

1 **KRIS MAYES**
Attorney General
Firm Bar No. 14000

2
3 **DEANIE REH**
State Bar No. 005170
4 **RAYA GARDNER**
State Bar No. 036737
5 Assistant Attorneys General
Public Law Section
2005 N. Central Ave.
6 Phoenix, Arizona 85004
Telephone: (602) 542-8322
7 Facsimile: (602) 542-4385
8 adminlaw@azag.gov
Deanie.Reh@azag.gov
9 *Attorneys for the Arizona Department of Real Estate (“ADRE”)*
and the Real Estate Commissioner, Susan Nicolson

10 **IN THE SUPERIOR COURT OF THE STATE OF ARIZONA**
11 **IN AND FOR THE COUNTY OF MARICOPA**

12 **AZNH REVOCABLE TRUST,**
13 by and through
14 **JOHN and SUSAN SULLIVAN, TRUSTEES,**
15 **REAL PARTIES IN INTEREST**
Plaintiff
16 v.

17 **SUSAN NICOLSON,**
18 **COMMISSIONER,**
19 **ARIZONA DEPARTMENT OF REAL ESTATE**

20 *and*

21 **TAMMY EIGENHEER,**
22 **INTERIM DIRECTOR,**
23 **ARIZONA OFFICE OF**
24 **ADMINISTRATIVE HEARINGS,**

25 *and*

26 **SUNLAND SPRINGS VILLAGE**
27 **HOMEOWNERS ASSOCIATION,**

Defendants.

CASE NO. CV2026-008484

**NOTICE OF LOCAL RULE 3.1
RELATED CASES**

(ASSIGNED TO THE HONORABLE
ADELE PONCE)

1 Susan Nicolson, Commissioner of the Arizona Department of Real Estate (the
2 “Commissioner”), has not yet been served in the above-captioned matter in accordance with
3 Rule 7(d)(1) of the Rules of Procedure for Special Actions (“RPSA”), and has not waived
4 service pursuant to Ariz. R. Civ. P. 4.1(c). Accordingly, the Commissioner is not taking a
5 position on or filing any responsive pleading to Plaintiff AZNH Revocable Trust’s (“AZNH”)
6 Verified Complaint for Special Action (Original Special Action) and Stay of Proceedings and
7 Temporary and Permanent Injunction filed on February 26, 2026.

8 The Commissioner provides this Notice of Local Rule 3.1 Related Cases solely to put
9 this tribunal on notice of other related pending cases involving the same parties and provide
10 an overview of the history of this matter. In furtherance of that objective, a list of all known
11 related cases and brief chronicle of events in those cases is attached hereto as **Exhibit A**. Of
12 notable significance, AZNH filed a Complaint for Special Action in Case No. CV2025-036466
13 against all of the same named Defendants as this current action. On January 14, 2026, an Order
14 to Show Cause Return Hearing was held in front of the Honorable Scott Blaney. On the same
15 date, the Court issued a Minute Entry stating that “[t]he Court will not be setting an Evidentiary
16 Hearing and will instead rule on the filings.” A ruling has not yet been issued, but is expected
17 in approximately one week from the date of the March 9, 2026, hearing scheduled in this
18 matter.

19 **RESPECTFULLY SUBMITTED** this 4th day of March, 2025

20 KRIS MAYES
21 Attorney General

22 /s/ Raya Gardner
23 Raya Gardner
24 Assistant Attorney General
25 *Attorney for AZ Dept. of Real Estate*
26 *and Real Estate Commissioner, Susan Nicolson*
27

1 **ORIGINAL** of the foregoing filed
2 this 4th day of March, 2025, with:

3 Clerk of the Court
4 Maricopa County Superior Court
5 201 W. Jefferson St.
6 Phoenix, AZ 85003

7 **Courtesy copy emailed**
8 **this same date to the Judicial Assistants of:**

9 Hon. Adele Ponce
10 Hon. Scott Blaney
11 Hon. Jillian Francis

12 **COPY** of the foregoing e-mailed
13 this same date to:

14 AZNH Revocable Trust,
15 John Sullivan
16 info@sullivanappeals.com

17 Chad Gallacher
18 cgallacher@hoalaw.biz
19 Attorney for Sunland Springs Village Homeowners Assoc.

20 Mandy Neat, Deputy Commissioner
21 Liz Recchia, Assistant Commissioner for Regulatory Affairs
22 Vivian Nunez, Legal Assistant
23 Arizona Department of Real Estate
24 mneat@azre.gov
25 lrecchia@azre.gov
26 vnunez@azre.gov

27 */s/ S. Hack*

Asst. to Raya Gardner

Exhibit A

AZNH Revocable Trust (John and Susan Sullivan) Cases
(Status as of 3/4/2026)

24F-H047-REL (ALJ Abramsohn)

4/20/2024 AZNH Revocable Trust (Petitioner) filed single issue petition with ADRE (Department)

05/15/2024 Department referred matter to OAH for an evidentiary hearing

9/18/2024 OAH hearing held with ALJ Kay Abramsohn

11/5/2024 ALJ decision (final order) issued. Petitioner's petition is denied.

LC2025-000025 (Judge Mikitish)

1/14/2025 Notice of Appeal of Administrative Decision filed (OAH case 24F-H047-REL)

1/21/2025 Motion for Evidentiary Hearing to Introduce Additional Evidence filed. Appellee Sunland Springs Village HOA (Sunland) filed opposition response. Appellant filed reply.

4/17/2025 Minute Entry issued. It is ordered denying Motion for Superior Court to conduct an Evidentiary Hearing. Court further orders dismissing the appeal and remanding the matter to the Department to conduct an Evidentiary Hearing to address the additional evidence proposed by AZNH.

8/27/2025 Appellant filed Motion to Enforce Judgment and for Order to Show Cause

9/4/2025 Minute Entry issued setting OSC Return Hearing on 9/17/2025. No evidence will be taken.

9/17/2025 OSC Return Hearing held. It is ordered denying any requests for relief in the Motion to Enforce Judgment and for OSC filed on 8/27/25.

24F-H047-REL-RHG (ALJ Abramsohn)

7/18/2025 Order issued scheduling rehearing for 9/26/2025 at 9:00 am.

9/26/2025 At 12:13 a.m., Petitioner filed its motion for Peremptory Change of ALJ which included a contemporaneous request to change the hearing date.
At 9:00 a.m., both parties arrived and discussed (off the record) the motion and Respondent's written objection to the motion and request.
The Tribunal's Interim Director determined the motion to be untimely and the ALJ informed the parties that the matter would proceed to go on the record.
Petitioner left the hearing before the audio recording could start.

10/9/2025 ALJ issued order vacating hearing. It is ordered Respondent's motion to dismiss is granted. It is further ordered Petitioner's case is dismissed based on the failure to proceed with the matter.

LC2025-000397 (Judge Mikitish)

11/7/2025 Notice of Appeal of Administrative Decision filed (OAH case 24F-H047-REL-RHG)

(The last filing in this matter was Sunland's Notice of Appearance on 12/9/25).

CV2025-036466 (Judge Blaney)

10/8/2025 Complaint for Special Action filed by AZNH Revocable Trust (Plaintiff)

12/8/2025 Plaintiff filed Motion to Transfer Cases to a Single Judge (consolidate LC2025-000397 and CV2025-036466)

1/14/2026 OSC Return Hearing on Plaintiff's Complaint for Special Action is held. The court states it will not be setting an evidentiary hearing and will instead rule on the filings.

(Ruling has yet to be issued).

25F-H115-REL (ALJ Nicole Robinson)

1/14/2026 OAH receives Request for Hearing. Hearing date of 3/6/2026 at 1 pm is assigned.

1/30/2026 Notice of Hearing is issued by the Department.

2/9/2026 Petitioner files Motion to Continue.

2/11/2026 ALJ issues order continuing hearing to 4/6/2026 at 1 pm.

CV2026-008484(Judge Ponce)

2/26/2026 Complaint for Special Action (Original Special Action) and Stay of Proceedings and Temporary and Permanent Injunction filed by AZNH Revocable Trust (Plaintiff)

2/26/2026 Petition for OSC filed by Plaintiff

2/26/2026 Court orders Defendants Susan Nicolson, Tammy Eigenheer and Sunland to appear on 3/9/2026 at 10 am.