Providence Owners Voice received a new message.

Name
James Klosty

Email
[redacted]

Message
Good morning, Pursuant to NRS 116.760 et seq. and the requirements for filing an Intervention Affidavit with the Nevada Real Estate Division, this letter serves as formal notice of alleged violations of Nevada law and the governing documents of the Providence Master Homeowners Association. (a) Alleged Violations You are alleged to have operated the website "Providence Owners Voice" (POV.vegas) in a manner that: • Promotes select board candidates (including yourself and others) rather than providing equal representation for all candidates. • Publicly identifies homeowners by name and criticizes their opinions, while providing personal commentary on association matters. • Undermines the impartiality and integrity of the board by influencing elections and disparaging members. This conduct violates: • NRS 116.3103 – Requires board members to act "in all instances on behalf of the association" and exercise the care required of a fiduciary. o A fiduciary duty includes loyalty, impartiality, and good faith. Operating a "gripe site" that disparages the association and promotes select candidates is inconsistent with these obligations. o Such actions create a conflict of interest, misuse your position, and undermine collective board decision-making. A board member cannot in good faith operate a site that attacks the association they are sworn to serve. • NRS 116.31183 – Provides for civil penalties for willful and knowing failure to comply with governing documents. • Providence HOA Bylaws, Article 8 – Requires the Board to act in the best interests of the association and its members. • Providence HOA Bylaws, Article 17 – Prohibits "willful misfeasance, malfeasance, misconduct, or bad faith." (b) Actual Damages Suffered • Erosion of trust in the association's governance. • Reputational harm to homeowners publicly named and criticized. • Undermining fair board elections and collective decision-making. (c) Corrective Actions Proposed • Immediate cessation of using POV.vegas for board-related matters. • Removal of all content that promotes select candidates or disparages homeowners. • Resignation from your position on the Board of Directors for breach of fiduciary duty. Additional Request for Explanation On December 3, 2025, I sent an email to the Board recommending that this matter be referred to the association's legal counsel for guidance. Please confirm whether you recused yourself from that vote. If you did not recuse yourself, explain why you felt recusal was unnecessary and provide your reasoning behind your decision regarding that recommendation. Please provide a written response within 10 business days of receipt of this notice. Failure to respond or correct these violations will result in the filing of an Intervention Affidavit (Form 530) with the Nevada Real Estate Division, along with supporting evidence. Sincerely, James Klosty

Device
desktop

Language
en-US

Submitted_from
Contact us