the meeting, the Division had not received or processed the payment, and therefore the item is still considered unpaid. Ms. Keegan concluded that the Division has made every effort to bring the association into compliance with the law.

Ms. Ramos stated that recent management company changes, board member turnover, and a lack of community involvement have all contributed to the circumstances leading to this complaint. She acknowledged that her husband is currently listed as a board member but explained that this is a temporary measure until a third board member can be secured. Regarding the outstanding payment, Ms. Ramos stated that if the check has not been received, the association can place a stop payment on it and issue a new one.

The Commissioners questioned Ms. Ramos regarding the board member turnover, when the association expects to secure a third board member, the lack of community involvement, and the reason for the delay in issuing the payment check.

Ms. Ramos answered the Commissioners' questions.

Ms. Keegan stated that the association's current filing with the Division may not reflect the correct officers and reminded that such information must be updated with the Division within 30 days of any change. She also noted that the CAM made no effort to hand-deliver the already late payment, which could have improved the association's standing had it been processed before the Commission meeting.

The Commissioners emphasized to Ms. Ramos the importance of working closely with the management company for guidance and to stay informed about the association's status regarding payments and compliance filings with the Division.

Commissioner Morse Jarman questioned Ms. Ramos about the composition of the association, specifically how many of the units are rentals.

Ms. Ramos stated that she was embarrassed to admit she knows very little about the makeup of the association, despite serving as board president. She explained that, initially, the management company conveyed that serving on the board would require minimal involvement, but she now understands the importance of being proactive in working with the CAM and addressing association matters.

The Commission questioned Ms. Ramos about the solvency of the association and the level of community involvement.

The Commissioners deliberated on what possible action to take against the Respondent.

Motion

Commissioner Heydarian moved that the association provide an update to the DAG within 45 days detailing the efforts made to replace the third board member, including sending letters to unit owners in both Spanish and English to recruit a new board member. The association is to return to the September 2025 meeting. No administrative fine will be levied for breaching the Commission's April Order. The motion was seconded by Commissioner Tibbitts. The motion carried.

B) NRED v. Manhattan Homeowners' Association, for possible action

Case No. 2024-685

Type of Respondent: Homeowners Association

Parties Present

Phil Su, Senior Deputy Attorney General, was present representing the Division.
Ryan Hastings Esq., appeared virtually representing the Respondent.

Preliminary Matters

Mr. Su stated that the parties have reached an agreement and that Mr. Hastings can confirm the board has voted to approve the settlement. He noted that the board consists of nine members, but not all had the opportunity to sign the settlement prior to the meeting.

Mr. Su provided a summary of the complaint and read the terms of the settlement into the record.

Motion

Commissioner Lighthart moved to approve the terms of the settlement. Commissioner Sweetin seconded the motion. Motion carried.

C) NRED v Silver State Condominium Owners' Association, Inc., for possible action

Case No. 2024-106

Type of Respondent: Homeowners Association

Parties Present

Christal Keegan, Deputy Attorney General, was present representing the Division.
Sophie Karadanis Esq., was present virtually representing the Respondent.

This case was tabled due to technical difficulties.

4) COMMISSION/DIVISION BUSINESS:

A. Discussion regarding the Administrator's report.

Sharath Chandra stated that the technology project is on track. He reported that the Division's budgets have been passed. He also noted there was significant legislative activity concerning bills that affect common-interest communities; some of these bills have passed and are now awaiting either the Governor's signature or veto. Mr. Chandra added that the Division plans to work on proposing new regulations related to health and safety, as well as reserve studies.

Commissioner Lighthart inquired about the status of hiring a new Auditor, noting that the previous Auditor had left the position.

Mr. Chandra responded that an offer of employment would be extended to a candidate soon.

**C) NRED v Silver State Condominium Owners' Association, Inc., for possible action
Case No. 2024-106**

Type of Respondent: Homeowners Association

Parties Present

Christal Keegan, Deputy Attorney General, was present representing the Division.

Sophie Karadanis Esq., was present virtually representing the Respondent.

Richard Mayer, Board Member, was present virtually.

Larry Kaine, Board Member, was present virtually.

Terry Nason, Board Member, was present virtually.

Kevin Berg, Community Manager, was present virtually.

Preliminary Matters

Ms. Keegan stated that this matter would proceed as an uncontested matter. She explained that the parties had stipulated to the documents in advance so the Commissioners would have the opportunity to review them beforehand.

Ms. Keegan provided a summary of the case.

Ms. Karadanis outlined the association's future strategy and the proposed funding plan.

Commissioner Lighthart asked about the status of the 2024 CPA audit.

Ms. Karadanis stated the audit is in process, but they do not have an estimated completion date at this time.

Ms. Keegan stated that the Division is not recommending an administrative fine at this time; however, it is recommending that the association pay the Division's fees and costs related to the hearing. She also recommended that the association provide a status update at the June 2026 Commission meeting regarding the funding plan and the completed 2024 CPA audit. Additionally, Ms. Keegan recommended that, due to a board member's lack of fiduciary duty, the board member be removed or, at a minimum, that all board members complete continuing education training in relevant areas.

Maria Gallo, Commission Coordinator, testified that the Division's reasonable, necessary and actual fees and costs total \$8,621.65.

Commissioner Heydarian asked if Ms. Karadanis wished to respond to Ms. Keegan's assertion that one of the board members should be removed due to the lack of fiduciary duty to the association.

Ms. Karadanis stated that there were instances that were outside the board's control and the issue occurred in 2021 and has not been repeated. She added controls have been established to ensure that board members due their due diligence when paying vendors.

The Commissioners deliberated on what possible action to take against the Respondent.

Motion

Commissioner Lighthart moved that the Commission assess no administrative fines, require the association to pay the Division's fees and costs in the amount of \$8,621.65 within 60 days, and direct the association to return to the June 2026 Commission meeting to provide a status update on the 2024 CPA audit, funding plan, an attestation by the CAM regarding the process and confirmation that no payments were made to unlicensed vendors. The status check documents are to be submitted at least 10 days before the June 2026 meeting. Commissioner Sweetin seconded the motion.

Commissioner Heydarian amended the motion to include a requirement that board members complete six hours of continuing education within the next year on relevant topics including fiduciary duty, budgeting and financial management, reserve studies, and HOA meetings. Proof of attendance must be provided no later than 10 days before the June 2026 Commission meeting. Commissioner Morse Jarman seconded the amended motion.

The motions carried.

4) COMMISSION/DIVISION BUSINESS:

B. Discussion regarding licensee and board member discipline.

Shareece Bates presented this report. The Commissioners were provided with the report in the meeting packet.

C. Discussion regarding Ombudsman's summary report.

Sonya Meriweather presented this report. The Commissioners were provided with the report in the meeting packet.

D. Discussion regarding CIC Compliance caseload report and summary.

Terry Wheaton presented this report. The Commissioners were provided with the report in the meeting packet.

Commissioner Heydarian asked what the overall issues are related to the complaints concerning elections.

Mr. Wheaton stated that the complaints involved various issues, including recalls or regular elections that were not conducted properly.

E. Discussion regarding Commissioners' speaking engagement requests.

None.

F. Discussion regarding the State of Nevada Controller's Office debt collection process for fines issued by the Commission.

No update.

G. For possible action: Discussion and decision to approve minutes of the March 11, 2025, Commission meeting.

Chairman Tomasso moved to approve the March 11, 2025, Commission meeting minutes.

Seconded by Commissioner Morse Jarman. Motion carried. 5:0 with Commissioner Tibbitts abstaining due to his absence at the March meeting.

5) FOR POSSIBLE ACTION: FOR DISCUSSION AND DECISION ON DATE, TIME, PLACE, AND AGENDA ITEMS FOR UPCOMING MEETING(S).

September 9-11, 2025, in Las Vegas.

Commissioner Sweetin requested that the pending concerns raised by Commissioners be addressed and discussed with staff.

6) Public Comment

Mike Kosor expressed support for adding Commissioner Sweetin's concerns to the next agenda. He also supported the Commissioners questioning Division staff about the 61 complaints referenced in the Ombudsman's Report. Mr. Kosor noted that the Division goes through a lengthy process, often concluding there is "not enough evidence." He emphasized that it is the Division's responsibility to gather evidence, not the unit owners.

Mr. Kosor shared that many unit owners have come before the Commission expressing concerns that the Division is not fully investigating complaints. He referenced the B&I Director's memo, which asserts that Commissioners are not permitted to ask "why." Mr. Kosor disagreed with that position and asked the Commissioners whether they had consulted with their legal counsel (who does not have authority over the Commission) to determine whether the Director's interpretation was accurate.

Mr. Kosor also referred to a settled case where unit owners were required to pay a \$3,800 fine because their board failed to fulfill its duties. He emphasized that it was the board that committed the violation and that they are using homeowners' money to pay the settlement.

Mr. Kosor clarified that the board does not have authority to force an association into receivership; only a court can do so. He expressed concern that the Commission does not have a clear understanding of the scope of its authority—where its role begins and ends. Finally, Mr. Kosor stated that the Division has exceeded its administrative reach, and it is the Commission's responsibility to rein them in and hold them accountable, as mandated by the legislature.

7) FOR POSSIBLE ACTION: ADJOURNMENT

Meeting adjourned at 11:54 AM.

Minutes prepared by: _____
Maria Gallo
Commission Coordinator