

1 **BEFORE THE COMMISSION FOR COMMON-INTEREST**
2 **COMMUNITIES AND CONDOMINIUM HOTELS**
3 **STATE OF NEVADA**

3 SHARATH CHANDRA, Administrator,
4 REAL ESTATE DIVISION, DEPARTMENT
5 OF BUSINESS AND INDUSTRY, STATE
6 OF NEVADA,

6 Petitioner,

7 vs.

8 RAINBOW BEND HOMEOWNERS
9 ASSOCIATION (Entity C14711-1992),

10 Respondent.

Case No. 2025-630

FILED

JUL 22 2026

NEVADA COMMISSION FOR
COMMON INTEREST COMMUNITIES
AND CONDOMINIUM HOTELS

mgallo

11
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 Thursday, June 11, 2026. Respondent Rainbow Bend Homeowners Association
16 ("RESPONDENT ASSOCIATION") appeared through board members Dan Root, Dave
17 Hart, Lisa Holleman, Dave Neidert and Glenn Martin, and was represented by Donna
18 Zanetti, Esq. William C. Peper, Deputy Attorney General, appeared on behalf of the Real
19 Estate Division of the Department of Business and Industry, State of Nevada (the
20 "Division").

21 Prior to the hearing, the parties stipulated to the admission of all documents filed
22 by Donna Zanetti on behalf of RESPONDENT ASSOCIATION, and at the hearing, the
23 parties stipulated to the admission of all of the Division's proposed documents.

24 The hearing proceeded as an uncontested case, based on RESPONDENT
25 ASSOCIATION'S Answer, which admitted all of the allegations in the Division's
26 Complaint, except as to paragraph 11 of the Complaint, whereby RESPONDENT
27 ASSOCIATION had demurred. No testimony was given at the hearing. The Commission,
28 having reviewed the evidence presented in this matter and arguments of counsel, and for

1 good cause appearing, hereby enters the following Findings of Fact, Conclusions of Law,
2 and Order as follows:

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 finds that the following factual allegations were
6 proven:

7 1. 1. RESPONDENT ASSOCIATION, Entity Number C14711-1992,
8 consists of four hundred and two (402) single family home units, or lots designated for such
9 units, in a common interest community located in the unincorporated town of Lockwood,
10 Storey County, Nevada.

11 2. RESPONDENT ASSOCIATION first registered as a common interest
12 community with the Division in January, 1993.

13 3. On March 17, 2025, the Division issued a Letter of Non-Compliance to
14 RESPONDENT ASSOCIATION, regarding the failure to submit a reserve study in
15 compliance with Nevada law.

16 4. On August 12, 2025, the Division initiated an investigation as to the failure
17 of the RESPONDENT ASSOCIATION to submit its current Annual Association
18 Registration form 562 to the Division and Division records reflect that the delinquency
19 applies to 2024, and now 2025.

20 5. On August 12, 2025, the Division also initiated an investigation as to the
21 failure of RESPONDENT ASSOCIATION to cause a current reserve study to be performed;
22 that the last such reserve study had been completed in 2019.

23 6. On September 11, 2025, Investigator Christina Pitch, on behalf of the
24 Division, sent a letter to RESPONDENT ASSOCIATION, care of RESPONDENT
25 ASSOCIATION's registered property manager, referencing alleged violations of NRS
26 116.31158 and NRS 116.31152, and seeking a written response within 10 business days of
27 the date of the letter. The five board members, according to the last-filed Annual
28 Association Registration, last filed December 18, 2023, received courtesy copies by mail.

1 7. On October 24, 2025, Investigator Pitch sent another letter, captioned as a
2 "SECOND REQUEST," to RESPONDENT ASSOCIATION, care of its registered property
3 manager. The five board members, according to the last-filed Annual Association
4 Registration, last filed December 18, 2023, received courtesy copies by mail.

5 8. On November 13, 2025, Ms. Pitch sent another letter, captioned as a "THIRD
6 REQUEST," to RESPONDENT ASSOCIATION, care of its registered property manager.
7 The five board members, according to the last-filed Annual Association Registration, last
8 filed December 18, 2023, received courtesy copies by mail.

9 9. On December 1, 2025, Ms. Pitch sent another letter, captioned "FOURTH
10 REQUEST," to RESPONDENT ASSOCIATION, care of its registered property manager.
11 The letter was also sent by U.S. Mail to five new board members, respondents above, as
12 disclosed by Diana Vick, a recently departed executive board member, including the
13 following: David Neidert, Daniel Root, Glenn Martin, George Angel and Davie Phillips,
14 addressed as shown in the letter.

15 10. On December 12, 2025, Ms. Pitch sent another letter, captioned "FIFTH
16 REQUEST," to RESPONDENT ASSOCIATION, care of its registered property manager.
17 The letter was also sent by U.S. Mail to five new board members, respondents above, as
18 disclosed by Diana Vick, a recently departed executive board member, including the
19 following: David Neidert, Daniel Root, Glenn Martin, George Angel and Davie Phillips,
20 addressed as shown in the letter.

21 11. No response or reply was made to any of the six (6) Request for Information
22 letters sent, except for the following phone calls: (1) Phone call on September 16, 2025, from
23 Diana Vick, identifying herself as a member of the board of directors, and stating that Ms.
24 Kenyon, the registered property manager was out of town and had been given an extension
25 until October 11, 2025 to respond; and (2) Phone call on November 25, 2025, from Diana
26 Vick, stating that there was now a new slate of five directors on the RESPONDENT
27 ASSOCIATION'S board, and that the property manager, Terri Kenyon, of Kenyon &
28 Associates, was not taking care of the association.

12. On December 29, 2025, Terry Wheaton, Chief Compliance Audit Investigator for the Division, issued a 233B letter to RESPONDENT ASSOCIATION, care of its registered property manager Terry Kenyon (“233B Letter”); the letter was also sent by U.S. Mail to board member David Neidert, addressed as shown in the letter.

13. Since the time of service of the Complaint in this matter, RESPONDENT ASSOCIATION has retained Donna Zanetti, Esq., as counsel, and completed and submitted satisfactory reserve studies in accordance with the Division's requirements for RESPONDENT ASSOCIATION.

14. Since the time of the service of the Complaint, RESPONDENT ASSOCIATION has submitted to the Division satisfactory Annual Registration forms for the years 2024 and 2025.

CONCLUSIONS OF LAW

Based on the foregoing factual findings and the preponderance of the evidence, the Commission voted that the following violations of law occurred:

1. RESPONDENT ASSOCIATION violated NRS 116.31152(1)(a) by failing to conduct and timely submit, to the Division, a current reserve study, which is required once every five (5) years.

2. RESPONDENT ASSOCIATION violated NRS 116.3103 by failing to submit, to the Division, Annual Association Registration forms for the years 2024 and 2025.

3. RESPONDENT ASSOCIATION violated NAC 116.405 on five (5) occasions, constituting five (5) separate counts, by repeatedly failing to cooperate with, and respond to, multiple requests for information by the Division.

ORDER

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

1. Ordering RESPONDENT ASSOCIATION to pay to the Division, for fees and costs in the total amount of \$5,230.53. The total amount is payable within sixty (60) days of the effective date of this Order.

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

DATED this 22nd day of July, 2026.

COMMISSION FOR COMMON-INTEREST
COMMUNITIES AND CONDOMINIUM HOTELS
DEPARTMENT OF BUSINESS AND INDUSTRY
STATE OF NEVADA

By:

JUNE HEYDARIAN
COMMISSION CHAIR

Submitted by:

AARON D. FORD
Attorney General of Nevada

By: /s/ William C. Peper
WILLIAM C. PEPER, ESQ.
Deputy Attorney General
1 State of Nevada Way, Suite 100
Las Vegas, Nevada 89119
(702) 486-3184
Attorneys for Nevada Real Estate Division