

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, STATE
7 OF NEVADA,

8 Petitioner,

9 vs.

10 SPRING WOODS OWNERS' ASSOCIATION,
11 (Entity Number C-6423-1978)

12 Respondent.

Case No. 2025-176

FILED

JUL 03 2025

NEVADA COMMISSION FOR
COMMON INTEREST COMMUNITIES
AND CONDOMINIUM HOTELS

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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 Spring Woods Owners' Association ("RESPONDENT") of an administrative hearing before
19 the Commission for Common-Interest Communities and Condominium Hotels, State of
20 Nevada, which is to be held pursuant to Chapters 233B and Chapters 116 of the Nevada
21 Revised Statutes ("NRS") and Chapter 116 of the Nevada Administrative Code ("NAC").
22 The purpose of the hearing is to consider the allegations stated below and to determine if
23 an administrative penalty will be imposed on the RESPONDENT pursuant to the
24 provisions of the NAC and NRS including but not limited to NRS 116.785 and NRS 116.790.

25 **JURISDICTION AND NOTICE**

26 During all relevant times, RESPONDENT is a common-interest community of about
27 156 condominium type homes located in Las Vegas, Nevada (Entity Number C-6423-1978)
28 and is, therefore, subject to the provisions of Chapter 116 of each the Nevada Revised
Statutes ("NRS") and the Nevada Administrative Code ("NAC") (hereinafter collectively

referred to as “NRS 116”) and are subject to the jurisdiction of the Division, and the Commission for Common-Interest Communities and Condominium Hotels pursuant to the provisions of NRS 116.750.

FACTUAL ALLEGATIONS

A. Deficiency in Three (3) Board Member Statutory Requirement.

1. Since at least March of 2024, the RESPONDENT’S Annual Association Registration Forms 562 reported only two board members: President Robert Sylvain and Secretary Dean Harako. *NRED 000005, NRED 000007, NRED 000020.*

2. As recent as April 18, 2025, the Provisional Community Association Manager, Codi Lennox McDermott (CAM.0010387-PROV) (“CAM”), admitted there were still only two (2) board members. *NRED 000020.*

B. NOT IN GOOD STANDING for Past Due Annual Registration Forms and/or Fees.

3. As of March 7, 2025, the Division issued Past Due Remittance notices to the RESPONDENT for balances due on its account and/or missing registration form(s) 562 past its annual December 31st expiration date. *NRED 000011–000013, NRED 000004, NRED 000006.*

4. On April 18, 2025, the CAM represented to the Division that the account balances due on RESPONDENT’S accounts were pending board approval. *NRED 000020.*

5. As of June 4, 2025, the RESPONDENT’S credential status was NOT IN GOOD STANDING as it had failed to pay to the Division the past due interest on the delinquent unit fees. *NRED 000013–000014, NRED 000016–000018.*

C. Failure to Adopt Reserve Study Every Five Years.

6. The CAM admitted the RESPONDENT failed to approve the reserve study five (5) years from the last fully adopted study in 2017, claiming the Board did not agree with the reserve study specialist. *NRED 000020, NRED 000005.*

7. The CAM represented to the Division that the RESPONDENT Board “rarely ha[s] quorum so getting it approve[d] has been a challenge.” *NRED 000020.*

8. As of April 18, 2025, the Level 1 Reserve Study still pending approval indicated it was prepared on December 21, 2022, for the report period of January 1, 2023, to December 31, 2023. *NRED 000022*.

VIOLATIONS OF LAW

9. RESPONDENT violated NRS 116.31152(2) as implicated by NAC 116.427 for failing to adopt the reserve study within five (5) years.

10. RESPONDENT violated NRS 116.31155(1), (3) for failing to maintain good standing with the Division for its outstanding unit fees.

11. RESPONDENT violated NRS 116.31158(1) for failing to timely submit its Annual Association Registration Form 562 in 2024 and 2025.

12. RESPONDENT violated NRS 116.31034(1) for failing to have at least three board members since March of 2024.

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:

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

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

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

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

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

6. Require the executive board to hire a community manager who holds a certificate;

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

8. Take whatever further disciplinary action the Commission deems appropriate.

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

NOTICE OF HEARING

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

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

STACKED CALENDAR: Your hearing is one of several hearings that may be scheduled at the same time as part of a regular meeting of the Commission that is expected to take place on September 9-11, 2025. Thus, your hearing may be continued until later in the day or from day to day. It is your responsibility to

1 be present when your case is called. If you are not present when your hearing is
2 called, a default may be entered against you and the Commission may decide the
3 case as if all allegations in the complaint were true. If you need to negotiate a
4 more specific time for your hearing in advance because of coordination with an
5 out of state witness or the like, please call Maria Gallo, Commission Coordinator,
6 at (702) 486-4074.

7 **YOUR RIGHTS AT THE HEARING:** Except as mentioned below, the hearing is
8 an open meeting under Nevada's open meeting law and may be attended by the public.
9 After the evidence and arguments, the Commission may conduct a closed meeting to
10 discuss your alleged misconduct or professional competence. You are entitled to a copy of
11 the transcript of the open and closed portions of the meeting, although you must pay for
12 the transcription. As a RESPONDENT, you are specifically informed that you have the
13 right to appear and be heard in your defense, either personally or through your counsel of
14 choice. At the hearing, the Division has the burden of proving the allegations in the
15 complaint and will call witnesses and present evidence against you. You have the right to
16 respond and to present relevant evidence and argument on all issues involved. You have
17 the right to call and examine witnesses, introduce exhibits, and cross-examine opposing
18 witnesses on any matter relevant to the issues involved.

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

26 ...

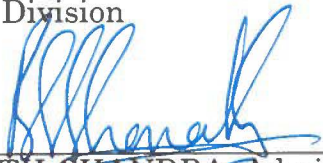
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1 Note that under NAC 116.575, not less than five (5) working days before a hearing,
2 RESPONDENT must provide to the Division a copy of all reasonably available documents
3 that are reasonably anticipated to be used to support its position, and a list of witnesses
4 RESPONDENT intends to call at the time of the hearing. Failure to provide any document
5 or to list a witness may result in the document or witness being excluded from
6 RESPONDENT'S defense. The purpose of the hearing is to determine if the RESPONDENT
7 has violated the provisions of NRS 116, and to determine what administrative penalty is
8 to be assessed against RESPONDENT.

9
10 DATED this 2 day of July 2025.

11 STATE OF NEVADA
12 Department of Business and Industry
13 Real Estate Division

14 By: 
15 SHARATH CHANDRA, Administrator
16 CHARVEZ FOGER, Deputy Administrator
2300 West Sahara Avenue, Suite 770
Las Vegas, Nevada 89102

DATED this 1st day of July 2025.

AARON D. FORD
Attorney General

By: /s/ Sarah G. Czarnecki
SARAH G. CZARNECKI
Level 2 Certification of Limited Practice
Under SCR 49.3, June 25, 2025)
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