

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

LAS VEGAS MOTOR COACH OWNERS  
ASSOCIATION, INC., A NEVADA  
CORPORATION,  
Appellant,  
vs.  
AMERICAN UNDERWRITERS LIFE  
INSURANCE COMPANY,  
Respondent.

No. 63651

**FILED**

**SEP 16 2015**

TRACIE K. LINDEMAN  
CLERK OF SUPREME COURT  
BY *[Signature]*  
DEPUTY CLERK

*ORDER OF REVERSAL AND REMAND*

This is an appeal from a district court summary judgment in a quiet title action. Eighth Judicial District Court, Clark County; Douglas Smith, Judge.

The district court granted summary judgment to respondent on the ground that appellant's foreclosure of its NRS 116.3116(2) liens did not eliminate respondent's deeds of trust on the subject property. In *SFR Investments Pool 1, LLC v. U.S. Bank, N.A.*, 130 Nev. \_\_\_, 334 P.3d 408 (2014), the Nevada Supreme Court decided that a common-interest community association's NRS 116.3116(2) superpriority lien has true priority over a first security interest and that such a security interest may be extinguished through nonjudicial foreclosure of the common-interest community association's superpriority lien. Here, respondent concedes that most of the issues presented on appeal are resolved by *SFR Investments Pool*, but asserts that one issue—what amounts are recoverable by appellant out of the proceeds of the foreclosure sale before

appellant tenders any surplus proceeds to respondent—remains undecided in the wake of *SFR Investments Pool*.<sup>1</sup>

As the district court's summary judgment was based on an erroneous interpretation of law and any remaining issues should be decided by the district court in the first instance, we reverse the summary judgment and remand this matter to the district court for further proceedings consistent with the relevant statutes and the Nevada Supreme Court's decision in *SFR Investments Pool*.

It is so ORDERED.

  
\_\_\_\_\_, C.J.  
Gibbons

  
\_\_\_\_\_, J.  
Tao

  
\_\_\_\_\_, J.  
Silver

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<sup>1</sup>On May 29, 2015, we directed respondent to file a supplemental brief regarding the application of *SFR Investments Pool* to this case, and we provided appellant additional time to file any supplemental responsive brief following service of respondent's supplemental brief. On September 1, 2015, appellant moved for additional time to file its supplemental responsive brief. In light of respondent's concessions in its supplemental brief, we conclude that further briefing of this issue is not necessary, and we deny the motion for an extension of time as moot.

cc: Hon. Douglas Smith, District Judge  
Deaner, Malan, Larsen & Ciulla  
Law Offices of Thomas D. Beatty  
Ellis & Gordon  
Eighth District Court Clerk