

**COMMISSION FOR COMMON-INTEREST COMMUNITIES TASK FORCE
MEETING MINUTES FEBRUARY 25, 2026**

**VIA TEAMS VIRTUAL MEETING
WEDNESDAY, FEBRUARY 25, 2026
11:00 A.M.**

1-A) Call to Order; Introduction of Task Force Members in attendance

Dr. Kristopher Sanchez, Director of the Department of Business and Industry; Donna Zanetti, attorney with Leach Kern Gruchow Song; Michael Buckley, attorney with Fennemore Law; Jason Hoorn, supervising community manager with Taylor Association Management; Heidi Kasama, Assembly Member; Douglas Flowers, attorney with Holland and Hart; David Varon, homeowner; Mark Leon, homeowner; Phil W. Su, Senior Deputy Attorney General, Nevada Attorney General's Office; Christal Park Keegan, Senior Deputy Attorney, Real Estate Division; Sonya Meriweather, Ombudsman, Real Estate Division; Sharath Chandra, Administrator, Real Estate Division.

2) Public Comment

Amanda Flocchini, Chief of Staff for Director Sanchez, opened floor for public comment. Director Dr. Sanchez stated that written public comments had been received from William Lovegren, Paul De La Cruz and Mike Kosor.

Michael Kosor thanked Shareece Bates for sharing his written comments and framed his remarks in a broader institutional context. He noted that many issues on the agenda are already addressed by Nevada law through regulatory classifications and administrative review, and he suggested future discussion of those underlying processes. He categorized the issues into two types: Statutory ambiguities – Items like defining “meeting” and handling violations reflect long-standing gaps in the law. These are typically clarified through regulatory interpretation, highlighting the Task Force’s important role. Alternative Dispute Resolution (ADR) – ADR is a delivery and effectiveness issue rather than an ambiguity. While the legal framework exists, the process often fails to work reliably. Kosor opposed switching to arbitration and recommended using the existing referee program, which is faster and simpler, noting that its main limitation is the need for mutual agreement.

Solomon Bradley, a former board member of Sky Las Vegas HOA, acknowledged that while HOA fees are high, no board is perfect. He fully supports the referee program, noting that the ADR process often wastes money and produces little meaningful resolution, with lawyers benefiting the most. He highlighted that some judges, like Judge Jessica Goodey in Justice Court, are taking steps to allow homeowners to bypass formal ADR and resolve disputes more directly, providing fairer outcomes. He emphasized that the Task Force could lead by ensuring programs like the referee program are effective in practice, not just in name.

3) Rand Report Presentation

Sharath Chandra introduced a report from the Rand School of Public Policy, conducted for the Hawaii Legislative Reference Bureau, on condominium governance across multiple states. In August 2025, Michael Buckley and Sonya Meriweather participated in the study, providing input

for the research. The report has since been released, and a link or copy is available for review. He then turned the presentation over to Michael and Sonya for their overview and insights.

Sonya Meriweather gave a brief history of the Rand study comparing how California, Delaware, Florida, Massachusetts, and Nevada regulate and govern common interest communities, focusing on six areas: condominium operations and governance, condominium ombudsmen, dedicated alternative dispute resolution programs, owner access to condominium documents, owner education at the point of sale and licensing of condominium management. Florida and Nevada were highlighted for strong enforcement, ADR, online portals, and licensing, while other states had gaps in oversight, enforcement, or education. Key challenges across states include volunteer board turnover, affordable housing conflicts, insurance costs, and aging infrastructure. Effective oversight requires clear authority, sustainable funding, accessible dispute resolution, transparent document access, buyer education, and competent management.

Michael Buckley discussed Nevada's condominium and planned community governance in the context of the Rand study. Florida and Nevada have the most comprehensive regulatory frameworks, reflecting the high percentage of the population living in associations. Strengths of Nevada's system include diverting disputes to ADR or administrative channels, the Ombudsman program, online portals for document access, and structured management licensing. Weaknesses include slow dispute resolution, staff turnover in the Ombudsman office, budget constraints, underuse and misinterpretation of documents, limited ADR enforcement, and challenges with owner education. Emerging issues include volunteer board training and capacity, affordable housing conflicts, insurance pressures, and aging infrastructure, with potential lessons from Florida's milestone inspection law for older buildings. Buckley emphasized that while Nevada ranks among the top states, improvements could be made in dispute resolution, document access, and owner education. He stated that Sonya identified several emerging issues affecting volunteer governance in community associations. These include mandatory director training requirements in Florida, which require four hours and raise questions about whether such requirements encourage or discourage participation. Affordable housing initiatives were also discussed, particularly laws requiring local zoning to allow accessory dwelling units (ADUs), and the potential conflict with CC&Rs that may prohibit them. In some states, such as California, laws override CC&R restrictions to permit ADUs. Insurance costs remain a significant broader issue, and aging condominium buildings are another concern. Following the Surfside collapse in Florida, legislation now requires milestone inspections for buildings after 30 years, with additional inspections every 10 years thereafter. Although Nevada does not face the same weather conditions as Florida, aging buildings could present future challenges.

Dr. Sanchez explained that the purpose of items listed on the agenda as action items is to have discussion, and if there are areas the Task Force members would like to see action, those items will be called out for future agenda items. Dr. Sanchez stated that at the conclusion of the Task Force meetings, staff will produce a report that will be presented to the Governor's Office, with recommendations of legislative changes.

Sharath Chandra while referencing the agenda topics in the section, reiterated that one of the goals of the Ombudsman's Office is to engage the large percentage of homeowners who are not actively involved with their association. He stated that many of the issues homeowners bring to the office are practical matters that are sometimes in statute but not purely aligned with the language. He expressed hope that the Division's active participation along with the recommendations of the Task

Force, will assist the Ombudsman's Office with guidance and direction in order to better serve homeowners.

The group discussed practical, near-term actions from the Rand report that could be applied in Nevada. Key recommendations included increasing Ombudsman involvement in association elections, improving plain-language disclosures to clearly explain homeowner obligations, enhancing public awareness of Ombudsman services, and modeling guidance after the Mobile Home division's accessible resources. Efforts to simplify disclosures in related areas, such as insurance, are also underway. These steps focus on education, transparency, and homeowner engagement.

Garrett Gordon shared that CAI (Community Associations Institute) has a draft national bill aimed at preventing tragedies like the Surfside condominium collapse in Florida. The bill includes language on inspections (pre-, during, and post-construction) and requirements for adequate reserves for repairs. He offered to share the draft for consideration in Nevada.

Michael Buckley noted it would be beneficial to have a bill vetted by stakeholders to ease its path through the legislature.

Garrett Gordon added that CAI board members are already consulting with engineers, licensing boards, Realtors, builders, and the plaintiffs' bar, and the bill language has been updated based on prior stakeholder feedback.

Sonya Meriweather emphasized that Nevada has been ahead of other states in certain areas, particularly elections, and stressed the importance of increasing public education and awareness about the Ombudsman's office and its services before HOA unit owner meetings.

Michael Buckley suggested that the Real Estate Division could model educational resources after the Housing Division's webpage, which provides helpful guidance for people moving into mobile home parks, including disclosures and key information.

Dr. Sanchez agreed and noted that the department is looking at simplifying disclosures across industries (such as real estate and insurance) by using plain language so the public can better understand important information.

Assemblywoman Kasama explained that requiring Ombudsman staff to attend HOA elections would be difficult because most meetings occur in the evenings. She also noted that HOA resale packages are often very lengthy and overwhelming, causing buyers to overlook important information. She suggested creating a one-page summary highlighting key items—such as reserve funding, assessments, lawsuits, and major HOA rules—to help buyers better understand important details before purchasing a home.

Dr. Sanchez addressed staffing challenges in Business and Industry, noting that state-trained employees often move to higher-paying roles elsewhere. While upward mobility is embraced, the state struggles to remain competitive with surrounding cities, counties, and parts of the private sector. He highlighted the need to review compensation and classification structures, which will likely be discussed in the next legislative session.

4) Presentation, Discussion and Possible Action Item:

Sharath Chandra introduced the ADR (Alternative Dispute Resolution) program discussion, referencing a document prepared by Sonya comparing mediation and arbitration. The goal is to make the ADR process more convenient, cost-effective, and closer to arbitration, while exploring funding or subsidies to offset higher costs. Invited guests from the courts will share best practices to help guide potential updates.

Commissioner Erin Truman introduced the ADR (Alternative Dispute Resolution) programs for the 8th Judicial District Court in Clark County, focusing on mandatory arbitration and mediation. **Mandatory Arbitration:** Required by statute for certain civil cases under \$100,000, it is a non-binding, expedited process where a neutral arbitrator hears evidence and issues an award. Parties can request a trial de novo if dissatisfied. ADR staff review all cases, assign arbitrators, monitor timelines, and resolve disputes over arbitrator actions or fees. Arbitrators have discretion over evidence and procedure but must ensure a fair hearing. **Mediation Program:** Voluntary and confidential, cases are assigned to a mediator and must be mediated within 60 days. If unresolved, cases move to the short trial program, with the option to demand a regular trial. Mediation discussions remain confidential, unlike arbitration decisions, which can be presented to a jury. The goal of ADR is to resolve smaller cases efficiently, reduce judicial workload, and provide fair and timely outcomes.

Commissioner Erin Truman explained that arbitrators in the ADR program must have at least eight years of litigation or comparable experience, submit an application to the State Bar of Nevada, and complete mandatory training every two years. The ADR office monitors compliance, enforces timelines, and provides guidance on recurring issues. Arbitrators are paid \$150 per hour, capped at \$2,000 per case. She also noted that parties can request a judge instead of arbitration for matters like declaratory relief, and while some rules may not perfectly fit other programs, they can still be helpful. She highlighted that about 90% of cases in the arbitration program are resolved before trial, which supported raising the case limit to \$100,000. She explained that in their program, parties pay arbitrators equally (unless one is indigent), and participation is voluntary, which tends to produce more engaged arbitrators. Non-attorneys with relevant experience, such as prior arbitration work or labor-related roles, can also apply, but applicants must have meaningful experience and training.

5-A Discussion regarding amendments, additions and deletion to NRS 116

Sharath Chandra introduced agenda item 5, noting the purpose was to initiate discussion rather than reach a resolution. He emphasized the importance of gathering diverse perspectives from the task force members. Two documents were provided for context—a summary overview and an advisory opinion from the division.

5-A-1) Christal Park Keegan provided an overview of statutory guidance and advisory opinions. explained that the task force’s input is requested regarding NRS 116.31083 and what constitutes a formal board meeting subject to notice, agenda, and minutes requirements. She outlined the statutory framework, noting that some actions can occur without a formal meeting depending on the entity type, and highlighted NRS 82.271 for HOAs organized as nonprofit corporations. Advisory Opinion 11-01 was referenced as interpretive guidance, but it cannot create new obligations beyond the law. Since NRS 116 does not define “meeting,” the discussion seeks to determine if statutory clarification is needed.

Sonya Meriweather explained that boards sometimes conduct business outside formal meetings,

which limits unit owners' access to information and decision-making. This has led to complaints and concerns from owners. She emphasized the need for clear guidance or language so boards understand when actions outside a meeting might conflict with NRS 116.31083 requirements for notice and owner participation.

Donna Zanetti emphasized that while defining what constitutes a "meeting" is straightforward, it's important to recognize that boards sometimes need to take actions or hold workshops outside of formal meetings. She highlighted that open meetings are required for decision-making under NRS 116, but associations often budget for the minimum statutory number of meetings (four per year), and extra meetings can be costly. Workshops and informal discussions allow boards to gather information and address practical matters efficiently without exceeding time and budget constraints. Any regulatory or legislative changes should consider these real-world impacts on associations and their finances.

Jason Hoorn emphasized that the key issue for homeowners isn't defining a "meeting" but ensuring transparency. Actions taken outside formal meetings are allowed under most bylaws, but to maintain trust, boards should report and ratify these actions in the next regular meeting. The overarching goal is keeping homeowners informed and maintaining openness.

Michael Buckley agreed with Donna and Jason, noting that the issue isn't defining a "meeting" but clarifying what actions can be taken without a meeting, typically via written consent under bylaws or corporate law.

Mark Leon shared a board member perspective, emphasizing that time-sensitive decisions sometimes need to be made outside scheduled meetings, usually by email and later ratified at the next meeting. He contrasted two approaches: hashing out every agenda item during formal meetings, which can be chaotic and slow, versus holding informal workshops beforehand to prepare, allowing formal meetings to run efficiently and decisions to be made smoothly. Workshops improve board competence, reassure homeowners, and balance transparency with efficient decision-making, while homeowner input is also facilitated through committees.

Assemblywoman Kasama suggested considering a dollar threshold for routine board actions, so only larger contracts would require homeowner approval, helping boards act efficiently. She also proposed having staff draft meeting definitions incorporating these discussion points for review at the next session.

David Varon suggested using a percentage of the budget rather than a fixed dollar amount to guide decisions, noting that significant expenses should be brought to the community to uphold fiduciary responsibility and transparency.

Michael Buckley supported using a percentage of the budget rather than a fixed dollar amount and suggested that actions taken outside meetings should be disclosed, not necessarily ratified, to remain final.

Donna Zanetti noted that while a percentage-of-budget approach may help, some urgent matters—like insurance renewals—require immediate action regardless of cost, as delays could have serious consequences, making them appropriate for action outside a meeting.

Jason Hoorn explained that unexpected situations, like a vendor quitting, may require immediate action outside a meeting to protect the community, and professionals should help determine whether an issue is urgent or can wait.

Mark Leon shared that sometimes decisions are delayed for further review, but due to time-sensitive factors (like seasonal projects), boards may finalize decisions by email outside a meeting and later ratify them to stay on schedule.

Sharath Chandra emphasized the need to balance transparency, practicality, and time-sensitive decisions, and raised whether to amend NRS 116 to clarify actions outside meetings or rely on existing frameworks.

Christal Park Keegan recapped agenda items 5.2–5.4:

- 5.2 – Capital Improvements (NRS 116.3115): Defined what qualifies as a capital improvement versus repairs/maintenance; discussed cost thresholds and guidance pathway.
- 5.3 – Owner Complaints (NRS 116.31087): Clarified the process for placing complaints on board agendas, balancing legal/operational concerns, executive session matters, and requiring written responses to owners.
- 5.4 – Temporary Restrictions (NRS 116.31031): Discussed defining “reasonable time” for suspending voting/access, applying consistent criteria, proportional sanctions, and potential rulemaking.

Donna Zanetti suggested streamlining the owner complaint process (NRS 116.31087) by including a boilerplate statement about Ombudsman rights directly in the board’s initial response, eliminating the need for a separate follow-up. She also questioned a change in NRS 116.31031 regarding voting and suspension, asking if removing that sanction was intentional.

Michael Buckley noted that suspending voting rights seemed excessive and not an appropriate punishment for minor violations, though restricting use of common elements could be reasonable.

Donna Zanetti argued that suspending voting rights can be an effective sanction, especially for members delinquent on assessments.

Michael Buckley responded that such suspensions should be tailored to serious violations rather than applied broadly for minor issues.

Jason Hoorn agreed with Donna Zanetti on retaining board remedies, suggesting that voting suspensions, if used, could be limited to a single election cycle to match penalty severity. He also recommended clarifying in NRS 116.3115 that updates to existing reserve-funded components are not considered new capital improvements.

Michael Buckley proposed circulating a list of future topics for the task force, including annual legislative reporting, mandatory director training, easement and landscape authority issues, declarant transitions, reserve funding, CAM licensing, and trust fund management

The group agreed to have staff compile feedback and draft proposals for review at the next task force meeting, potentially requiring a vote.

Dr. Sanchez concluded agenda item 5, noting no further points, and moved on to agenda item 6, confirming that amended items from agenda 5 will be brought back for consideration at the next meeting.

B-5 For possible action: Discussion and decision to approve minutes of December 19, 2025, Task Force Meeting.

Michael Buckley motioned for approval of the minutes; seconded by David Varon. Motion passed unanimously.

6) For Possible Action: Discussion and Consideration of Future Agenda Items.

Members agreed to bring back agenda item 5 topics with revised language for further review and possible action at the next meeting.

Michael Buckley proposed several topics for future discussion, including requiring the Commission to provide annual reports to the Legislature, implementing mandatory director training, and examining legal issues involving water authority regulations and HOA authority. He also highlighted key concerns such as failure to transition control from developers, underfunded reserves, CAM licensing issues, and the need to review financial practices like trust fund handling. He mentioned that he will circulate a list.

Donna Zanetti suggested the task force revisit the issue that regulation currently applies to individual managers rather than management companies, noting it may warrant further review.

7) Public Comment

Mike Kosor emphasized that ADR is no longer mandatory per a Nevada Supreme Court ruling (based on his case), which he believes contradicts legislative intent and should be addressed. He also questioned why existing regulatory processes (under NRS 233B) are not being utilized instead of relying on a task force. Additionally, he stressed that laws should be designed to prevent abuse—not just reflect good-faith practices—urging the task force to consider how current statutes can be misused and to implement safeguards, particularly regarding agenda item 5.

Solomon Bradley emphasized that homeowner complaints reflect trust and should be taken seriously. He expressed support for the task force, noting it helps provide legislators with informed recommendations on HOA issues. He stressed that NRS law takes precedence over bylaws and that boards must follow legal requirements for meetings, including notice and transparency, regardless of cost or convenience. Bradley raised concerns about boards acting without accountability and highlighted the importance of homeowner participation and visibility in decision-making. He also expressed concern that the division is no longer holding managers accountable, arguing that licensed managers should be responsible for ensuring proper conduct.

Michelle DeJesus emphasized the practical realities of HOA management, noting that managers primarily deliver resale packages while real estate professionals handle disclosures. She highlighted that emergencies often require immediate action outside of meetings, with decisions later ratified. She also noted low homeowner participation, suggesting transparency concerns should be balanced with operational realities.

6) For possible action: Adjournment

Dr. Sanchez adjourned the meeting at 1:34 p.m.