

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,

Case No. 2025-525

FILED

OCT 27 2025

NEVADA COMMISSION FOR
COMMON INTEREST COMMUNITIES
AND CONDOMINIUM HOTELS

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Petitioner,

8 vs.

9 BEAZER HOMES HOLDINGS LLC,

10 Respondent.

11 **FIRST AMENDED COMPLAINT FOR DISCIPLINARY**
12 **ACTION AND NOTICE OF HEARING**

13 The Real Estate Division of the Department of Business and Industry, State of Nevada (the
14 "Division"), by and through its counsel, Aaron D. Ford, Attorney General, and Christal P. Keegan,
15 Deputy Attorney General, hereby notifies Beazer Homes Holdings LLC ("RESPONDENT") of an
16 administrative hearing before the Commission for Common-Interest Communities and Condominium
17 Hotels, State of Nevada, which is to be held pursuant to Chapters 233B and Chapters 116 of the Nevada
18 Revised Statutes ("NRS") and Chapter 116 of the Nevada Administrative Code ("NAC"). The purpose
19 of the hearing is to consider the allegations stated below and to determine if an administrative penalty
20 will be imposed on the RESPONDENT pursuant to the provisions of NRS and NAC including, but not
21 limited to NRS 116.785 and NRS 116.790. Pursuant to NAC 116.565, the Complaint may be amended
22 at any time.

23 **JURISDICTION AND NOTICE**

24 During all relevant times, RESPONDENT was the declarant of Gardenia Community
25 Association (Entity Number E33893002023-1) and is, therefore, subject to the provisions of
26 Chapter 116 of each the Nevada Revised Statutes ("NRS") and the Nevada Administrative Code
27 ("NAC") (hereinafter collectively referred to as "NRS 116") and are subject to the jurisdiction of the

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

3 **FACTUAL ALLEGATIONS**

4 1. On or about July 10, 2025, upon information discovered during review of Gardenia
5 Community Association's Annual Association Registration Form 562, the Division's Compliance
6 Section opened an investigation against declarant Beazer Homes Holdings LLC ("RESPONDENT").
7 *Exhibit 1, NRED 0002-0006.*

8 2. At all times relevant, the declarant held all seats on the executive board – President
9 McKinzi Vega - Declarant, Treasurer Michael Gray – Declarant, and Secretary Samuel Platter –
10 Declarant. *Exhibit 1, NRED 0004, NRED 0006.*

11 3. At times relevant, the Association indicated it was managed by Amy M. Moore
12 (CAM.0009792-SUPR) with Vintage Real Estate Group, despite gaps in her licensure between June 30,
13 2023 to July 9, 2024, and again from June 30, 2025 to September 12, 2025. *Exhibit 1, NRED 0004,*
14 *NRED 0007, Exhibit 2, NRED 0009-0010.*

15 4. On or about September 24, 2023, with the sale of the 19th unit – 6105 Garden Crest
16 Street – approximately 26.03% conveyance was reached. *Exhibit 3, NRED 0026.*

17 5. On or about November 23, 2023 – being sixty (60) days after 25% conveyance – at least
18 one member of the executive board, who is not the declarant, should have been elected by the unit
19 owners. *NRS 116.31032(2)(a), Exhibit 2, NRED 0011.*

20 6. On or about March 25, 2024, with the sale of the 55th unit – 6114 Garden Oasis Street
21 – approximately 75.34% conveyance was reached. *Exhibit 3, NRED 0026.*

22 7. But on or about May 24, 2024 – being sixty (60) days after 75% conveyance – declarant
23 control did not terminate, and the board was not controlled by unit owners. *NRS 116.31032(1)(a),*
24 *Exhibit 2, NRED 0009.*

25 8. On or about July 18, 2025, RESPONDENT admitted to the requirement under
26 NRS 116.31032 to cause at least one unit owner other than declarant to be elected to the executive board
27 once 25% of the units have been conveyed. *Exhibit 2, NRED 0009.*

9. RESPONDENT also admitted to the requirement under NRS 116.31032 to terminate the period of declarant control no later than 60 days after 75% of the units have been conveyed.

Exhibit 2, NRED 0009.

10. RESPONDENT reasoned the election was deferred until the formal turnover meeting scheduled to coincide with the first Annual Meeting of the Membership on July 8, 2025, which does not comply with statutory timeframes. *Exhibit 2, NRED 0009, NRED 0014–0021.*

11. On or about September 11, 2025, the Division's closed its investigation. *Exhibit 4*,
NRED 0035-0036.

12. On or about September 18, 2025, from the Annual Association Form 562, the Division finally received notice reflecting the transition of control. *Exhibit 5, NRED 0042-0043.*

VIOLATIONS OF LAW

13. RESPONDENT violated NRS 116.31032(2)(a) for failing to cause a unit owner other than the declarant to be elected to the executive board when 25% of the units had been conveyed.

14. RESPONDENT violated NRS 116.31032(1)(a) for failing to terminate the period of declarant control 60 days after the conveyance of 75% of the units to unit owners other than the declarant had occurred.

DISCIPLINE AUTHORIZED

Pursuant to the provisions of NRS 116.615; NRS 116.755; NRS 116.785; and NRS 116.790, the Commission has discretion to take any or all of the following actions, including but not limited to:

1. Impose an administrative fine of up to **\$5,000** for each violation by RESPONDENT.
2. Require RESPONDENTS to pay the costs of the proceedings incurred by the Division, including, without limitation, the cost of the investigation and reasonable attorney's fees.
3. Take whatever further disciplinary action the Commission deems appropriate.

The Commission may order one or any combination of the discipline described above, and as set forth in NRS 116.785 and NRS 116.790.

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1 **NOTICE OF HEARING**

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

5 **THE HEARING WILL TAKE PLACE** at the Commission meeting(s) scheduled for
6 **December 9-11, 2025**, beginning at approximately 9:00 a.m. each day, or until such time as the
7 Commission concludes its business. The Commission meeting will be held at the Nevada State
8 Business Center, 3300 W. Sahara Avenue, 4th Floor, Nevada Room, Las Vegas, Nevada 89102 on
9 December 9-10, 2025, with videoconferencing to Department of Business and Industry, Division of
10 Insurance, 1818 E. College Parkway, Suite 103, Carson City, Nevada 89706. The Commission meeting
11 will be held at the Nevada State Business Center, 3300 W. Sahara Avenue, 4th Floor, Tahoe Room, Las
12 Vegas, Nevada 89102 on December 11, 2025, with videoconferencing to Department of Business and
13 Industry, Division of Insurance, 1818 E. College Parkway, Suite 103, Carson City, Nevada 89706.

14 **STACKED CALENDAR: Your hearing is one of several hearings that may be scheduled**
15 **at the same time as part of a regular meeting of the Commission that is expected to take place on**
16 **December 9-11, 2025. Thus, your hearing may be continued until later in the day or from day to**
17 **day. It is your responsibility to be present when your case is called. If you are not present when**
18 **your hearing is called, a default may be entered against you and the Commission may decide the**
19 **case as if all allegations in the complaint were true. If you need to negotiate a more specific time**
20 **for your hearing in advance because of coordination with an out of state witness or the like, please**
21 **call Maria Gallo, Commission Coordinator, at (702) 486-4074.**

22 **YOUR RIGHTS AT THE HEARING:** Except as mentioned below, the hearing is an open
23 meeting under Nevada's open meeting law and may be attended by the public. After the evidence and
24 arguments, the commission may conduct a closed meeting to discuss your alleged misconduct or
25 professional competence. You are entitled to a copy of the transcript of the open and closed portions
26 of the meeting, although you must pay for the transcription. As a RESPONDENT, you are specifically
27 informed that you have the right to appear and be heard in your defense, either personally or through
28 your counsel of choice. At the hearing, the Division has the burden of proving the allegations in

1 the complaint and will call witnesses and present evidence against you. You have the right to respond
2 and to present relevant evidence and argument on all issues involved. You have the right to call and
3 examine witnesses, introduce exhibits, and cross-examine opposing witnesses on any matter relevant
4 to the issues involved.

5 You have the right to request that the Commission issue subpoenas to compel witnesses to testify
6 and/or evidence to be offered on your behalf. In making this request, you may be required to demonstrate
7 the relevance of the witness' testimony and/or evidence. Other important rights and obligations,
8 including your obligation to answer the complaint, you have are listed in NRS Chapter 116 and NAC
9 Chapter 116, including without limitation, NRS 116.770 through 116.780, and NAC 116.500 through
10 NAC 116.635 and NRS Chapter 233B.

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

18 DATED this 24 day of October 2025.

DATED this 23rd day of October 2025.

19 STATE OF NEVADA
20 Department of Business and Industry
Real Estate Division

AARON D. FORD
Attorney General

21 
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