

IN THE SUPREME COURT OF THE STATE OF NEVADA

RESOURCES GROUP, LLC, AS  
TRUSTEE OF THE BOURNE VALLEY  
COURT TRUST,

Appellant,

vs.

U.S. BANK NATIONAL ASSOCIATION,  
AS TRUSTEE FOR STRUCTURED  
ASSET INVESTMENT LOAN TRUST,  
MORTGAGE PASS-THROUGH  
CERTIFICATES, SERIES 2005-10,  
Respondent.

No. 64676

**FILED**

MAY 23 2016

TRACIE K. LINDEMAN  
CLERK OF SUPREME COURT  
BY S. Young  
DEPUTY CLERK

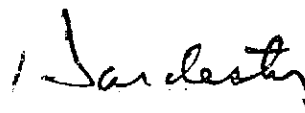
*ORDER VACATING AND REMANDING*

This is an appeal from a district court order denying a preliminary injunction in a quiet title action. Eighth Judicial District Court, Clark County; Kenneth C. Cory, Judge.

The district court denied appellant's preliminary injunction motion, finding that appellant lacked a reasonable likelihood of success on the merits of its quiet title claim because Copperhead Hills Landscape Maintenance Association's nonjudicial foreclosure sale did not extinguish respondent's deed of trust. In *SFR Investments Pool 1, LLC v. U.S. Bank, N.A.*, 130 Nev., Adv. Op. 75, 334 P.3d 408 (2014), this court decided that a common-interest community association's superpriority lien has true priority over a first security interest, and the association may nonjudicially foreclose on that lien. Thus, the district court's decision appears to have been based in part on an erroneous interpretation of the controlling law. To the extent that the district court based its decision on the conclusion that Copperhead Hills' lien did not include amounts for which superpriority status can be granted, the record contains conflicting evidence in that respect, even in light of this court's recent decision in

*Horizons at Seven Hills Homeowners Ass'n v. Ikon Holdings, LLC*, 132 Nev., Adv. Op. 35, \_\_\_ P.3d \_\_\_ (2016). *Cf. SFR Invs.*, 130 Nev., Adv. Op. 75, 334 P.3d at 418 (observing that monthly assessments “will typically comprise most, perhaps even all, of the HOA lien”). Accordingly, we

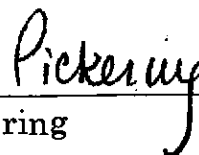
VACATE the order denying preliminary injunctive relief AND REMAND this matter to the district court for further proceedings consistent with this order.<sup>1</sup>



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



\_\_\_\_\_, J.  
Saitta



\_\_\_\_\_, J.  
Pickering

cc: Hon. Kenneth C. Cory, District Judge  
Law Offices of Michael F. Bohn, Ltd.  
Snell & Wilmer, LLP/Las Vegas  
Eighth District Court Clerk

---

<sup>1</sup>The injunction imposed by our March 31, 2014, order is vacated.