BEFORE THE COMMISSION FOR COMMON-INTEREST COMMUNITIES AND CONDOMINIUM HOTELS

STATE OF NEVADA

SHARATH CHANDRA, Administrator, REAL ESTATE DIVISION, DEPARTMENT OF BUSINESS & INDUSTRY, STATE OF NEVADA, Petitioner, vs. WINTERWOOD VILLAGE UNIT NO. 1 HOMEOWNERS ASSOCIATION (Entity No. C485-1972); and LESLIE ORTEGA; Respondents.	Case No. 2025-86 FILED JUL 02 2026 NEVADA COMMISSION FOR COMMON INTEREST COMMUNITIES AND CONDOMINIUM HOTELS mgallo

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

This matter came on for hearing before the Commission for Common-Interest Communities and Condominium Hotels, State of Nevada (the "Commission") on Thursday, June 11, 2026 (the "Hearing"). Respondent Association Winterwood Village Unit No. 1 Homeowner's Association ("RESPONDENT ASSOCIATION") and Respondent board member/president Leslie Ortega, individually, ("RESPONDENT ORTEGA") (collectively, the "RESPONDENTS") appeared in-person and were represented by and through their attorney, Troy Dickerson, Esq. of the law firm Hall & Evans. Phil W. Su, Esq., Senior Deputy Attorney General, appeared on behalf of the Real Estate Division of the Department of Business and Industry, State of Nevada (the "Division").

The parties presented their cases-in-chief, with the Division calling one witness, Investigator Daniel Messer, and RESPONDENTS calling one witness, RESPONDENT ORTEGA. The Division's bates stamped documents NRED0001-0499, as well as its 2019 letter of instruction and denial of reconsideration, collectively identified as Exhibit G, were admitted into evidence. RESPONDENTS' filed documentary evidence, consisting of Exhibit B (time sheets, mileage forms, and reimbursement receipts, collectively bates stamped Winterwood Village 0001-0223), character references (Exhibits C-E), and a letter from RESPONDENT ORTEGA'S therapist (Exhibit F), were also admitted into evidence.

FINDINGS OF FACT

Based on a preponderance of the evidence in the record and the testimony and documents admitted at the Hearing, the Commission hereby unanimously finds, 4-0, that the following factual allegations were proven:

1. RESPONDENT ASSOCIATION, Entity Number C485-1972, consists of 213 units, in a common interest community located in Las Vegas, Nevada.

2. RESPONDENT ORTEGA, at all times relevant to this Complaint and, since at least January 2022, has served as Board President of RESPONDENT ASSOCIATION.

3. On February 10, 2025, the Division initiated an investigation of RESPONDENT ASSOCIATION based upon concerns, arising out of review of RESPONDENT ASSOCIATION'S submitted documents to the Division, that reflected 16% reserve funding.

4. On February 10, 2025, Investigator Pitch issued a Request for Information letter to the executive board, requesting a response to allegations that the reserves were not properly funded, and documents related to that allegation.

5. On February 24, 2025, the executive board for RESPONDENT ASSOCIATION provided its initial response to the RFI, and requested additional time to provide supporting documents.

6. On April 25, 2025, RESPONDENT ASSOCIATION provided additional documents in response to the RFI, including a copy of their 2023 audit report.

7. On July 14, 2025, Investigator Pitch sent a follow-up Request for Information letter to the RESPONDENT ASSOCIATION'S Board, requesting monthly financial statements and copies of invoices for all checks paid.

8. The Board did not provide the requested documents within the timeframe set forth in the follow-up RFI.

9. On August 11, 2025, Investigator Pitch sent a third Request for Information

letter to the RESPONDENT ASSOCIATION'S Board, requesting a response to the original allegation that the reserves were only 16% funded; as well as to three additional allegations:

a. that the association did not comply with NRS 116.31153(1)'s requirement for dual-signed check withdrawals from the Association's reserve account'
b. that the association did not comply with NRS 116.31153(2)'s requirement for dual-signed check withdrawals from the Association's operating account; and
c. that the Association and its president, RESPONDENT ORTEGA, violated NRS 116.31187(1) by accepting a commission, personal profit, or compensation for providing financing, goods or services to the association.

10. On August 26, 2025, RESPONDENTS' counsel, Troy Isaacson, provided a response to the third RFI, noting that the 16% reserve funding was based on incorrect documents initially filed with the Division, and that corrected documents indicated reserve funding levels at 41%; that only three (3) checks from the reserve account and two (2) checks from the operating account were not dual-signed and that steps were being taken to ensure future compliance; and that compensation was indeed paid to RESPONDENT ORTEGA for her work, which comprised of office clerk duties, which was due to understaffing at the association's office.

11. On September 24, 2025, Investigator Pitch sent a fourth Request for Information letter, requesting documents including, but not limited to, timesheets for Leslie Ortega, and invoices and receipts for board member reimbursements.

12. The Board provided bank records for 2022, 2023, 2024, and 2025 (through September 30, 2025) but did not provide timesheets for RESPONDENT ORTEGA'S work or invoices and receipts for board member reimbursements.

13. The bank records contained copies of checks, payable to RESPONDENT ORTEGA, that were dual signed by ORTEGA, herself, in each of calendar years 2022 through 2025.

14. The aforementioned checks payable to RESPONDENT ORTEGA totaled

approximately $4,140.00 in 2022; $12,065 in 2023; $10,950 in 2024; and $10,250 in 2025, all from checks that she counter-signed in her capacity as RESPONDENT ASSOCIATION's board president.

15. On October 22, 2025, the Division sent, via Certified Mail, an NRS 233B letter notifying the RESPONDENTS that it would pursue disciplinary action in a hearing before the Commission for potential violation of NRS 116.31187(1), for compensating RESPONDENT ORTEGA for providing financing, goods, and services to the association.

CONCLUSIONS OF LAW

Based on the foregoing factual findings and the preponderance of the evidence, the Commission unanimously found, 4-0, that all the following violations of law occurred:

1. RESPONDENT ASSOCIATION, through its executive board, violated NRS 116.3103 pursuant to NRS 116.31187(1) by allowing RESPONDENT ORTEGA to be compensated by Association funds for providing financing, goods, and services to the association.

2. RESPONDENT ORTEGA willfully and knowingly violated NRS 116.3103 pursuant to NRS 116.31187(1) by accepting compensation payments made through Association funds for providing financing, goods, and services to the association.

ORDER

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

1. RESPONDENTS shall pay a total amount of Seven Thousand Four Hundred Thirty Eight Dollars and 70/100 cents ($7,438.70, "amount due"), consisting of $2,000.00 in administrative fines and the Division's costs and fees in amount of $5,438.70. RESPONDENT ASSOCIATION and RESPONDENT ORTEGA, individually, shall each be responsible for fifty percent (50%) of the amount due, which shall be payable in equal monthly payments of $619.90 over six (6) months, starting from thirty (30) days after the effective date of this Order. Payments may be paid in advance without penalty.

2. If any payment is not actually received by the Division on or before its due date, it shall be construed as a default by the respective defaulting RESPONDENT. 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.

3. RESPONDENT ORTEGA shall be removed from all board positions effective immediately, and is barred from seeking election for, or appointment to, any NRS 116 executive board for a period of ten (10) years from the effective date of this Order, and that if, after the completion of that period, she wishes to seek an executive board member position, she will first seek leave from this Commission at its next regularly scheduled meeting.

4. RESPONDENT ASSOCIATION shall, within ninety (90) days of the effective date of this Order, obtain a minimum of three (3) bids from Nevada-certified community association managers and, thereafter, enter into an agreement to retain one of those community association managers to service RESPONDENT ASSOCIATION.

5. All current board members of RESPONDENT ASSOCIATION, and any appointed or elected within six (6) months after the effective date of this order, are required to complete at least six (6) hours of NRED board member unit training and/or Community Association Manager Continuing Education, with at least one course (1.5 hours) of instruction on fiduciary duties. Proof of completion will be provided to the Commission and Division at least ten (10) business days prior to the Commission's December 8-10, 2026, hearing.

6. RESPONDENT ASSOCIATION, represented by at least one (1) current board member, shall appear for a status check at the Commission's December 8-10, 2026, hearing, and shall file documentary proof of compliance with the terms of this Order with the Division at least ten (10) business days prior to the hearing.

7. RESPONDENT ASSOCIATION is on notice that if it violates any order by the Commission, the Commission may impose an administrative fine of not more than $1,000 for each violation; and

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

DATED: July 2nd, 2026

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

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