IN THE COURT OF APPEALS OF THE STATE OF NEVADA

PAUL GEORGE,
Appellant,
vs.
NATIONAL DEFAULT SERVICE CORPORATION; AND JPMORGAN CHASE BANK NATIONAL ASSOCIATION,
Respondent.[1]

No. 89682-COA

FILED
MAR 31 2026
ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY
DEPUTY CLERK

ORDER OF AFFIRMANCE

Paul George appeals from a district court order dismissing a petition for foreclosure mediation assistance. Eighth Judicial District Court, Clark County; Jerry A. Wiese, Chief Judge.

In the underlying matter, George filed a petition for foreclosure mediation assistance in which he requested to participate in Nevada's Foreclosure Mediation Program (FMP) for the subject property. Respondents National Default Servicing Corporation and JPMorgan Chase Bank National Association filed a motion to dismiss the petition for foreclosure mediation assistance arguing, among other things, that George was not eligible to participate in the FMP because a quitclaim deed conveying a five percent ownership interest in the subject property to George was not recorded until June 20, 2024, which was after the notice of default was recorded on May 20, 2024. Respondents pointed to Foreclosure

[1]We direct the clerk of this court to amend the caption on this court's docket to conform with the caption on this order.

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Mediation Rule (FMR) 7, which generally provides that owner-occupants are eligible to participate in the FMP and states that "[f]or purposes of these rules, an owner-occupant includes the trustee of a revocable or irrevocable trust if the trustor or a beneficiary of that trust resides in the residence at the time of the recordation of the notice of default and election to sell." Over George's opposition, the district court agreed with respondents and granted their motion, finding that George did not meet the eligibility requirements of NRS 107.0865 and FMR 7 for participation in the FMP. Thus, the court dismissed George's petition in its entirety. This appeal followed.

On appeal, George argues that the FMRs do not require an ownership interest to be recorded before the recording of a notice of default for an owner-occupant to be eligible to participate in the FMP. He argues that the language in FMR 7 relied upon by respondents is inapplicable in this matter as he was an owner-occupier at the time of the filing of his petition, and the subject property is not owned by a trust. Finally, he argues that his ownership interest was recorded within the time permitted for the filing of his petition. Respondents argue that the district court did not err in dismissing the petition as George was not the record owner of the property at the time the notice of default was recorded and thus did not satisfy the requirements for participation in the FMP.

However, we need not reach this issue because we conclude George lacks standing to participate in the FMP on other grounds. Standing may be raised at any time, even by the court for the first time on appeal. *See Baldonado v. Wynn Las Vegas, LLC*, 124 Nev. 951, 964-65, 194 P.3d 96, 105 (2008) (holding that a party lacks standing to pursue declaratory relief under a statute that does not provide a right of action); *Landreth v. Malik*, 127 Nev. 175, 179, 251 P.3d 163, 166 (2011) (standing is

a jurisdictional requirement, and may be raised sua sponte for the first time on appeal); *see also Arguello v. Sunset Station, Inc.*, 127 Nev. 365, 368, 252 P.3d 206, 208 (2011) ("Standing is a question of law reviewed de novo.").

NRS 107.086(3) and FMR 7 respectively refer to "the person who holds the title of record" and "the owner-occupant of a residence" in describing those who are eligible to participate in the FMP, which presupposes a 100-percent ownership interest in the subject property. Here, George is only a 5-percent owner of the subject property, and he presented no evidence to the district court indicating that the other owner elected to participate in the FMP. Thus, George did not have standing to participate in the FMP.[2] *See Landreth*, 127 Nev. at 179, 251 P.3d at 166; *see also Carter v. Duxford Fin., Inc.*, No. 81633, 2021 WL 4238034, at *1 (Nev. Sept. 16, 2021) (Order of Affirmance) ("Because appellant is only a 5-percent owner of the subject property and she presented no evidence to the district court indicating that the other owners elected to participate in the mediation, the district court correctly determined that appellant was ineligible to participate on her own and properly dismissed appellant's petition."). Therefore, we necessarily affirm the district court's decision to dismiss George's petition in its entirety. *See Pack v. LaTourette*, 128 Nev.

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[2]To the extent George argues that fractional interests are sufficient to establish eligibility under *Pascua*, 135 Nev. at 32, 434 P.3d at 289, we are not persuaded by this argument as the appellant in *Pascua* ultimately represented 100-percent of the interest in the subject property. As the supreme court explained, "where an individual has been appointed special administrator of an estate that includes residential real property, the special administrator resides in the property as his or her primary residence, and the special administrator retains an ownership interest via intestate succession laws, he or she is entitled to participate in the FMP." *Id.*

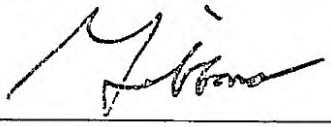
264, 267, 277 P.3d 1246, 1248 (2012) (holding that appellate courts may affirm a district court order on different grounds than those used by the district court).

Accordingly, we

ORDER the judgment of the district court AFFIRMED.[3]



_____, C.J.
Bulla



_____, J.
Gibbons



_____, J.
Westbrook

cc: Hon. Jerry A. Wiese, Chief Judge
Eleissa C. Lavelle, Settlement Judge
Black & Wadhams
Tiffany & Bosco, P.A./Las Vegas
Eighth District Court Clerk

[3]In light of our disposition, we need not reach the other arguments raised on appeal.