

COMMISSION ON COMMON OWNERSHIP COMMUNITIES
Minutes of the Monthly Meeting
Via Zoom Audio-Visual Conference
Wednesday, June 3, 2020

The monthly meeting of the Commission on Common Ownership Communities was called to order at 7:03 pm by Chairman Mark Fine.

Commissioners present: [12] ETHIER, FINE, GARDNER, GELFOUND, GIZA, MALAMUD, MYO KHIN, PERPER, SMITH, STEINBACH, VINEY, YOUNG, and Commissioners nominated, but not yet confirmed, Terry Anderson, Brian Gruber, and Linda Moore.

Commissioners absent: None

Staff present: Tim Goetzinger, DHCA Director of Finance; Walter Wilson, Associate County Attorney; Staff: Mark Anders, Ife Fabayo.

Guests: Former Commissioner Dr. Rand Fishbein, Richard Brandeis, Jeffrey Hamberger, Jo Ellen Bilanin, Joseph DiLullo, Glen M., Jim Cagley, Donna King

1. **Approval of Minutes:** Commissioner MyoKhin moved to approve the minutes (as amended) of the May 6, 2020 monthly meeting, with Commissioner Perper second. The motion was approved by majority vote, Commissioner Ethier abstained.
2. **Community Forum:** n/a
3. **Submission of disputes for Commission consideration:**

Jurisdiction - Default cases:

#2020-088, Greencastle Lakes Community Association v. Lam – [Architectural control] Respondent failed to reply to the complaint.

#2020-090, Longmead Crossing Community Services Association v. Berry - [Architectural control] Respondent failed to reply to the complaint.

#2020-092, Longmead Crossing Community Services Association v. Robles - [Architectural control] Respondent failed to reply to the complaint.

Commissioner Gelfound moved to accept jurisdiction on all three default cases and to refer them to default panels, with Commissioner Gardner second. After discussion, the motion was approved by unanimous consent.

Jurisdiction - Contested cases:

#2020-074, Magrab v. Sumner Village Condominium Two, Inc. [Authority to spend association funds] – Commissioner Gelfound moved to **deny jurisdiction**, Commissioner Myo Khin second. After discussion, the motion was approved by majority vote, Commission Viney opposed, Commissioner Fine recused.

#2020-082, DiLullo v. Riviera of Chevy Chase Condominium – Commissioner Ethier moved to **deny jurisdiction**, Commissioner Smith second. After discussion, the motion was approved by majority consent, Commissioner Fine recused.

#2020-075, Diriba v. Grosvenor Park IV – [Authority of the governing body to spend association funds] Commissioner Smith moved to accept jurisdiction and refer the case to a hearing panel, with Commissioner Malamud second. After discussion, the motion was approved by unanimous consent.

Commissioner Viney moved to consolidate three Grosvenor Park IV cases [**#2020-035**, Dunn v. Grosvenor Park IV; **#2020-075**, Diriba v. Grosvenor Park IV; and **#2020-077**, Athanasopoulos v. Grosvenor Park IV] to be heard by a single hearing panel, Commissioner Smith second. The motion passed by unanimous consent.

4. **Decisions & Orders Issued:** None
5. **Decisions & Orders on Appeal in Circuit Court for Montgomery County, MD:**
 - #2018-040, Dillin et al, v. The Willoughby of Chevy Chase and
 - #2018-061, Nadri v. The Willoughby of Chevy Chase (consolidated) – CCOC decision upheld in Circuit Court, appealed to Court of Special Appeals.
 - #2019-019, Weinrich v. Tanterra HOA
 - #2019-070, Washington v. Silverton Condominium
 - #2019-038, Kenny v. Council of Unit Owners of Cherington Condominium
6. **County Attorney's report:** Decision & Order(s) under review by Mr. Wilson – None
7. **DHCA report:** Director Goetzinger presented the March-May 2020 statistical report for discussion.
8. **Chairman's Report:**
 - Covid-19 Town Hall – Commissioners praised Chairman Fine for his efforts in organizing and presenting the webinar. Statistics: 779 registered, 677 called in, 493 stayed for at least 2 hours.
 - Commendations – Chairman Fine requested spending authority to create commendations for the Covid-19 Town Hall panelists in recognition of their service. Commissioner Smith moved to approve the request with Commissioner Ethier second. The motion was approved by majority vote, Commissioner Viney opposed.
 - Town Hall proposed – “Behind on your mortgage or assessments?”
 - Covid-19 & pools and other outdoor amenities – Changing county restrictions creating uncertainty.
 - Covid-19 & distressed communities – Under discussion by County Council.
9. **Committee reports:**

Chairman Fine advised the Commission that committee re-assignments will be made after the new commissioners are appointed.

 - a. Education Committee [Members: Commissioners Fine & Myo Khin, Gelfound, Giza, Perper, Smith, & Steinbach]
In the absence of a committee Chair, Chairman Fine reported that he is editing the Board of Directors Training curriculum. Chairman Fine is also reviewing the previously offered financial courses.
 - b. Legislative Committee [Members: Commissioners Fine & Myo Khin, Gardner (Chair), Malamud, Viney, & Young]
No report by the committee Chairman. However, Commissioner Gelfound informed the Commission that the Md, Assembly passed SB175 to increase liability for insurance deductible to \$10,000 effective October 1, 2020, and Governor Hogan has signed the bill.
 - c. IT/Process & Procedures Committee [Members: Commissioners Fine & Myo Khin, Ethier (Chair)] --- n/a
 - d. Interview Committee [Members: Commissioners Fine & Myo Khin, Giza (Chair), Gelfound, & Smith] --- n/a
10. **Adjournment:** Meeting adjourned at 8:39pm.

Next meeting: Wednesday, July 1, 2020 at 7:00pm