

COMMISSION ON COMMON OWNERSHIP COMMUNITIES
 Minutes of the Monthly Meeting
 1401 Rockville Pike, 5th Floor, Rockville, MD 20850
June 5, 2019

The monthly meeting of the Commission on Common Ownership Communities was called to order at 7:06 pm by Chairman Mark Fine

Commissioners present: [10] BURROWS, ETHIER, FINE, FISHBEIN, GARDNER, GELFOUND, MALAMUD, PERPER, STEINBACH, VINEY

Commissioners absent: MYO KHIN, WINEGAR, and VALLEY [3rd un-excused absence in a row],

Staff present: Tim Goetzinger, Acting Director DHCA; Walter Wilson, Associate County Attorney; Ife Fabayo, Staff

Guests: Bililigne W. Senbet, Linda S. Moore, Jo Ellen Bilanin, Ginger Naglee, Phil Garza, Gordon Young, Jr., John D. Smith, Jr.

1. **Minutes approved:** Commissioner Burrows moved to approve the minutes of the May 1, 2019 monthly meeting as presented. The motion was adopted; Commissioner Fishbein abstained. Commissioner Burrows moved to amend the agenda, moving the DHCA Staff report to follow Community Forum. Motion passed by unanimous consent.
2. **Community Forum:** Ginger Naglee asked where written rules concerning committee meeting minutes could be found. JoEllen Bilanin asked where to find issues of the CCOC Newsletter.
3. **DHCA Staff report:** Monthly data report for May 2019 was discussed. The Office of Common Ownership Communities is taking responsibility for registration and updating association leadership and rental information. Effort to contact associations has increased number of associations registered, which should increase fees collected by County.
4. **Jurisdiction - Default cases:** Commissioner Burrows moved to accept jurisdiction on all cases, seconded by Commissioner Fishbein; motion passed, Commissioner Gardner abstained.
 #2019-049 Longmead Crossing CSA v. Jose-Luis Mendoza
 #2019-050 Longmead Crossing CSA v. Betelehem Dejen
 #2019-051 Longmead Crossing CSA v. Oyinwa Alex-Okoh
 #2019-052 Longmead Crossing CSA v. Miguel Rodriguez
5. **Jurisdiction - Contested cases:**
 #2019-036 Zachary & Laura Craig Mason v. The Americana Centre Condominium – Commissioners Gelfound and Perper disclosed possible conflict of interest as they work for same management company, and did not take part in discussion or vote. Commissioner Burrows moved to accept jurisdiction and refer the case to a hearing panel. After discussion by the balance of commissioners, the motion was passed by unanimous consent.
 #2019-044 North Creek Villas Condominium Assoc. v. Edward Feinstein – Commissioner Gardner moved to accept jurisdiction and refer case to a hearing panel. After discussion, the motion passed by unanimous consent.
 #2019-046 Altayework Berhaneselassi & Bililingne Senbet v. Hill Top Condominium – Commissioner Gelfound moved to reject case as Md. Law trumps covenants on responsibility for damages from

falling tree. After discussion, motion was withdrawn. It was noted that Complainant did not give sufficient explanation of association's alleged negligence and Commissioner Gardner moved that a decision on jurisdiction be deferred until next month [July] to allow Complainant to supplement his complaint. The motion passed by unanimous consent.

#2019-057 Luz Cruz v. Top of the Park Condominium Assoc. - Commissioner Gelfound moved to accept jurisdiction only on soil erosion segment of complaint, but the motion failed, Commissioner Gelfound the only vote in favor. After further discussion Commissioner Gardner moved to accept jurisdiction and refer the case to a hearing panel. The motion passed, with Commissioner Gelfound the only vote against.

6. D&Os Issued:

Commissioner Ethier moved to waive a full reading of the Decisions. The motion passed.

#2019-033 Fox Chapel HOA v. Edwin Baldomar

#50-17 Greencastle Lakes Community Assoc. v. Jude Eodoro

#54-17 Williamsburg Square Community Council v. Jose Vellegas & Eva Martinez

#2019-033 Dereje Gizaw v. Seneca Forest Community Assoc.

#2018-032 Greencastle Lakes Community Assoc. v. Harsimer & Sarbjit Kaur

7. D&O on Appeal (Circuit Court for Montgomery):

#2018-037, Derek & Maureen Hypolite v. Longmead Crossing CSA

#2019-015, James Stevens v. Crest of Wickford Condominium [complaint withdrawn]

8. County Attorney's report: Tally v. New Mark Commons Decision pending review.

9. Chair's report: CCOC has held two board training sessions, and will host an event with 18 condominium associations in City of Tacoma Park; the Acting Director & Commission Chair will realign committees so each commissioner will only serve on one committee; Chair is negotiating with Gaithersburg for a Town Hall to present CCOC to their associations; new microphones and projector have been purchased to enhance training sessions and meetings; three names have been recommended to the County Executive for appointment to the Commission and they should be ready to serve by July; the next Commission meeting will be held on July 10th, with Chair giving waiver to Commissioners unable to attend.

10. Committee reports:

Education Committee: None

Legislative Committee: Committee will continue to recommend \$10m deductible for condominiums and reserve studies every 5 years with 80% funding.

Process & Procedures Committee: None

11. Old business: None

12. New business: None

13. Meeting adjourned at 8:37pm

Next meeting Wednesday, JULY 10, 2019 at 7:00pm

Submitted by Kathy Viney,
Recording Secretary