

IN THE SUPREME COURT OF THE STATE OF NEVADA

CARRINGTON MORTGAGE  
HOLDINGS, LLC,  
Appellant,  
vs.  
R VENTURES VIII, LLC, A NEVADA  
SERIES LIMITED LIABILITY  
COMPANY OF THE CONTAINER R  
VENTURES, LLC UNDER NRS 86.296,  
Respondent.

No. 70545

FILED

NOV 19 2018

ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
BY  DEPUTY CLERK

*ORDER OF REVERSAL AND REMAND*

This is an appeal from a district court order granting summary judgment in an action to quiet title. Eighth Judicial District Court, Clark County; Elissa F. Cadish, Judge. Reviewing the summary judgment de novo, *Wood v. Safeway, Inc.*, 121 Nev. 724, 729, 121 P.3d 1026, 1029 (2005), we reverse the judgment and remand for further proceedings.

We conclude that the district court erroneously granted summary judgment for respondent, as appellant Carrington's predecessor tendered \$655.14 to the HOA's agent, which undisputedly exceeded 9 months of assessments. See *Horizons at Seven Hills Homeowners Ass'n v. Ikon Holdings, LLC*, 132 Nev. 362, 373, 373 P.3d 66, 72 (2016) ("[A] superpriority lien pursuant to NRS 116.3116(2) [(2009)] . . . is limited to an amount equal to nine months of common expense assessments."). The tender of the defaulted superpriority portion of the HOA's lien cured the default as to that portion of the lien such that the ensuing foreclosure sale did not extinguish the first deed of trust. *Bank of America, N.A. v. SFR Investments Pool 1, LLC*, 134 Nev., Adv. Op. 72, 427 P.3d 113 (2018). Although respondent contends that (1) the tender was ineffective because it imposed conditions, (2) Carrington's predecessor needed to deposit its tender into court to keep the tender good, and (3) respondent is protected as

18-904728

