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.

KELLY EVERS;

Respondent.

Case No. 2025-526

FILED

FEB 06 2026

NEVADA COMMISSION FOR COMMON INTEREST COMMUNITIES AND CONDOMINIUM HOTELS

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COMPLAINT FOR DISCIPLINARY ACTION AND NOTICE OF HEARING

The Real Estate Division of the Department of Business and Industry, State of Nevada (the "Division"), by and through its counsel, Aaron D. Ford, Attorney General of the State of Nevada, and Phil W. Su, Senior Deputy Attorney General, hereby notifies RESPONDENT KELLY EVERS ("RESPONDENT EVERS") of an administrative hearing before the Commission for Common-Interest Communities and Condominium Hotels, State of Nevada, which is to be held pursuant to Chapters 233B and Chapters 116 of the Nevada Revised Statutes ("NRS") and Chapter 116 of the Nevada Administrative Code ("NAC"). The purpose of the hearing is to consider the allegations stated below and to determine if an administrative penalty will be imposed on the RESPONDENT pursuant to the provisions of NRS and NAC including, but not limited to NRS 116.785 and NRS 116.790.

JURISDICTION AND NOTICE

During all relevant times, RESPONDENT EVERS was an executive board member/director and president of COEUR DU LAC CONDOMINIUM HOMEOWNERS ASSOCIATION (the "ASSOCIATION"), an Incline Village, Nevada common interest community registered with the Nevada Real Estate Division. RESPONDENT EVERS is, therefore, subject to the provisions of Chapter 116 of each the Nevada Revised Statutes

("NRS") and the Nevada Administrative Code ("NAC") (hereinafter collectively referred to as "NRS 116") and is subject to the jurisdiction of the Division, and the Commission for Common-Interest Communities and Condominium Hotels pursuant to the provisions of NRS 116.750.

FACTUAL ALLEGATIONS

1. On June 30, 2025, the Division received an Intervention Affidavit ("IA") from Complainant Dan Petersen alleging that RESPONDENT EVERS, while serving as President of Coeur Du Lac Condominium Homeowners Association, "knowingly made false, inflammatory, and defamatory statements targeting" Petersen and his spouse at the Association's April 18, 2025, board meeting, claiming that Petersen and/or his spouse had committed insurance fraud. [CICCH001-0002; 0003-0058]

2. The Intervention Affidavit further alleged that RESPONDENT EVERS also disclosed personal information regarding unit owners during that board meeting, in violation of NAC 116.3103(1). [CICCH001-0002; 0003-0058]

3. Along with documentary evidence, Complainant Petersen provided four (4) audio clips of RESPONDENT EVERS speaking during the April 18, 2025, board meeting. *See* Exh. B, C, D, and E, audio clips from April 18, 2025, board meeting.

4. In the April 18, 2025, audio recording, a woman is clearly heard accusing the Petersen's of insurance fraud. [Exh. B].

5. Complainant Petersen also provided copy of an excerpt from a Letter of Instruction issued to RESPONDENT EVERS in Case No. 2024- 582, wherein she was instructed by the Division in a Letter of Instruction not to identify Complainant Petersen by name and/or unit number, and not to allege that it was "that person's fault that [the Association's] legal billing had increased. [CICCH0052-0053]

6. On July 14, 2025, Barry Chappell, program officer for the Ombudsman's office, emailed CAM Emily Fralick requesting documents and questions regarding the intervention affidavit. [CICCH0062-0067]

7. On July 24, 2025, Donna Zanetti, counsel for the ASSOCIATION, responded

to Chappell's email, noting that Petersen had submitted a petition to remove RESPONDENT EVERS from the board of directors on March 14, 2025; had represented himself as either being on the board or being authorized by the board to solicit insurance quotes on the association's behalf when he did not hold that role/possess that authority; and, while obtaining that insurance quote, had allegedly misrepresented aluminum wiring in the subpanels, all of which precipitated RESPONDENT EVERS' comments regarding insurance fraud at the April 18, 2025, board meeting. [CICCH0062-0064].

8. Attorney Zanetti further noted that the other board members were not aware that RESPONDENT EVERS would make a statement accusing the Petersens of insurance fraud. [CICCH0064-0067].

9. On August 1, 2025, the Ombudsman's Office referred the Intervention Affidavit to the Compliance Section for investigation and potential further action. [CICCH0068]

10. On August 12, 2025, Investigator Robert Towle sent a Request for Information letter to the ASSOCIATION, informing it that the Division was opening an investigation on Case 2025-526 and requesting a written response to the allegations that the executive board, in violation of NAC 116.405(4), disseminated a Board meeting agenda on May 19, 2025, which included "unit owners names as complainants in an ADR complaint against the Association." [CICCH0069-0071]

11. On August 28, 2025, Attorney Zanetti responded on behalf of the ASSOCIATION to the Request for Information, contending that the ASSOCIATION was legally obligated to inform its unit owners of the status of claims and litigation, which made disclosure of the Petersen, as complainants, not subject to NAC 116.405(4). [CICCH0072-0075].

12. On September 30, 2025, the Division sent, via Certified Mail, a letter of instruction to the executive board of the ASSOCIATION, indicating that although it would not refer its investigation of the ASSOCIATION for a hearing at this time, the Division reiterated the importance of maintaining confidentiality of complainant names in ADR

cases pursuant to NAC 116.405(4). [CICCH0079-0080]

13. Also on September 30, 2025, the Division sent, via Certified Mail, a Letter of Instruction to RESPONDENT EVERS, c/o the ASSOCIATION, noting that her opinion that a specific owner committed insurance fraud constituted a violation of NAC 116.405(4). [CICCH0081-0082]

14. Also on September 30, 2025, the Division sent Complainant Petersen correspondence indicating it would be closing Case 2025-526 with a Letter of Instruction. [CICCH0083-0084]

15. On November 7, 2025, after receiving a request for reconsideration by Complainant Petersen on the basis that RESPONDENT EVERS had previously received a Letter of Instruction from the Division, the Division determined that good cause exists to reopen Case No. 2025-526 and to proceed with a formal hearing before the Commission. [CICCH0085-0086]

16. On November 6, 2025, an NRS 233B letter notifying RESPONDENT EVERS that it would pursue disciplinary action against her in a hearing before the Commission for potential violations of NAC 116.405. [CICCH0087-0089]

VIOLATIONS OF LAW

1. RESPONDENT EVERS willfully and knowingly violated NRS 116.3103 through NAC 116.405(4), after previously receiving a letter of instruction by the Division, 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.

DISCIPLINE AUTHORIZED

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

1. Issue an order directing Respondent to take affirmative action to correct any conditions resulting from the violation.
2. Impose an administrative fine of up to $1,000 for each violation by Respondent.

3. Order the Respondent to pay the costs of the proceedings incurred by the Division, including, without limitation, the cost of the investigation and reasonable attorney's fees.

4. Approve application to a court of competent jurisdiction for the appointment of a receiver for the Respondent.

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

NOTICE OF HEARING

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

THE HEARING WILL TAKE PLACE at the Commission meeting(s) scheduled for March 10-12, 2026, beginning at approximately 9:00 a.m. each day, or until such time as the Commission concludes its business. The Commission meeting will be held at the Nevada State Business Center, 3300 W. Sahara Avenue, 4th Floor, Nevada Room, Las Vegas, Nevada 89102 on March 10-122026, with videoconferencing to Department of Business & Industry, Division of Insurance, 1818 College Parkway, Suite 103, Carson City, Nevada 89706.

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

Coordinator, at (702) 486-4074.

YOUR RIGHTS AT THE HEARING: Except as mentioned below, the hearing is an open meeting under Nevada's open meeting law and may be attended by the public. After the evidence and arguments, the commission may conduct a closed meeting to discuss your alleged misconduct or professional competence. You are entitled to a copy of the transcript of the open and closed portions of the meeting, although you must pay for the transcription. As a RESPONDENT, you are specifically informed that you have the right to appear and be heard in your defense, either personally or through your counsel of choice. At the hearing, the Division has the burden of proving the allegations in the complaint and will call witnesses and present evidence against you. You have the right to respond and to present relevant evidence and argument on all issues involved. You have the right to call and examine witnesses, introduce exhibits, and cross-examine opposing witnesses on any matter relevant to the issues involved.

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

Note that under NAC 116.575, not less than five (5) working days before a hearing, RESPONDENT must provide to the Division a copy of all reasonably available documents that are reasonably anticipated to be used to support his position, and a list of witnesses RESPONDENT intend to call at the time of the hearing. Failure to provide any document or to list a witness may result in the document or witness being excluded from RESPONDENT'S defense. The purpose of the hearing is to determine if the RESPONDENT has violated the provisions of NRS 116, and to determine what administrative penalty is to be assessed against RESPONDENT.

DATED this 5th day of February, 2026.

REAL ESTATE DIVISION,
DEPARTMENT OF BUSINESS & INDUSTRY, STATE OF NEVADA

By: _____
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