

COMMISSION ON COMMON OWNERSHIP COMMUNITIES

Minutes of the Monthly Meeting Via Zoom Audio-Visual Conference Wednesday April 6, 2022

The monthly meeting of the Commission on Common Ownership Communities was called to order at 7:14 pm by Commission Chair Walker due to technical difficulties. Vice Chair Smith was able to join at 7:19.

Commissioners present: [11] ANDERSON, BENNETT*, HERRON, HOLMES, MOORE, MURTHY, NERLINGER, SEEBOLD, SMITH, STEINBACH, AND WALKER.

Commissioners absent: None (Four (4) Vacancies)

Staff present WALTER WILSON, ESQ. ASSOCIATE COUNTY ATTORNEY; Staff: IFE FABAYO, INVESTIGATOR, OCOC (presenting), FRANK DEMARAIS, DEPUTY DIRECTOR, DHCA, OCOC, Rand Fishbein, Ex-Officio Member.

Guests:

Selamwit Deffar, Hanna Asmare, Dorothy Legette, Terry Head, Kaitlin Paddy, Brittany Collier Walston, Ephraim Harel, Jacquie Roberts, James Cagley, Esq., Ken Buch, Frank Luncheon, Jo Ellen Bilanin, Mary Dolbashian, Glen McEwen, Candace Otto, Tesh Diriba

Facilitator M Fine, Panel Chair

Note * Commissioner Bennett left the meeting just as the meeting was called to order and did not attend the rest of the meeting.

1. **Proof of Quorum:** There being 11 Commissioners Present the meeting was called to order.
2. **Welcome and Introductions:** The Chair welcomed all in attendance.
3. **Approval of Agenda:** Commissioner Holmes moved to approve the April Agenda. Commissioner Heron seconding. Commissioner Herron called for an amendment to remove case 2022-071 from the agenda. All voted in favor and the motion carried.
4. **Approval of Minutes:** Commissioner Anderson moved to approve the minutes of March 2022 monthly meeting. Commissioner Herron seconded. All voted in favor and the motion carried.
5. **Community Forum:** There were no questions from the audience during the open forum.

6. **Submission of disputes for Commission consideration: Jurisdiction –**

#2022-060, Turtle Rock Condominium v. Zahedinia, et al. – Commissioner Anderson moved Accept Jurisdiction of the case and Commissioner Moore seconded the motion. The motion was carried by the Commission, by unanimous consent.

#2022-062, Longmead Crossing CSA v. Gonzales – Commissioner Anderson moved Accept Jurisdiction of the case and Commissioner Holmes seconded the motion. The motion was carried by the Commission, by unanimous consent.

#2022-069, Longmead Crossing CSA v. Siriboe, et al. – Commissioner Anderson moved **Accept Jurisdiction of the case** and **Commissioner Murthy** seconded the motion. There was a discussion between the OCA, Chair and Commissioner Seebold regarding “acceptance of jurisdiction” as opposed to using the terms “default” or “contested”. Mr. Wilson (OSA) stated that it did not matter if we used the terms “default” or “contested”. The point that matters is that the complainant, either homeowner or Association files a case and no response is filed, it is a default case (uncontested) The complainant still must prove that they are entitled to prevail. Commissioner Herron also had his hand raised, mentioning that he was also going to reiterate what Mr. Wilson stated. **The motion to accept the case was carried by the Commission**, by unanimous consent.

#2022-071, Longmead Crossing CSA v. Vasquez, et al. – Pulled from Docket at beginning of meeting, see #3 (page 1)

#2022-035, Walston, et ux. v. Fox Chapel North Homes Association - Commissioner Holmes moved to **Accept Jurisdiction of the case** and **Commissioner Anderson** seconded the motion. Being no Discussion, **the motion was carried by the Commission**, with Commissioner **Herron** Recusing.

#2022-054, Candace Otto v. Kenwood Place Condominium -Commissioner Holmes moved to **Accept Jurisdiction of the case** and **Commissioner Anderson** seconded the motion. After a brief discussion, **the motion was carried by the Commission**, with Commissioner **Smith** Recusing. There was a brief discussion regarding Ms. Steinbach recusal, Mr. Wilson stated Ms. Steinbach need not recuse at this time.

DECISIONS AND ORDERS ISSUED

None issued

DECISIONS AND ORDERS ON APPEAL (in Circuit Court for Montgomery, MD)

Staff gave a brief update on the two cases below.

#2021-033, Errichetti v. Glen Way Gardens Condominium (Pre-trial status hearing on May 19, 2022)

#2021-042, King Farm Citizens Assembly v. Siguel (Hearing held on March 28, 2022 – CCOC decision affirmed)

7. County Attorney’s Report – There is one D/O under review.

8. DHCA Staff Report

Report Quarterly – No Report for this meeting

9. Vice Chair & Committee Reports The Vice Chair discussed the Nomination Committee is in process and vacancy announcements are under way. He explained the process to all. The Commission Chair announced that another Commissioner resigned this evening. Commissioner Seebold reported that at 6:38 this evening the online announcement went out regarding the Commission vacancies.

A. Communications Committee – Report Provided and read orally

The Committee Chair, announced that Jeffrey Hamberger, has had to step off of the Committee.

B. Education – The Committee Chair presented her report orally.

C. Gaithersburg Task Force- The Committee Chair stated she would defer her report at this time.

D. Legislative/Policies and Procedures – No Report

E. Budget and Information Technology – Ad-hoc No Report

The Commission Chair asked to add the Nominating Committee Report to the agenda for next month.

10. UNFINISHED BUSINESS None

11. NEW BUSINESS None

12. GOOD OF THE ORDER The Commission Chair thanked former Chairmen Fine for his continued assistance to the Commission, as well as the Director for their participation. Commissioner Smith wanted to thank Frank, Ife, and Galia for their support.

13. ADJOURNMENT: Commissioner Smith moved to **adjourn the meeting; Commissioner Holmes** seconded the motion. All in favor. Meeting adjourned at 8:15 pm.

THE NEXT MONTHLY MEETING WILL BE ON MAY 4, 2022

Zoom invitations have been sent