BEFORE THE OFFICE OF ADMINISTRATIVE HEARINGS

In the Matter of: **Gene Wilson,** Petitioner vs. **Eagle Roost Management Inc.,** Respondent	**File No.: 26F-H084** **Docket No.: 26F-H084-REL** **NOTICE OF HEARING** (Assigned to ALJ Fahd Nazir)

YOU ARE HEREBY NOTIFIED that under Arizona Revised Statutes ("A.R.S.") § 41-1092.01, a hearing on the above-captioned matter will be conducted through the Office of Administrative Hearings, an independent agency.

Date of Hearing:

August 21, 2026 at 1:00 p.m.

Location:

Office of Administrative Hearings

1740 W. Adams St.

Lower Level

Phoenix, Arizona 85007

Any person affected by this action must appear in person and can be represented by counsel. Parties or witnesses wishing to appear by video conference or telephone may, not later than 7 calendar days prior to the hearing date, request that the assigned Administrative Law Judge permit them to appear by video conference or by telephone. This must be done by contacting the Office of Administrative Hearings directly. Parties must be present during the giving of all evidence to have a reasonable opportunity to inspect all documentary evidence and examine witnesses. Parties must also be present to evidence and argument on all relevant issues. Parties must be present to have subpoenas issued by the Administrative Law Judge to compel attendance of witnesses and production of evidence.

Information regarding procedures, practice pointers, or the online filing of motions is available through the Office of Administrative Hearings' website at www.azoah.com, or by calling their offices at (602) 542-9826.

The Office of Administrative Hearings has designated Fahd Nazir, at the address listed above, as the Administrative Law Judge for these proceedings.

If the Respondent does not appear, the hearing will proceed in the Respondent's absence. If the Petitioner does not appear, the Petition may be dismissed.

You are requested to be present at the hearing and produce all association rules and regulations and any amendments thereto, correspondence, associate policy statements and other relevant evidence, including photographs. **You are requested to bring three (3) copies of any documentary or photographic evidence.** You may present evidence through your own testimony and through the testimony of witnesses on your behalf. It is your responsibility to secure the attendance of your witnesses.

Additional information regarding rules for OAH, hearing procedures, preparing for your hearing, and frequently asked questions, may be found on OAH's website at www.azoah.com.

If you have filed any motions prior to the receipt of this Notice of Hearing, you must re-file the motions with the Office of Administrative Hearings (OAH) electronically or at the address listed above. With this notice, all oral and written communication should be directed to the OAH and a copy must be provided to the opposing party.

As the hearing is now scheduled before an Administrative Law Judge, there is no need by either party to copy the Arizona Department of Real Estate with motions, responses or further correspondence on the matter.

Under the Americans with Disabilities Act (ADA), the Office of Administrative Hearings endeavors to ensure the accessibility of its hearings to all persons with disabilities. Persons with disabilities may request reasonable accommodations such as interpreters, alternative formats, or assistance with physical accessibility. Requests for accommodations should be made as early as possible to allow time to arrange the accommodations. If you require accommodations, please contact the Office of Administrative Hearings at (602) 542-9826.

PETITION PROCESS

The Department of Real Estate "Department" received a petition from the Petitioner on April 3, 2026. On April 8, 2026, the Department issued a Notice of Petition. The Notice of Petition contained a response deadline of April 28, 2026. The Department received the Respondent's response on April 28, 2026. On July 6, 2026, the Respondent submitted a Motion to Dismiss to the Department. The same day, the Petitioner submitted a response to the Motion to Dismiss. On July 13, 2026, the Respondent submitted a Reply in Support of Motion to Dismiss.

The Department has forwarded the matter to the Office of Administrative Hearings for further adjudication on the basis that it does not appear that the parties have reached a resolution in this matter.

DISPUTE

Petitioner alleges the Respondent of violating ARS §10-3302(3), ARS §10-3302(11), ARS §10-3842(A)1, 2 and 3, ARS §33-1806(A), ARS §33-1817(A), Article Five #I of the Bylaws, Article Eleven #III, Amendment 3 #17 of the CCR's, and Amendment 3 #18 of the CCR's by the following three (3) actions:

1. Failing to "correct the discrepancy between the Special Use Permit approved by Maricopa County on July 31, 1978 and Amendment 3 to the Declaration of Covenants, Conventions and Restrictions (CCR's) filed on April 6, 1994"
2. "Neglecting their fiduciary duties"
3. Acting "against the interest of property owners"

QUESTIONS

Any and all questions regarding the referenced case matter should be directed to OAH. For any and all general inquiries, please email oah@azoah.com. Their hours of operation are 8:00am - 5:00pm Monday through Friday.

DATED this 20th day of July, 2026.

Mandy Neat

MANDY NEAT
Deputy Commissioner
Arizona Department of Real Estate

E-FILE of the foregoing this
21 day of July, 2026, to:

ALJ Fahd Nazir
Office of Administrative Hearings

COPY mailed by First Class and
Return Receipt Request on the 21 day of
July, 2026, Return Receipts Requested to:

Gene Wilson
51421 W. Iver
Aguila, AZ 85320
Return Receipt Number: 9414 8098 9864 3583 5069 65
Email: fastbuggy123@gmail.com
Petitioner

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Return Receipt Number: 9414 8098 9864 3583 5073 75
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