

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 0
- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 0
- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 0

Taylor Kidd and Jerome L. Glazer,  
Petitioners

Heritage Village III Homeowners  
Association,

## ORDER CONSOLIDATING MATTERS AND GRANTING CONTINUANCE

After that notification was provided to Petitioner Glazer and Respondent, Respondent filed a Motion to Consolidate (Motion) the above-referenced matters. In the Motion, Respondent asserted that the two matters involve objections by different homeowners within the community to the same action taken by Respondent, and therefore, for purposes of administrative efficiency, the matters should be consolidated into a single hearing. Respondent also argued that consolidation avoided potentially inconsistent rulings as a result of two separate hearings. Respondent maintained that ARIZ. ADMIN. CODE R2-19-109(A) required consolidation of these matters.

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

1 asserted that she had the right to a hearing without delay so that community members were  
2 not further damaged.

3 In response to the Motion, Petitioner Glazer submitted an Objection based solely on  
4 the fact that Petitioner Kidd did not want to have her matter continued and he would be  
5 unable to attend a consolidated hearing if it were held on May 31, 2024, the date of Petitioner  
6 Kidd's hearing. Petitioner Glazer did not assert that the matters did not involve substantially  
7 similar factual or legal issues.

8 ARIZ. ADMIN. CODE R2-19-109(A) provides, in pertinent part, as follows:

9 A. Standards for consolidation. An administrative law judge may order  
10 consolidation of pending matters, if:

- 11 1. There are substantially similar factual or legal issues, **or**
- 12 2. All parties are the same.

13 Emphasis added.

14 While the Administrative Law Judge acknowledges that the decision to consolidate  
15 these matters is not required by the applicable rule, it is certainly permitted in this instance as  
16 these matters involve substantially similar factual or legal issues, For purposes of  
17 administrative economy and good cause appearing,

18 **IT IS ORDERED** granting the Motion. The above-entitled cases are consolidated and  
19 the hearings are continued. All future filings related to these matters should use the caption  
20 identified above and be submitted under docket number 24F-H037-REL. These matters will  
21 be heard at **9:00 a.m. on July 19, 2024**, and will convene via Google Meet using the  
22 following information to connect:

23 **Meeting ID**

[meet.google.com/nom-frme-boi](https://meet.google.com/nom-frme-boi)

24 **Phone Number**

[262-885-2282](tel:262-885-2282)

PIN: 520 256 654#

25 Click on the Google Meet video conference link if you wish to join by video  
26 conference. To join by telephone, please dial the ten digit telephone number. You will  
27 then be immediately prompted to enter the PIN followed by the # sign.

28 A party may also appear in person for this matter at the Office of Administrative  
29 Hearings in Phoenix. If a party wishes to appear in person, please advise the Office of  
30

1 Administrative Hearings at least 7 days prior to hearing that you will be appearing in  
2 person.

3 Done this day, May 28, 2024.

4 /s/ Tammy L. Eigenheer  
5 Administrative Law Judge

6 Transmitted by either mail, e-mail, or facsimile to:

7 Susan Nicolson, Commissioner  
8 Arizona Department of Real Estate  
9 100 N. 15th Avenue, Suite 201  
10 Phoenix, Arizona 85007

11 Attn:

12 SNicolson@azre.gov  
13 vnunez@azre.gov  
14 djones@azre.gov  
15 labril@azre.gov  
16 mneat@azre.gov  
17 lrecchia@azre.gov  
18 gosborn@azre.gov

19 Jerome L. Glazer  
20 jg.glazer@gmail.com

21 Charles H. Oldham  
22 Josh Bolen  
23 CHDB Law LLP  
24 Josh.Bolen@chdblaw.com  
25 Chuck.Oldham@chdblaw.com  
26 minute.entries@chdblaw.com

27 Brandon P. Bodea  
28 Patrick T. Nackley  
29 MEDALIST LEGAL PLC  
30 bbodea@medalistlegal.com  
pnackley@medalistlegal.com  
docket@medalistlegal.com

By: OAH Staff