

IN THE SUPREME COURT OF THE STATE OF NEVADA

RIVER GLIDER AVENUE TRUST,  
Appellant,  
vs.  
US BANK NATIONAL ASSOCIATION,  
AS TRUSTEE FOR CITIGROUP  
MORTGAGE LOAN TRUST, INC. 2007-  
AHL1, ASSET-BACKED PASS-  
THROUGH CERTIFICATES SERIES  
2007-AHL1; AND QUALITY LOAN  
SERVICE CORPORATION,  
Respondents.

No. 63615

**FILED**

NOV 24 2014

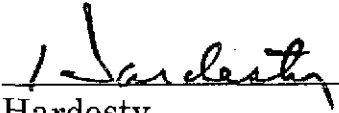
TRACIE K. LINDEMAN  
CLERK OF SUPREME COURT  
BY *R. Malme*  
DEPUTY CLERK

*ORDER OF REVERSAL AND REMAND*

This is an appeal from a district court order granting a motion to dismiss in a quiet title action. Eighth Judicial District Court, Clark County; Timothy C. Williams, Judge.

The district court granted respondents' motion to dismiss, finding that appellant had failed to state a viable claim for relief because NRS 116.3116(2)'s superpriority provision "does not extinguish a first security interest in the subject property when the security interest occurred prior to the HOA's assessments which are sought to be enforced." This court's recent disposition in *SFR Investments Pool 1, LLC v. U.S. Bank, N.A.*, 130 Nev. \_\_\_, 334 P.3d 408 (2014), decides that a common-interest community association's NRS 116.3116(2) superpriority lien has true priority over a first security interest, and the association may nonjudicially foreclose on that lien. The district court's decision thus was based on an erroneous interpretation of the controlling law and did not reach the other issues colorably asserted. Accordingly, we

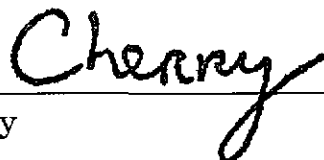
REVERSE the order granting the motion to dismiss AND REMAND this matter to the district court for further proceedings consistent with this order.

  
\_\_\_\_\_, J.  
Hardesty

  
\_\_\_\_\_, J.  
Douglas

CHERRY, J., concurring:

For the reasons stated in the *SFR Investments Pool 1, LLC v. U.S. Bank, N.A.*, 130 Nev. \_\_\_, 334 P.3d 408 (2014), dissent, I disagree that respondent U.S. Bank lost its lien priority by virtue of the homeowners association's nonjudicial foreclosure sale. I recognize, however, that *SFR Investments* is now the controlling law and, thusly, concur in the disposition of this appeal.

  
\_\_\_\_\_, J.  
Cherry

cc: Hon. Timothy C. Williams, District Judge  
Law Offices of Michael F. Bohn, Ltd.  
Wright, Finlay & Zak, LLP/Las Vegas  
Eighth District Court Clerk