

February 24, 2011

**Statement for the Record – Public Meeting Regarding
Senate Bill 174**

My name is Norman McCullough, and I am a resident of the 55 and older community of Sun City Anthem in Henderson, Nevada.

I am speaking today because I want to alert you that there are some very serious and obvious flaws in the proposed changes for Senate Bill 174 that needs to be corrected. The proposed changes outlined on Page 26, subsection 6, lines 5 through 12 is an outrageous attack on the rights of individual homeowners at the expense of attorneys like John Leach who acts as the Associations Attorney for Sun City Anthem.

Homeowner Association law DOES NOT TAKE PRECEDENT OVER THE UNITED STATES CONSTITUTION.

If you will take note of lines 5 through 10 it says as follows;

5 [If any common expense is caused by the misconduct of any
6 unit's owner, the] *The* association may assess [that] *a common*
7 expense exclusively against [his or her] *an individual* unit [.] *if the*
8 *common expense:*
9 *(a) Is caused by the misconduct of a unit's owner, a tenant or*
10 *an invitee of a unit's owner or tenant;*

What it **DOES NOT SAY** in this text is that the Associations Board of Directors are conducting a "**Kangaroo Court**" in order to make the determination of "Misconduct"

The procedures that are now provided by the State **are being abused** to benefit and enrich the lawyers (in my case John Leach). The State of Nevada now provides for a so called "hearing" that is nothing more than a "kangaroo Court" as described by Wikipedia.

To Quote from that definition;

(Quote): A Kangaroo Court's proceedings deny **due process** rights in the name of expediency. Such rights include the right to summon witnesses, the right of cross-examination . the right not to incriminate ones self, the right not to be tried on secret evidence, the right to control one's own defense, the right to exclude evidence that is improperly obtained, irrelevant or inherently inadmissible, e.g. hearsay, **the right to exclude judges or jurors on the grounds of partiality or conflict of interest**, and the right of appeal. (Un-Quote).

I refer you to NRED Case No. CIS-11-01-24-172 that was recently closed by the Commissions investigator David Garrick. A Community Manager has said that I "poked her in the shoulder". **SHE LIED** but she was not even required to appear at the "Kangaroo Court" to defend her lie,. She never even got so much as wrist slap for that outrageous lie, while I on the other hand, was charged with assault and received a sentence of banishment from all community areas for 6 months **plus legal fees for John Leach's office.**

At the "Kangaroo Court" hearing, I held this Bible in my right hand and swore that I did not poke anyone in the shoulder, but they refused to listen. Even worse, four members of my Board of Directors DENIED MY RIGHTS TO DUE PROCESS, that is granted to every citizen of the United States.

If necessary, I'll carry this Bible into the Halls of the Supreme Court, but for now - I'm going to join a few hundred people who march outside this building. They are my true friends, not he people who want to change this terrible law. And I'm taking this Bible with me, because the REAL TRUTH is here – it's not in your Senate Bills.

Thank you for your time and for your concern

Norman McCullough
2620 Peoria Ave
Henderson, Nv. 89052