

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 RAINBOW BEND HOMEOWNERS  
11 ASSOCIATION, (Entity No. C14711-1992),

12 Respondent.

Case No. 2025-630

**FILED**

FEB 06 2026

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 William C. Peper, Deputy Attorney General, hereby notifies  
18 RESPONDENTS RAINBOW BEND HOMEOWNERS ASSOCIATION ("RESPONDENT  
19 ASSOCIATION" or "RESPONDENT"), of an administrative hearing before the  
20 Commission for Common-Interest Communities and Condominium Hotels, State of  
21 Nevada, which is to be held pursuant to Chapters 233B and 116 of the Nevada Revised  
22 Statutes ("NRS") and Chapter 116 of the Nevada Administrative Code ("NAC"). The  
23 purpose of the hearing is to consider the allegations stated below and to determine if an  
24 administrative penalty will be imposed on the RESPONDENT pursuant to the provisions  
25 of NRS and NAC including, but not limited to NRS 116.785 and NRS 116.790.

26 **JURISDICTION AND NOTICE**

27 At all times relevant to this Complaint, RESPONDENT RAINBOW BEND  
28 HOMEOWNERS ASSOCIATION, Entity Number C14711-1992, has been a common-  
interest community located in the unincorporated town of Lockwood, Nevada, and is,  
therefore, subject to the provisions of Chapter 116 of each the Nevada Revised Statutes

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

### 5 **FACTUAL ALLEGATIONS**

6 1. RESPONDENT ASSOCIATION, Entity Number C14711-1992, consists of  
7 four hundred and two (402) single family home units, or lots designated for such units, in  
8 a common interest community located in the unincorporated town of Lockwood, Storey  
9 County, Nevada. **CICCH0001-0006.**

10 2. RESPONDENT ASSOCIATION first registered as a common interest  
11 community with the Division in January, 1993. **CICCH0001-0006.**

12 3. On March 17, 2025, the Division issued a Letter of Non-Compliance to  
13 RESPONDENT ASSOCIATION, regarding the failure to submit a reserve study in  
14 compliance with Nevada law. **CICCH0007.**

15 4. On August 12, 2025, the Division initiated an investigation as to the failure  
16 of the RESPONDENT ASSOCIATION to submit its current Annual Association  
17 Registration form 562 to the Division and Division records reflect that the delinquency  
18 applies to 2024, and now 2025. **CICCH0008.**

19 5. On August 12, 2025, the Division also initiated an investigation as to the  
20 failure of RESPONDENT ASSOCIATION to cause a current reserve study to be  
21 performed; that the last such reserve study had been completed in 2019. **CICCH0007-**  
22 **0008.**

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 **CICCH0010-0012.**

2 7. On October 24, 2025, Investigator Pitch sent another letter, captioned as a  
3 "SECOND REQUEST," to RESPONDENT ASSOCIATION, care of its registered property  
4 manager. The five board members, according to the last-filed Annual Association  
5 Registration, last filed December 18, 2023, received courtesy copies by mail. **CICCH0013-**  
6 **0015.**

7 8. On November 13, 2025, Ms. Pitch sent another letter, captioned as a "THIRD  
8 REQUEST," to RESPONDENT ASSOCIATION, care of its registered property manager.  
9 The five board members, according to the last-filed Annual Association Registration, last  
10 filed December 18, 2023, received courtesy copies by mail. **CICCH0016-0018.**

11 9. On December 1, 2025, Ms. Pitch sent another letter, captioned "FOURTH  
12 REQUEST," to RESPONDENT ASSOCIATION, care of its registered property manager.  
13 The letter was also sent by U.S. Mail to five new board members, respondents above, as  
14 disclosed by Diana Vick, a recently departed executive board member, including the  
15 following: David Neidert, Daniel Root, Glenn Martin, George Angel and Davie Phillips,  
16 addressed as shown in the letter. **CICCH0019-0021.**

17 10. On December 12, 2025, Ms. Pitch sent another letter, captioned "FIFTH  
18 REQUEST," to RESPONDENT ASSOCIATION, care of its registered property manager.  
19 The letter was also sent by U.S. Mail to five new board members, respondents above, as  
20 disclosed by Diana Vick, a recently departed executive board member, including the  
21 following: David Neidert, Daniel Root, Glenn Martin, George Angel and Davie Phillips,  
22 addressed as shown in the letter. **CICCH0022-0024.**

23 11. No response or reply was made to any of the six (6) Request for Information  
24 letters sent, except for the following phone calls: (1) Phone call on September 16, 2025,  
25 from Diana Vick, identifying herself as a member of the board of directors, and stating  
26 that Ms. Kenyon, the registered property manager was out of town and had been given an  
27 extension until October 11, 2025 to respond; and (2) Phone call on November 25, 2025,  
28 from Diana Vick, stating that there was now a new slate of five directors on the

1 RESPONDENT ASSOCIATION's board, and that the property manager, Terri Kenyon, of  
2 Kenyon & Associates, was not taking care of the association.

3 12. On December 29, 2025, Terry Wheaton, Chief Compliance Audit Investigator  
4 for the Division, issued a 233B letter to RESPONDENT ASSOCIATION, care of its  
5 registered property manager Terry Kenyon ("233B Letter"); the letter was also sent by  
6 U.S. Mail to board member David Neidert, addressed as shown in the letter. **CICCH0025-**  
7 **0026.**

### 8 VIOLATIONS OF LAW

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

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

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

### 17 DISCIPLINE AUTHORIZED

18 Pursuant to the provisions of NRS 116.615; NRS 116.755; NRS 116.785; and NRS  
19 116.790, the Commission has discretion to take any or all of the following actions:

20 1. Issue an order directing RESPONDENT ASSOCIATION to take affirmative  
21 action to correct any conditions resulting from the violations.

22 2. Issue an order directing RESPONDENT ASSOCIATION to complete and  
23 submit a current reserve study no later than a specified deadline.

24 3. Issue an order directing RESPONDENT ASSOCIATION to submit Annual  
25 Association Registration forms for the years 2024 and 2025.

26 4. Impose an administrative fine of up to \$1,000 for each violation by  
27 RESPONDENT.

28 5. Order the RESPONDENT ASSOCIATION to pay the costs of the proceedings

1 incurred by the Division, including, without limitation, the cost of the investigation and  
2 reasonable attorney's fees.

3 6. Approve application to a court of competent jurisdiction for the appointment  
4 of a receiver for the RESPONDENT ASSOCIATION.

5 The Commission may order one or any combination of the discipline described  
6 above.

7 **NOTICE OF HEARING**

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

12 **THE HEARING WILL TAKE PLACE** at the Commission meeting(s) scheduled  
13 for March 10-12, 2026, beginning at approximately 9:00 a.m. each day, or until such time  
14 as the Commission concludes its business. The Commission meeting will be held at the  
15 Nevada State Business Center, 3300 W. Sahara Avenue, 4th Floor, Nevada Room, Las  
16 Vegas, Nevada 89102, with videoconferencing to Department of Business & Industry,  
17 Division of Insurance, 1818 College Parkway, Suite 103, Carson City, Nevada 89706.

18 **STACKED CALENDAR: Your hearing is one of several hearings that may**  
19 **be scheduled at the same time as part of a regular meeting of the Commission**  
20 **that is expected to take place on March 10-12, 2026. Thus, your hearing may be**  
21 **continued until later in the day or from day to day. It is your responsibility to**  
22 **be present when your case is called. If you are not present when your hearing**  
23 **is called, a default may be entered against you and the Commission may decide**  
24 **the case as if all allegations in the complaint were true. If you need to negotiate**  
25 **a more specific time for your hearing in advance because of coordination with**  
26 **an out-of-state witness or the like, please call Maria Gallo, Commission**  
27 **Coordinator, at (702) 486-4074.**

28 **YOUR RIGHTS AT THE HEARING:** Except as mentioned below, the hearing is

1 an open meeting under Nevada's open meeting law and may be attended by the public.  
2 After the evidence and arguments, the commission may conduct a closed meeting to  
3 discuss your alleged misconduct or professional competence. You are entitled to a copy of  
4 the transcript of the open and closed portions of the meeting, although you must pay for  
5 the transcription. As a RESPONDENT ASSOCIATION, you are specifically informed that  
6 you have the right to appear and be heard in your defense, either personally or through  
7 your counsel of choice. At the hearing, the Division has the burden of proving the  
8 allegations in the complaint and will call witnesses and present evidence against you. You  
9 have the right to respond and to present relevant evidence and argument on all issues  
10 involved. You have the right to call and examine witnesses, introduce exhibits, and cross-  
11 examine opposing witnesses on any matter relevant to the issues involved.

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

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

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

4 DATED this 6th day of February, 2026.

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

9 By:   
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14 AARON D. FORD  
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16 By: */s/ William C. Peper*  
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