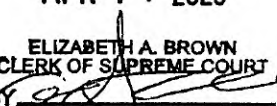


IN THE COURT OF APPEALS OF THE STATE OF NEVADA

CHARLES N. BELSSNER,  
Appellant,  
vs.  
THE STATE OF NEVADA  
DEPARTMENT OF BUSINESS &  
INDUSTRY, REAL ESTATE DIVISION,  
Respondent.

No. 89332-COA

FILED  
APR 14 2025  
ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
BY   
DEPUTY CLERK

*ORDER OF AFFIRMANCE*

Charles N. Belssner appeals from a district court order dismissing his petition for judicial review. Eighth Judicial District Court, Clark County; Tina Talim, Judge.

In the underlying proceedings, Belssner filed a petition for judicial review, seemingly seeking judicial review of a decision made by respondent the State of Nevada Department of Business & Industry, Real Estate Division (NRED) related to health and safety complaints against his condominium's homeowners' association.<sup>1</sup> Eventually, NRED moved to dismiss the petition for judicial review, arguing that the district court lacked jurisdiction to hear the case as the decision was not the result of a contested case under NRS 233B.032 and because Belssner was not (and could not become) a party of record under NRS 233B.130(1). Belssner failed to oppose this motion—instead filing a motion to continue the hearing—and

---

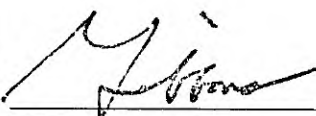
<sup>1</sup>We note that the June 23, 2023, decision identified in the petition for review was not attached to the petition or Belssner's other submitted documents.


the district court ultimately granted NRED's motion to dismiss in full for the reasons set forth in NRED's motion. Belssner now appeals.

On appeal, Belssner argues that the district court erred in dismissing his petition for judicial review because it has jurisdiction over issues involving "CC&R" disputes and "irreparable harm" under NRS 38.310 (stating that certain civil actions related to homeowners' associations "may be commenced in any court in this State" subject to certain conditions). However, Belssner did not raise this point in the district court below and thus that argument is not properly before us on appeal. *See Old Aztec Mine, Inc. v. Brown*, 97 Nev. 49, 52, 623 P.2d 981, 983 (1981) ("A point not urged in the trial court, unless it goes to the jurisdiction of that court, is deemed to have been waived and will not be considered on appeal."). Moreover, Belssner fails to address the grounds cited by the district court for dismissing his petition for judicial review—that the challenged decision was not the result of a contested case and that Belssner was not a party of record to the NRED proceeding. Thus, he has likewise waived any challenge to these determinations. *See Powell v. Liberty Mut. Fire Ins. Co.*, 127 Nev. 156, 161 n.3, 252 P.3d 668, 672 n.3 (2011) (providing that issues not raised on appeal are deemed waived).

Accordingly, based on the reasons set forth above, we  
ORDER the judgment of the district court AFFIRMED.

  
\_\_\_\_\_, C.J.  
Bulla

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

  
\_\_\_\_\_, J.  
Westbrook

cc: Hon. Tina Talim, District Judge  
Charles N. Belssner  
Attorney General/Carson City  
Attorney General/Las Vegas  
Eighth District Court Clerk