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*Professionally Managed By:*

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July 22, 2015

Ron Duncan  
3363 Nambe Drive  
Reno, NV 89511

Email: [rwduncan@ieee.org](mailto:rwduncan@ieee.org)

RE: Nevada Revised Statute Section 116.31035 (Request for Equal Time)

Dear Mr. Duncan,

The Board of Directors for the ArrowCreek Homeowners Association, Inc. (ACHOA) have reviewed your numerous assertions concerning access to “Equal Space Communications” as detailed within Section 116.31035 of the Nevada Revised Statutes. As such, the ACHOA Board has determined that it is necessary to clearly state its position concerning the publication of written communications “under the same terms and conditions” and limited to the same “equal space”.

Despite your claims to the contrary, neither you nor anyone else has established that Concerned Citizens (“CNA”) is an organization of any kind recognized by any authority. At this time, the ACHOA Board has not recognized CNA as an organization under Nevada law. Therefore, there is no entity that qualifies to request any action to be taken by the Board under NRS § 116.31035. Furthermore, even if such an organization can be established, you will have to establish that you are, in fact, a representative of the organization and are authorized to act on its behalf. Unless, and until those two requirements have been met, your equal space written communications will not be published pursuant to subsection (1) of NRS §116.31035.

If you do eventually establish that such an organization exists to the satisfaction of the ACHOA Board and under Nevada law, and that you are its authorized representative, you must then provide the language you desire to have inserted or separately published in any ACHOA “official communication”. As unequivocally stated and required by NRS §116.31035, such language must be “. . . under the same terms and conditions” and is limited to “equal space”. There is NO PROVISION of Nevada law that allows you, even as a designated representative of an organization, to make any presentation at any meeting. The only remedy this section allows is that “...the official publication must, upon request and under the same terms and conditions, provide equal SPACE...” This request must be in writing and forwarded to the ACHOA Board for separate publication or inclusion in the ACHOA Official Communication. Proper vetting of the written request will occur prior to publication by the ACHOA Board. As a member, you are limited to member comments before or after a duly noticed meeting.

In addition, paragraph 2 of NRS § 116.31035 states that any ACHOA member may, if an official ACHOA Official Communication or Publication contains perceived views or opinions of the association that are contrary to the requesting ACHOA member’s views, request that the official publication provide the ACHOA member “EQUAL SPACE” under the same terms and conditions. The ACHOA member must cite, in writing, the specific view’s or opinion’s language from the Official Communication that the requesting member believes expresses a view or opinion that is contrary to the requesting member’s view or opinion. The ACHOA member

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must state in their written document the precise relief requested and detail the language under the same terms and conditions and within equal space as within the ACHOA Official Publication terminology. After proper vetting, the ACHOA Board will determine if the written request will be included within the Official Communication or Publication document or if the written document will be separately published as limited by the "EQUAL SPACE" requirements.

The above is the current position of the ACHOA Board on these Official Communication or Publication issues pursuant to NRS § 116.31035, and as consistently cited by you in your direct communications to the ACHOA Board.

Sincerely,

ArrowCreek Homeowners Association, Inc, Board of Directors