

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. 2025-217

**FILED**

JUL 14 2025

NEVADA COMMISSION FOR  
COMMON INTEREST COMMUNITIES  
AND CONDOMINIUM HOTELS

*magallo*

8 Petitioner,

9 vs.

10 EL PARQUE HOMEOWNERS  
11 ASSOCIATION,  
(Entity Number C3144-1991),

12 Respondent.

13 **COMPLAINT FOR DISCIPLINARY**  
14 **ACTION AND NOTICE OF HEARING**

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

26 **JURISDICTION AND NOTICE**

27 During all relevant times, RESPONDENT is a common-interest community of  
28 about 128 condominium units located in Las Vegas, Nevada (Entity Number C3144-1991)

1 and is, therefore, subject to the provisions of Chapter 116 of each the Nevada Revised  
2 Statutes (“NRS”) and the Nevada Administrative Code (“NAC”) (hereinafter collectively  
3 referred to as “NRS 116”) and are subject to the jurisdiction of the Division, and the  
4 Commission for Common-Interest Communities and Condominium Hotels pursuant to the  
5 provisions of NRS 116.750.

## 6 **FACTUAL ALLEGATIONS**

### 7 **A. Failure to Conduct a Reserve Study Once Every Five Years**

8 1. At least as of May 7, 2020, the RESPONDENT has been advised of their  
9 non-compliance with having a reserve study completed once every five years. *Exhibit 1,*  
10 *NRED 000002.*

11 2. Again, in the Division’s letter dated February 7, 2025, the RESPONDENT  
12 was advised of its requirement to conduct a reserve study every five years, noting its last  
13 reserve study was conducted November 25, 2018, and requested its Form #609 Reserve  
14 Study Summary by February 21, 2025. *Exhibit 2, NRED 000004.*

15 3. RESPONDENT failed to supply this information by the deadline, and  
16 therefore, on or about March 27, 2025, the Division’s Compliance Section opened its  
17 investigation. *Exhibit 11, NRED 001250–001253.*

18 4. In response, on April 9, 2025, the community manager, Leahmarie “Leah”  
19 Zinni Wickline (CAM.0010301-PROV), alleged the reserve study had been in progress  
20 since the end of 2024, and reported the Board just adopted the attached reserve study.<sup>1</sup>  
21 *Exhibit 10, NRED 001180.*

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22  
23 <sup>1</sup> CAM Wickline’s April 9, 2025 email appeared to blame the Division for their  
24 failure to respond timely or at all was because the letters were sent to the incorrect  
25 address, when the CAM’S signature block indicated a new address location effective way  
26 back in “9/16/2024”, and by admission, the updated Form 623 Registration Filing  
27 Addendum was not “complete[d] and remit[ted]” until the end of February [2025], which  
28 by law, requires changes in contact information to be reported to the Division within 30  
days (NAC 116.385). The only other Form 623 in the Investigative File is one dated  
October 2, 2023, *see Exhibit 6, NRED 000123–000124*, reporting CAM Leah Wickline  
as the community manager, so the failure to timely report changes is inexcusable, and  
any claims the Division’s letters were sent to the incorrect address are attributable to  
the CAM.

1           **B.     Failure to Audit and Review Financials**

2           5.     Per the RESPONDENT'S latest Annual Association Registration Form 562  
3 filed March 18, 2024, their annual budgeted assessments exceeded \$150,000 (reporting  
4 \$354,048.00). *Exhibit 6, NRED 000121.*

5           6.     According to RESPONDENT'S December 2023 and December 2024  
6 financials, Item 6024 Administrative Costs for Audit/Tax Service, despite budgeting  
7 \$2,000 and \$1,704, respectively, \$0 of the budgeted funds were spent to have an audit  
8 completed of their financials. *Exhibit 3, NRED 000008, Exhibit 4, NRED 000040.*

9           7.     Despite the Division's requests for information, RESPONDENT failed  
10 to provide copies of the audits and/or engagement letters from 2022, 2023, and 2024.  
11 *Exhibit 11, NRED 001252.*

12           **C.     Failure to Ensure Adequately Funded Reserves**

13           8.     Review of the RESPONDENT'S financial records over the three-year period  
14 2023–2025, reveal no attempts to reduce the “Due to Reserves” amount of \$81,051.00,  
15 while the Reserve fund continued to reduce year over year:

- 16           a.     The Association's Reserve Account in December of 2023  
17 reportedly held \$111,582.72, and \$81,051.00 was due to the  
Reserves from the Operating; *Exhibit 3, NRED 000007;*
- 18           b.     The Association's Reserve Account in December of 2024  
19 reportedly held \$63,158.33, and \$81,051.00 was due to the  
Reserves from the Operating; *Exhibit 4, NRED 000039; and*
- 20           c.     The Association's Reserve Account in February of 2025  
21 reportedly held \$53,890.56, and \$81,051.00 was due to the  
Reserves from the Operating. *Exhibit 5, NRED 000081.*

22           9.     Review of the RESPONDENT'S spending practices demonstrate utilization  
23 of Reserve funds to pay for daily maintenance and repairs:

- 24           a.     The Association's January 2023 Financials demonstrate  
25 RESPONDENT was utilizing Reserve funds to pay Mayorganic  
26 Maintenance and Repair, posted under 7004 Tree Pruning,  
7019 Lighting/Repair Supplies, 7011 Irrigation, 7136 General  
27 Repair and Maintenance, 7000 Landscape Contract, 7116  
Janitorial, 7052 Pedestrian Gates, 7136 General Repair and  
28 Maintenance for a total of \$8,595 paid out of Reserve. *Exhibit 7,  
NRED 000163, and NRED 000172: “Reclass Jan 2023 Oper Exp  
posted to Rsv Exp”; and*

- 1           b.     The Association's December 2023 Financials demonstrate  
2                 Mayorganic Maintenance and Repair posted under 7000  
3                 Landscape Contract, 7004 Tree Pruning, and also 7116  
4                 Janitorial from Operating, while Center Cut Landscape  
               Services posted under 7330 Rsv Landscape, from Reserve.  
               *Exhibit 3, NRED 000024-000025.*

5           **D.     Failing its Fiduciary Duties**

6           10.    The RESPONDENT'S Annual Association Registration Form 562 dated  
7           April 27, 2023, reported the following Executive Board Members: President Bob  
8           Mihaylovich, Secretary Sandie Medina, Treasurer Jesus Trani, and Dora Smith.  
9           *Exhibit 6, NRED 000120.*

10          11.    The RESPONDENT'S Annual Association Registration Form 562 dated  
11          March 11, 2024, reported the following Executive Board Members: President Sandie  
12          Medina, Secretary Valarie Salone, Treasurer Jesus Trani, Dora Smith, and Mike  
13          Pucciarelli. *Exhibit 6, NRED 000122.*

14          12.    The RESPONDENT'S Registration Filing Addendum dated April 10, 2025,  
15          reported Board Member Mike Pucciarelli no longer served on the Board with an end date  
16          of September 11, 2024. *Exhibit 9, NRED 001098.*

17          13.    Review of RESPONDENT'S December 2023 Financials report a landscaping  
18          contract in place with a Mayorganic Maintenance and Repair, but was also paying Center  
19          Cut Landscape Services. *Exhibit 3, NRED 000024-000025.*

20          14.    Vendor Mayorganic Maintenance and Repair Nevada's business license  
21          appears to have been in DEFAULT status since 2022, and for all times relevant, it is  
22          unknown if this vendor had an active business license, insurance, bond, or any other  
23          necessary risk protection for the Association.<sup>2</sup> *Exhibit 6, NRED 000128-000129.*

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24                   <sup>2</sup> See Case No. 2022-651 NRED v Jose Estrada, Findings of Fact, Conclusions of  
25                   Law, and Order, filed December 15, 2023, Paragraph No. 16. Association [Las Brisas  
26                   Apartment Homes Community Association] Checks made payable to Unlimited  
27                   Contracting, LLC, from June 15, 2017, through October 16, 2019, showed that the  
28                   Association paid approximately \$59,523.00 to Unlimited Contracting, LLC during that  
                  timeframe for services ranging from hot water heater work to landscaping services.  
                  Paragraph No. 17. On or about September 7, 2022, Unlimited Contracting, LLC informed

1           15. Review of RESPONDENT'S 2024 financials report weekly payments to a  
2 "Carter Aramas Vouchers, for services mysteriously labeled "Community Standards", a  
3 vendor for which no results were returned from the Nevada Secretary of State business  
4 license website. *Exhibit 4, NRED 000064, Exhibit 5, NRED 000104.*

5           16. Additionally, RESPONDENT'S February 2025 Financials, vendor  
6 Mayorganic Maintenance Repair posted multiple billing line items appearing to skate  
7 under handyman thresholds,<sup>3</sup> see under 7000 Landscape Contract, 7008 Weed Control,  
8 7116 Janitorial, 7136 General Repair and Maintenance, 7070 Gate Repair,  
9 7011 Irrigation, 7117 Light Bulbs. *Exhibit 5, NRED 000104-000105.*

10           **E. Failure to Have the Signatures Required for Withdrawals of**  
11           **Certain Association Funds**

12           17. The 2023 financial records reveal extensive single-signed checks, and in  
13 many instances signed twice by the same person. *Exhibit 7, in the October 2023 Financials*  
14 *NRED 000590, see Check #s 3054, 3055, 3056, 3057, 3058, 3059 signed twice by the*  
15 *same signatory; in the November 2023 Financials NRED 000622, see Check #s 3052, 3053,*  
16 *3060, 3061, 3062, 3063, 3064, 3065, 3066 single signed checks, or twice signed by the same*  
17 *person; in the December 2023 Financials NRED 000650, see Check #s Operating Account*  
18 *3068, 3069, 3070, 3071, 3073, 3074, 3075, NRED 000655 Reserve Account Check #s 7000,*  
19 *7001, 7002.*

20           18. The RESPONDENT'S practice of single-signing checks continued extensively  
21 into 2024. *Exhibit 8, in the January 2024 Financials NRED 000685, see Check #s 3076,*  
22 *3078, 3079, 3080, 3081, 3082, 3083, 3084, 3085; in the February 2024 Financials NRED*  
23 *000716, see Check #s 3077, 3086, 3087, 3088, 3089, 3090, 3091, 3092, 3093, 3094, 3095; in*  
24 *the March 2024 Financials NRED 000748, see Check #s 3096, 3097, 3098, 3100, 3102,*  
25

26 the Association's Manager, Michelle Tagata, that it would be changing its name to  
27 Mayorganic Maintenance Repairs, LLC, with registered agent Claudia M. Menjivar.

28 <sup>3</sup> The handyman exemptions as per NRS 624.031(6), include work to repair or  
maintain property valued at less than \$1,000, including labor and materials, unless  
certain conditions apply (e.g., building permit required, type of work, contractor's license).

1 3103, 3105, 3106; in the April 2024 Financials NRED 000781–000782, see Check #s 3104,  
2 3107, 3108, 3109, 3110, 3111, 3112, 3113, 3114, 3115, 3116, 3117, 3118, 3119, 3120.

3  
4 19. Therefore, on or about May 12, 2025, despite such plain notice of continued  
5 deficiencies, the Division closed its investigation due to the RESPONDENT'S failure to  
6 supply any subsequent additional documentation or other evidence to support its position,  
7 and notified the RESPONDENT that it intended to proceed formally before the  
8 Commission for Common-Interest Communities and Condominium Hotels. *Exhibit 11*,  
9 *NRED 001254–001255*.

#### 10 VIOLATIONS OF LAW

11 20. *Violation #1.* RESPONDENT violated NRS 116.31152 as implicated by NAC  
12 116.427 for failing to perform the Reserve Study once every five years.

13 21. *Violation #2.* RESPONDENT violated NRS 116.3115(2)(b) for failing to  
14 establish adequate reserves, funded on a regular basis, and further, misappropriating  
15 reserves for operating expenses.

16 22. *Violation #3.* RESPONDENT violated NRS 116.3103 through NAC  
17 116.405(5) for failing to comply with the Division to provide information or  
18 produce documents.

19 23. *Violation #4.* RESPONDENT violated NRS 116.31144,(1)(c), (2), for failing to  
20 cause the Association's financial statements to be audited as required.

21 24. *Violation #5.* RESPONDENT violated NAC 116.457,(1)(b), (1)(c) as further  
22 implicated by NRS 116.31144.

23 25. *Violation #6.* RESPONDENT violated NAC 116.453 for failing to adequately  
24 present the contents of interim financial statements.

25 26. *Violation #7.* RESPONDENT violated NRS 116.31153 on 68 counts for failing  
26 to have the necessary signatures required for Association funds withdrawals from  
27 2023–2024 on approximately 68 single-signed checks, in some instances signed twice by  
28 the same signatory.

1           27.    *Violation #8.* RESPONDENT violated NRS 116.3103, as evidenced by NAC  
2 116.405(8)(a) by failing its fiduciary duties for utilizing the services from a provider who  
3 failed to possess the proper licensing.<sup>4</sup>

4                                   **DISCIPLINE AUTHORIZED**

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

7           1.     Issue an order directing RESPONDENT to cease and desist from continuing  
8 to engage in the unlawful conduct that resulted in the violation;

9           2.     Issue an order directing RESPONDENT to take affirmative action to correct  
10 any conditions resulting from the violation;

11          3.     Impose an administrative fine of up to \$1,000 for each violation  
12 by RESPONDENT;

13          4.     If RESPONDENT is found to have knowingly and willfully committed a  
14 violation of NRS or NAC 116 AND it is in the best interest of the Association, such  
15 RESPONDENT may be removed from his/her position as a director and/or officer.

16          5.     Order an audit of the ASSOCIATION, at the expense of the ASSOCIATION.

17          6.     Require RESPONDENT to pay the costs of the proceedings incurred by the  
18 Division, including, without limitation, the cost of the investigation and reasonable  
19 attorney's fees.

20          7.     Take whatever further disciplinary action the Commission deems appropriate.

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

25          ...

26          ...

27                                   

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28                   <sup>4</sup> *Dutchess Business Services, Inc. v. Nevada State Bd. of Pharmacy*, 124 Nev. 701  
(2008).



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  
4 Chapters 233B and 116 of the Nevada Revised Statutes and Chapter 116 of the Nevada  
5 Administrative Code.

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

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

27 ...

28 ...



1       **YOUR RIGHTS AT THE HEARING:** Except as mentioned below, the hearing is  
2 an open meeting under Nevada's open meeting law and may be attended by the public.  
3 After the evidence and arguments, the commission may conduct a closed meeting to  
4 discuss your alleged misconduct or professional competence. You are entitled to a copy of  
5 the transcript of the open and closed portions of the meeting, although you must pay for  
6 the transcription.

7       As a RESPONDENT, you are specifically informed that you have the right to appear  
8 and be heard in your defense, either personally or through your counsel of choice. At the  
9 hearing, the Division has the burden of proving the allegations in the complaint and will  
10 call witnesses and present evidence against you. You have the right to respond and to  
11 present relevant evidence and argument on all issues involved. You have the right to call  
12 and examine witnesses, introduce exhibits, and cross-examine opposing witnesses on any  
13 matter relevant to the issues involved.

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

21       Note that under NAC 116.575, not less than five (5) working days before a hearing,  
22 RESPONDENT must provide to the Division a copy of all reasonably available documents  
23 that are reasonably anticipated to be used to support his position, and a list of witnesses  
24 RESPONDENT intends to call at the time of the hearing. Failure to provide any document  
25 or to list a witness may result in the document or witness being excluded from

26 ...

27 ...

28 ...

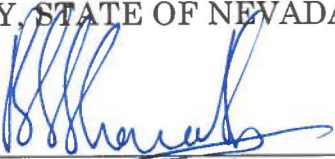
1 RESPONDENT'S defense. The purpose of the hearing is to determine if the  
2 RESPONDENT has violated the provisions of NRS 116, and to determine what  
3 administrative penalty is to be assessed against RESPONDENT.  
4

5 DATED this 11 day of July 2025.

DATED this 10th day of July 2025.

6 REAL ESTATE DIVISION,  
7 DEPARTMENT OF BUSINESS AND  
8 INDUSTRY, STATE OF NEVADA

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