



**EIGHTH JUDICIAL DISTRICT COURT
CLERK OF THE COURT**

REGIONAL JUSTICE CENTER
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LAS VEGAS, NEVADA 89155-1160
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Elizabeth A. Brown
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Steven D. Grierson
Clerk of the Court

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Court Division Administrator

March 20, 2023

Elizabeth A. Brown
Clerk of the Court
201 South Carson Street, Suite 201
Carson City, Nevada 89701-4702

RE: LAS PALMAS HOMEOWNERS ASSOCIATION vs. DYANA A. ST.JOHN

S.C. CASE: 86204

D.C. CASE: A-21-841580-C

Dear Ms. Brown:

On March 6, 2023 our office submitted a Notice of Appeal packet for the above referenced case noting that the minutes from December 7, 2022 and February 1, 2023 were not included. The minutes have now been completed and are enclosed. Please contact our office at (702) 671-0512 if you have any questions.

Sincerely,

STEVEN D. GRIERSON, CLERK OF THE COURT

/s/ Amanda Hampton

Amanda Hampton, Deputy Clerk

Other Real Property

COURT MINUTES

December 07, 2022

A-21-841580-C Las Palmas Homeowners Association, Plaintiff(s)
vs.
Dyana St. John, Defendant(s)

December 07, 2022 09:00 AM Status Check: Status of Mold Remediation and Repairs

HEARD BY: Johnson, Eric **COURTROOM:** RJC Courtroom 12A

COURT CLERK: Garcia, Louisa

RECORDER: Calvillo, Angie

REPORTER:

PARTIES PRESENT:

Dyana A. St. John	Defendant
Gregory P. Kerr	Attorney for Plaintiff
Timothy P Thomas	Attorney for Defendant

JOURNAL ENTRIES

Court noted this was a status check on mold remediation and repairs. Mr. Thomas stated they have not spoken with the VA; however, Ms. St John is out of the unit and has agreed to let the remediation go forward with Synergy. In checking with the VA they indicated Synergy has never applied for VA approval and the mold remediation has to be completed before they can do the repairs. Mr. Kerr stated he has been in contact with Synergy and they are prepared to do the repairs and are waiting to hear back from them regarding a bid and timeframe. Mr. Kerr advised the other issue is there was an insurance claim submitted and he does not know if there is going to be coverage. He suspects there will not be because there was a claim opened by Ms. St. John in 2018 for similar water damage which Ms. St. John had repaired. It was closed and reopened last year with the same claim number and that was closed due to not being able to do an inspection because it was related to the first claim. He suspects the insured is going to deny this claim as being a continuation of the 2018 claim which was already closed. He is still waiting to hear from them and in the meantime would like to get Synergy in to get started. Court advised counsel should be able to get the bid and start moving forward. Mr. Thomas stated he would see what Synergy needs to do to get approval and coordinate with Mr. Kerr and the VA to get things moving. COURT ORDERED, matter CONTINUED.

CONTINUED TO 2/1/23 9:00 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Real Property

COURT MINUTES

February 01, 2023

A-21-841580-C Las Palmas Homeowners Association, Plaintiff(s)
vs.
Dyana St. John, Defendant(s)

February 01, 2023 9:00 AM All Pending Motions

HEARD BY: Johnson, Eric **COURTROOM:** RJC Courtroom 12A

COURT CLERK: Kathryn Hansen-McDowell

RECORDER: Angie Calvillo

REPORTER:

PARTIES

PRESENT: Kerr, Gregory P. Attorney
 Thomas, Timothy P Attorney

JOURNAL ENTRIES

- STATUS CHECK: STATUS OF MOLD REMEDIATION AND REPAIRS...MOTION TO
WITHDRAW AS COUNSEL

Upon Court's inquiry regarding the status of the mold remediation and repair, Mr. Kerr advised they attempted to schedule an inspection of the Defendant's unit which they thought would take place at the end of December, but it did not happen until this past Friday. During the inspection the Defendant had a representative present who would not allow access to the master bedroom or bathroom. Mold was discovered throughout the unit. The main source of the mold seems to be from the HVAC system from the unit upstairs and all that needs to be addressed with an inspection of the upstairs unit and a full inspection of the Defendant's unit. Mr. Kerr further advised the reports also indicate there were other violations and the building inspector would need to be contacted.

Upon Court's inquiry as to the Motion to Withdraw, Mr. Thomas provided an updated on his relationship with the Defendant and stated it was becoming difficult to keep representing her. COURT stated its FINDINGS, and ORDERED, Motion to Withdraw as Counsel GRANTED.

COURT FURTHER ORDERED, Mr. Kerr to submit documentation if Cinergy's qualifications to do the remediation and an order AUTHORIZING Cinergy, Adaptive Environmental, and the Building Inspector access to the entire apartment within 21 days from the date of the Court's signature on the order for inspection of the unit and status check SET. Court stated if the Defendant refuses to let them in, it would consider a motion to allow the homeowners association to take over control of the apartment to get the work down. Court DIRECTED Mr Thomas to make sure the Defendant receives a copy of the order. Colloquy regarding the building inspectors authority to condemn the apartment if needed but hope to have the HOA take point and not condemn the unit.

03/08/2023 8:30 AM STATUS CHECK: ACCESS TO UNIT FOR INSPECTION FOR MOLD
REMEDICATION