

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 & INDUSTRY, STATE OF
7 NEVADA,

8 Petitioner,

9 vs.

10 KELLY EVERS,

11 Respondent.

Case No. 2025-526

FILED

JUL 08 2026

NEVADA COMMISSION FOR
COMMON INTEREST COMMUNITIES
AND CONDOMINIUM HOTELS

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

13 This matter came on for hearing before the Commission for Common-Interest
14 Communities and Condominium Hotels, State of Nevada (the "Commission") on
15 Wednesday, June 10, 2026. (the "Hearing") Respondent Kelly Evers. ("RESPONDENT" or
16 "RESPONDENT EVERS") appeared by and through their attorney, Jeffrey Whipple, Esq.,
17 of the law firm Springel and Fink. Phil W. Su, Senior Deputy Attorney General, appeared
18 on behalf of the Real Estate Division of the Department of Business and Industry, State
19 of Nevada (the "Division").

20 Commission Member and vice chairwoman Kim Lightheart stated that because she
21 is a current member of the subject association, Coeur Du Lac Condominium Association
22 and was present as a board member during the incident in question, she was recusing
23 herself from this matter, leaving five (5) Commission members for the hearing.

24 The parties presented their respective cases-in-chief, with the Division calling one
25 witness, Investigator Robert Towle, and RESPONDENT EVERS called one witness,
26 herself. The Division also played two audio clips from the April 18, 2025, board meeting
27 where RESPONDENT EVERS made the statements at issue in this hearing. The
28 Division's bates stamped documents NRED0001-0089, which includes the intervention
affidavit filed with the Division, as well as the audio file from the April 18, 2025, board

1 meeting, were admitted into evidence. RESPONDENT EVER'S filed documents,
2 consisting of fifty (50) exhibits, were also admitted into evidence.

3 FINDINGS OF FACT

4 Based on a preponderance of the evidence in the record and the documents admitted
5 at the Hearing, the Commission hereby unanimously finds that the following factual
6 allegations were proven:

7 1. Along with documentary evidence, Complainant Petersen provided four (4)
8 audio clips of RESPONDENT EVERS speaking during the April 18, 2025, board meeting.

9 2. In the April 18, 2025, audio recording, a woman is clearly heard accusing the
10 Petersen's of insurance fraud.

11 3. On July 14, 2025, Barry Chappell, program officer for the Ombudsman's
12 office, emailed CAM Emily Fralick requesting documents and questions regarding the
13 intervention affidavit.

14 4. On July 24, 2025, Donna Zanetti, counsel for the ASSOCIATION, responded
15 to Chappell's email, noting that Petersen had submitted a petition to remove
16 RESPONDENT EVERS from the board of directors on March 14, 2025; had represented
17 himself as either being on the board or being authorized by the board to solicit insurance
18 quotes on the association's behalf when he did not hold that role/possess that authority;
19 and, while obtaining that insurance quote, had allegedly misrepresented aluminum wiring
20 in the subpanels, all of which precipitated RESPONDENT EVERS' comments regarding
21 insurance fraud at the April 18, 2025, board meeting.

22 5. Attorney Zanetti further noted that the other board members were not aware
23 that RESPONDENT EVERS would make a statement accusing the Petersens of insurance
24 fraud.

25 6. On August 1, 2025, the Ombudsman's Office referred the Intervention
26 Affidavit to the Compliance Section for investigation and potential further action.

27 7. On August 12, 2025, Investigator Robert Towle sent a Request for
28 Information letter to the ASSOCIATION, informing it that the Division was opening an

1 investigation on Case 2025-526 and requesting a written response to the allegations that
2 the executive board, in violation of NAC 116.405(4), disseminated a Board meeting agenda
3 on May 19, 2025, which included "unit owners names as complainants in an ADR
4 complaint against the Association."

5 8. On August 28, 2025, Attorney Zanetti responded on behalf of the
6 ASSOCIATION to the Request for Information, contending that the ASSOCIATION was
7 legally obligated to inform its unit owners of the status of claims and litigation, which
8 made disclosure of the Petersen, as complainants, not subject to NAC 116.405(4).

9 9. On September 30, 2025, the Division sent, via Certified Mail, a letter of
10 instruction to the executive board of the ASSOCIATION, indicating that although it would
11 not refer its investigation of the ASSOCIATION for a hearing at this time, the Division
12 reiterated the importance of maintaining confidentiality of complainant names in ADR
13 cases pursuant to NAC 116.405(4).

14 10. Also on September 30, 2025, the Division sent, via Certified Mail, a Letter of
15 Instruction to RESPONDENT EVERS, c/o the ASSOCIATION, noting that her opinion
16 that a specific owner committed insurance fraud constituted a violation of NAC 116.405(4).

17 11. Also on September 30, 2025, the Division sent Complainant Petersen
18 correspondence indicating it would be closing Case 2025-526 with a Letter of Instruction.

19 12. On November 7, 2025, after receiving a request for reconsideration by
20 Complainant Petersen on the basis that RESPONDENT EVERS had previously received
21 a Letter of Instruction from the Division, the Division determined that good cause exists
22 to reopen Case No. 2025-526 and to proceed with a formal hearing before the Commission.

23 13. On November 6, 2025, an NRS 233B letter notifying RESPONDENT EVERS
24 that it would pursue disciplinary action against her in a hearing before the Commission
25 for potential violations of NAC 116.405.

26 CONCLUSIONS OF LAW

27 Based on the foregoing factual findings and the preponderance of the evidence, the
28 Commission voted 4-1 that the following violation of law occurred:

1. RESPONDENT EVERS willfully and knowingly violated NRS 116.3103 by failing to exercise ordinary and reasonable care when she acted outside the scope of her authority granted in the governing documents when she disclosed confidential details related to another unit owner during the April 18, 2025, board meeting.

ORDER

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

1. RESPONDENT EVERS shall pay the Division a total amount of FIVE HUNDRED DOLLAR (\$500.00) ("Amount Due"), within thirty (30) days of entry of Order. This amount reflects \$500 in administrative fines for committing the above-stated violation of law, and zero costs/fees.

2. If payment is not actually received by the Division on or before its due date, it shall be construed as a default by RESPONDENT EVERS. In the event of default, the unpaid balance of the administrative fine and costs, together with any attorney's fees and costs that may have been assessed, shall be due in full to the Division within ten (10) calendar days of the date of default, and the Division may obtain a judgment for the amount owed, including collection fees and costs.

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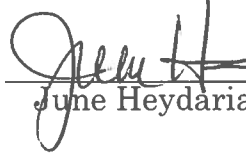
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2 3. The Commission retains jurisdiction for correcting any errors that may have
3 occurred in the drafting and issuance of this document.

4 DATED: July 8th, 2026

5 COMMISSION FOR COMMON-
6 INTEREST COMMUNITIES AND
7 CONDOMINIUM HOTELS,
8 DEPARTMENT OF BUSINESS
AND INDUSTRY, STATE OF NEVADA

9 By: _____
June Heydarian, Chair

10 Submitted by:

11 AARON D. FORD
12 Attorney General

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