IN THE OFFICE OF ADMINISTRATIVE HEARINGS

In the Matter of

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No. 23F-H007-REL

Donald F. Molley, Petitioner,

Minute Entry

VS.

Verde Meadows Crest Homeowners Association,

Respondent.

The undersigned Administrative Law Judge, having reviewed the document MOTION TO DISMISS as filed by Respondent, as well as Petitioner's reply, makes the following minute entry:

While each of Respondent's contentions may be accurate, they are all issues of fact that must be determined on a hearing record that Petitioner bears the burden to establish by a preponderance of the evidence pursuant to ARIZ. ADMIN. CODE R2-19-119. Thus, Respondent's motion is <u>denied</u>. The above-captioned matter remains scheduled for hearing at 9:00 a.m. on January 05, 2023.

Done this day, December 20, 2022.

Office of Administrative Hearings

/s/ Jenna Clark Administrative Law Judge

Transmitted by either mail, e-mail, or facsimile December 20, 2022 to:

Louis Dettorre, Commissioner Arizona Department of Real Estate 100 N. 15th Ave., Ste. 201 Phoenix, AZ 85007 AHansen@azre.gov vnunez@azre.gov djones@azre.gov labril@azre.gov

> Office of Administrative Hearings 1740 West Adams Street, Lower Level Phoenix, Arizona 85007 (602) 542-9826

1	Donald Molley, Petitioner 5051 S. Cherry Ave. Tucson, AZ 85706 562-271-8900
2	
3	
4	dfmolley@yahoo.com
5	Sean K. Moynihan, Esq. Smith & Wamsley, PLLC, Counsel for Respondent 7375E. Tanque Verde Rd. Tucson, AZ 85715
6	
7	
8	sean@smithwamsley.com
9	kariwick@yahoo.com
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12	By c. serrano
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