


IN THE SUPREME COURT OF THE STATE OF NEVADA

U.S. BANK NATIONAL ASSOCIATION,
AS TRUSTEE FOR BAFC 2006-I, A
NATIONAL ASSOCIATION,
Appellant,
vs.
SFR INVESTMENTS POOL 1, LLC, A
NEVADA LIMITED LIABILITY
COMPANY,
Respondent.

No. 76066

FILED

OCT 24 2019

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
-BY  DEPUTY CLERK

ORDER OF AFFIRMANCE

This is an appeal from a district court order granting summary judgment in an action to quiet title. Eighth Judicial District Court, Clark County; Mark B. Bailus, Judge. Reviewing the summary judgment de novo, *Wood v. Safeway, Inc.*, 121 Nev. 724, 729, 121 P.3d 1026, 1029 (2005), we affirm.¹

In *SFR Investments Pool 1, LLC v. U.S. Bank, N.A.*, 135 Nev., Adv. Op. 45, at 7 (2019), this court recognized generally that obtaining a retroactive annulment of a bankruptcy stay validates acts that would otherwise have been void. Accordingly, the district court here correctly determined that the retroactive annulment of the bankruptcy stay validated the foreclosure notices that may have otherwise been issued in violation of the stay. The district court therefore correctly determined that the HOA foreclosure sale complied with NRS Chapter 116 and was effective to extinguish appellant's first deed of trust. Although appellant suggests that issuing the foreclosure notices in violation of the automatic stay is

¹Pursuant to NRAP 34(f)(1), we have determined that oral argument is not warranted in this appeal.

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sufficient to set aside the sale on equitable grounds, *SFR Investments* rejected that same argument, reasoning that issuing foreclosure notices in violation of the automatic stay, in and of itself, is not sufficient evidence of fraud, unfairness, or oppression to justify setting aside the sale on equitable grounds. *Id.* at 9. The district court in this case expressly found that appellant presented no evidence of fraud, unfairness, or oppression, and appellant has not identified any such evidence in the record. Accordingly, we

ORDER the judgment of the district court AFFIRMED.²


C.J.
Gibbons


J.
Parraguirre


Sr. J.
Douglas

cc: Hon. Mark B. Bailus, District Judge
Janet Trost, Settlement Judge
Malcolm Cisneros\Las Vegas
Kim Gilbert Ebron
Eighth District Court Clerk

²The Honorable Michael Douglas, Senior Justice, participated in the decision of this matter under a general order of assignment.