

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2026-001831

06/09/2026

HONORABLE SUSANNA C. PINEDA

CLERK OF THE COURT
T. Williams
Deputy

NATAIJAH FIELDS

NATAIJAH FIELDS
6291 S PEARL DR
CHANDLER AZ 85249

v.

SUN GROVES H O A, et al.

RACHEL BRENNER

JUDGE COMO
JUDGE PINEDA

RULING

The Court has reviewed Defendant Sun Groves HOA's ("Sun Groves") Motion to Dismiss Complaint and Plaintiff's Response. The Court has also taken judicial notice of the action filed in CV2026-015965, which Plaintiff sought to have consolidated with this matter. In CV2026-015965, Kati Soundos Nasser, the property owner, sought to evict Plaintiff Fields from the property Plaintiff had apparently occupied for three years. Ms. Nasser, who had originally bought her case against Plaintiff in justice court, was successful in obtaining an order from the Superior Court evicting Plaintiff from the property and a finding that Plaintiff has no ownership interest in the property. The court rejected Plaintiff's claim that she was entitled to possession of the property based on payments allegedly made to a third-party or adverse possession. (See Minute Entry under cause number CV2026-015965 dated May 5, 2026.)

Here, Plaintiff has brought this quiet title action against Ms. Nasser and Sun Groves. While ownership of the property has been found to be with Ms. Kati Soundos Nasser, Plaintiff seeks quiet title against Sun Groves. Specifically, Plaintiff alleges that she made capital improvements to the property which has resulted in the "owner" being unjustly enriched. Sun

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Groves seeks dismissal of this action against it on the basis that Plaintiff has not alleged any ownership interest against it. Review of Plaintiff's Amended Complaint indicates that it makes no ownership allegation against Sun Groves over the property located at 6291 S. Pearl Drive, Chandler, Arizona 85249. Instead, the complaint makes an allegation that the property owner has been unjustly enriched based on property improvements she made, and that Plaintiff seeks to prevent Defendant Nasser from evicting Plaintiff from the property. No issues are raised against Sun Groves.

Dismissal under Rule 12(b)(6) is appropriate only if a plaintiff is not entitled to relief, as a matter of law, on any interpretation of the facts alleged in the plaintiff's complaint. *Cullen v. Koty-Leavitt Ins. Agency, Inc.*, 216 Ariz. 509, 515 ¶ 12, 168 P.3d 917, 923 (App.2007). "When adjudicating a Rule 12(b)(6) motion to dismiss, Arizona courts look only to the pleading itself and consider the well-pled factual allegations contained therein." *See, e.g., Dressler v. Morrison*, 212 Ariz. 279, 281 ¶ 11, 130 P.3d 978, 980 (2006); *Long v. Ariz. Portland Cement Co.*, 89 Ariz. 366, 367–68, 362 P.2d 741, 742 (1961). This Court must also assume the truth of the well-pled factual allegations and indulge all reasonable inferences therefrom. *Doe ex rel. Doe v. State*, 200 Ariz. 174, 175 ¶ 2, 24 P.3d 1269, 1270 (2001); *Long*, 89 Ariz. at 367, 362 P.2d at 742. Mere conclusory statements are insufficient to state a claim upon which relief can be granted. *Cullen v. Auto-Owners Ins. Co.*, 218 Ariz. 417 (2008). Although the inclusion of conclusory statements does not invalidate a complaint, *Long v. Ariz. Portland Cement Co.*, 89 Ariz. 366, 369, 362 P.2d 741, 743 (1961), a complaint that states only legal conclusions, without any supporting factual allegations, does not satisfy Arizona's notice pleading standard under Rule 8. *See also Belen Loan Investors, LLC v. Bradley*, 231 Ariz 448, 296 P.3d 984 (App. 2012). The purpose of a complaint is to "give the opponent fair notice of the nature and basis of the claim and indicate generally the type of litigation involved." *Cullen, id., quoting Mackey v. Spangler*, 81 Ariz. 113, 115 (1956). By the same token, a complaint that states only legal conclusions, without supporting factual allegations, does not comply with Rule 8's notice pleading standard. *Cullen, id.* If a complaint does not comply with Rule 8, the defendant may move to dismiss for failure to state a claim. *Cullen, id.*; Ariz. R. Civ. P. 12(b)(6).

IT IS ORDERED granting Defendant Sun Groves' Motion to Dismiss.

IT IS ORDERED dismissing the case against Defendant Sun Groves without prejudice.

Defendant Sun Grove also seeks attorney's fees against Plaintiff for filing her complaint against it without a legal basis. See A.R.S. § 12-349(a)(1). Given that Plaintiff and property owner Ms. Nasser have been involved in litigation regarding the property, it is apparent that Sun Groves was not appropriately named as a Defendant in this matter. Therefore,

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IT IS ORDERED granting Defendant Sun Groves' request for attorneys' fees and costs pursuant to A.R.S. § 12-349(a)(1).

IT IS ORDERED that Defendant Sun Groves shall provide their Application for Attorneys' Fees and Cost, as well as a proposed form of order for this Court's signature no later than 20 days from the date of this order. The proposed form of order shall leave blank the amounts sought for Attorneys' Fees and Costs, and it shall properly contain judgment language referring to Rule 54(b).