

COMMISSION ON COMMON OWNERSHIP COMMUNITIES
Minutes of the Monthly Meeting
Via Zoom Audio-Visual Conference
Wednesday April 7, 2021

The monthly meeting of the Commission on Common Ownership Communities was called to order at 7:09 pm by Chairman Mark Fine. The Chairman apologized to the attendees for the late start to the meeting as we were waiting on 8 Commissioners to make quorum.

Commissioners present: [08] ANDERSON, FINE, GARDNER, GELFOUND, MYO KHIN, SMITH, STEINBACH, WALKER.

Commissioners absent: MOORE, MURTHY, (5 vacancies)

Staff present WALTER WILSON, ESQ. ASSOCIATE COUNTY ATTORNEY; Staff: MARK ANDERS, ESQ. Investigator, Ife Fabio, Investigator, and Frank Demarais, Deputy Director

Guests: Christine Seabold, Susan Nerlinger, Jennifer Bennett and Eric Herron (COMMISSIONER'S IN WAITING), EX-OFFICIO RAND FISHBEIN, PhD, Jo Ellen Bilanin, Ginger Naglee, Tesh Diriba, Arthur Green, Brad Shipp, Donald Jackson, Edward Siguel, Evan Strianese, Glen Mc Gwen, R. Schimel, Esq., Ursula Burgess, Esq.

1. **Approval of Minutes:** After discussion, Commissioner Smith moved to approve the minutes of the March 2021 monthly meeting. Commissioner Anderson seconding. The motion was approved by unanimous consent.
2. **Community Forum:** There was a discussion on the need to improve staff assistance in helping homeowners find and navigate the CCOC website for documents to prepare for hearings. There was also a discussion regarding a reference to an attorney who is also a Commissioner and alleged involvement in a case several years ago. We advised the homeowner, that the discussion was inappropriate as his reference was made to a current case before the commission.
3. **Submission of disputes for Commission consideration: Jurisdiction – Default cases:**
 - a. **2021-047, Longmead Crossing CSA v. Hamilton -** Commissioner Smith moved to accept jurisdiction and Commissioner Anderson seconded the motion. After discussion the motion was carried by the Commission (with the understanding that the staff provide proof of service to the Respondent)
4. **Jurisdiction - Contested cases:**
 - a. **#2021-029, Green v. Inverness Forest Association Inc. -** Commissioner Myo Khin moved to accept jurisdiction and Commissioner Walker seconded the motion. After discussion, the motion failed to be carried by the Commission, with Commissioner Chair Fine, Commissioners Steinbach and Gardner recusing.
 - b. **#2021-038, Melnick v. Decoverly IV Condominium Association -** Commissioner Gardner moved to accept jurisdiction and Commissioner Gelfound seconded the motion. After discussion the motion was carried by the Commission. Commission Chair Fine recused as he was the mediator.

- c. **#2021-042, King Farm Citizens Assembly, Inc. v. Siguel** - Commissioner Gardner moved to accept jurisdiction and Commissioner Smith seconded the motion. After discussion the motion was carried by the Commission. Commission Chair Fine and Commissioner Steinbach recused they were involved in the mediation.

5. **Decisions & Orders Issued:**

- a. **#2020-035, 042, 077, & 077 (Consolidated), Athanasopoulos, et al. v. Grosvenor Park IV Condominium Association.** Decision was in package.

6. **Decisions & Orders on Appeal:**

#2019-038, Kenny v. Council of Unit Owners of Cherington Condominium – assigned to Administrative Appeal, Judge Lease. Distributed later that evening by email.

#2021-004, O'Neill v. 8101 Connecticut Avenue Condominium (Oral Hearing on June 9, 2021)

7. **County Attorney's report:** Advised Commission that amended 10-B was being circulated for distribution prior to presentation to the CE and Council.
8. **DHCA status report:** The financial report case statistics for March 2021 was attached and discussed.

9. **Chairman's Report:**

The report is attached to this package

- The Chair gave an update on the status of the City of Gaithersburg joining the CCOC. The proposal was withdrawn by the CCOC but the City of Gaithersburg was welcome to reengage the Commission in talks next year.
- Official introduction of Christine Seabold, Susan Nerlinger, Jennifer Bennett, Eric Herron and Marvin Holmes (not at meeting) who were observing and had interviewed for the open positions on the commission. Donald Perper stepped down effective 3/31/21 due to additional workload at his Property management Co. David Gardner asked about what he needed to do to advise the CE of wanting to be reappointed. The Chair will speak with him offline in the morning.
- The Chair thanked Terry Anderson, and John Smith who assisted him last Saturday, April 3, 2021 in a zoom Directors training class. They had over 100 sign up and had 89 participants. The feedback has been positive from those who attended. They are preparing the Certificates for the attendees. The certificate has been redone to reflect the anniversary of the commission. (attached)
- There was a discussion in the status of the latest versions of HB 313 and HB 567 which are attached to the package
- Commissioners John Smith and Staci Gelfound are working on a COVID-19 webinar which will take place within the next few weeks.
- The CCOC's proposed statement on pool openings is attached. The Chair asked the Commissioners to review and have comments and rewording back to him by next Thursday.
- The CCOC's proposed new registration document for COC's is attached. The Chair asked the Commissioners to review and have comments and rewording back to him by next Thursday.

10. **Committee reports:**

- Education Outreach Committee – none
- Executive Committee - None

11. Old Business
- none

12. New Business-
- none

13. **Adjournment:** Meeting adjourned at 8:45 pm.

Next meeting: Wednesday, May 5, 2021 at 7:00pm via zoom

DRAFT