

IN THE SUPREME COURT OF THE STATE OF NEVADA

2014-3 IH BORROWER, LP, A
DELAWARE LIMITED PARTNERSHIP;
CHRISTIANA TRUST, AN UNKNOWN
BUSINESS ENTITY; 2014-3 IH EQUITY
OWNER, LP, A DELAWARE LIMITED
PARTNERSHIP; 2014-3 IH PROPERTY
HOLDCO, LP, A DELAWARE LIMITED
PARTNERSHIP; THR NEVADA II, LP,
A DELAWARE LIMITED
PARTNERSHIP; THR PROPERTY
BORROWER, LP, A DELAWARE
LIMITED PARTNERSHIP; THR
PROPERTY GUARANTOR, LP, A
DELAWARE LIMITED PARTNERSHIP;
AND THR PROPERTY HOLDCO, LP, A
DELAWARE LIMITED PARTNERSHIP,
Appellants,
vs.
LAS VEGAS DEVELOPMENT GROUP,
LLC, A NEVADA LIMITED LIABILITY
COMPANY,
Respondent.

No. 70730

FILED

SEP 11 2017

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY S. Young
DEPUTY CLERK

ORDER DECLINING CERTIFIED QUESTION

This matter involves a legal question certified to this court under NRAP 5, by the United States District Court for the District of Nevada. Specifically, the U.S. District Court certified the following question to this court:

Does the rule of *SFR Investments Pool I, LLC v. U.S. Bank, N.A.*, 334 P.3d 408 (Nev. 2014) that foreclosures under NRS 116.3116 extinguish first security interests apply retroactively to foreclosures which occurred prior to the date of that decision?

We recently answered the same certified question in another case. Specifically, in *K&P Homes v. Christiana Trust*, 133 Nev., Adv. Op. 51 (July 27, 2017), we held that our decision in *SFR Investments* applies to foreclosures that occurred before that case was decided as that decision merely interpreted an existing statute and did not create new law or overrule precedent. We therefore decline to answer the question in this matter and direct the district court to *K&P Homes*. See NRAP 5(a).

It is so ORDERED.

Cherry, C.J.
Cherry

Douglas, J.
Douglas

Gibbons, J.
Gibbons

Pickering, J.
Pickering

Hardesty, J.
Hardesty

Parraguirre, J.
Parraguirre

Stiglich, J.
Stiglich

cc: Fidelity National Law Group
Gerrard Cox & Larsen
Roger P. Croteau & Associates, Ltd.
Clerk, United States District Court for the District of Nevada