

Flooded condo repairs cause more problems

By Barbara Holland RJRealEstate.Vegas



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Q: In July, our condo flooded. The cause was determined to be the water lines under our master bedroom. Three of the four main water lines failed and came up through the crack in the cement. Estimated cost to to repair our condo was more than \$50,000. The homeowners association and board determined that funds would come from community reserve funds.

The HOA contracted a contractor for repairs. The repairs are subpar at best. We cannot report them to the Nevada State Contractors Board because we did not hire the contractor.

How can the HOA and management company pay for the repairs, but not have a representative come to review the work? One example is that our dishwasher no longer works. Error code states no water. We still have holes in our garage walls. Replacement cabinets are not correct and don't match.

One other problem is that the community changed management companies in November.

A: First, do contact the the Nevada State Contractors Board and ask them

to send an investigator to look at the work. The work might have met codes though in your opinion the work was subpar.

Second, send a certified letter to the board and to the community manager about the garage, cabinets and dishwasher that they need to address these issues with the contractor(s). If the board is not willing to address and remedy these defaults, you may then have to contact an attorney.

Q: I will try to be as concise as I can be in expressing my concerns and looking for your expert opinion. As I said in my initial email, I have a home that is on the golf course. In the covenants, conditions and restrictions, it clearly states that there can be no structure higher than the fence within 15 feet on an open view lot. This is in order not to obstruct the view.

My next-door neighbor constructed a patio with a cover that violates this. The neighbors and I have complained about this and have been told by the architectural control board that they were approved. We asked how this could be possible since it was in violation and the only answer we can get is that they applied for a variance. We asked to see the plans and know what the variance they applied for was and were told that they could not share that with us.

Do you have any recommendations as to where we go next? Thank you so much for any consideration that you would give us in helping the situation.

A: Per Nevada Revised Statutes 116.31175 (4a), architectural plans and specifications that are used for the approval process are considered confidential. The board is not obligated to give you a copy without some legal action forcing the board to give them to you.

As to the 15-foot variance, you would need to contact an attorney. This

would not be inexpensive and it would be time consuming. Obtaining an opinion concerning the 15-foot variance is one matter, but requiring your neighbor to dismantle or modify their patio would be a major legal fight.

Barbara Holland, CPM, CMCA and IREM chapter president-elect, is an author, educator and expert witness on real estate issues pertaining to management and brokerage. Questions may be sent to holland7440@gmail.com.

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