

COMMISSION ON COMMON OWNERSHIP COMMUNITIES

Minutes of the Monthly Meeting
Via Zoom Audio-Visual Conference
Wednesday September 7, 2022

The monthly meeting of the Commission on Common Ownership Communities was called to order at 7:05 pm by Vice Chairman of the Commission John Smith.

Commissioners present: [09] ANDERSON, HERRON, HOLMES, MOORE, MURTHY, NERLINGER, SEEBOLD, SMITH, AND STEINBACH.

Commissioners absent: CHAIRWOMAN WALKER (Five (5) Vacancies)

Staff present Walter Wilson, ESQ. ASSOCIATE COUNTY ATTORNEY; Staff: Mark Anders, Esq., Investigator, OCOC (presenting), and Ife Fabayo, INVESTIGATOR, OCOC.

Guests:

Frank Luncheon, Jim Cagley, Esq, Selamawit Deffar, Marek Kotelba, Jo Ellen Bilanin, Tesh Diriba, Reva Glaze, Pat Ledger, Ursula Burgess, Esq., Ginger Naglee, Wanda Boveja, Marek Kotelba, Dorothy Legette, Trey Jones, and M. Freeman,
Facilitator Mark Fine

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1. **Proof of Quorum:** There being 9 Commissioners Present the meeting was called to order, by a motion of Vice Chairman of the Commission John Smith.
 2. **Welcome and Introductions:** The Vice Chair welcomed all in attendance, and had all Commissioners and staff introduce themselves.
 3. **Approval of Agenda** Commissioner Steinbach moved to accept the agenda, with Commissioner Holmes seconding the motion. All voted in favor and the motion carried.
 4. **Approval of Minutes:** Commissioner Anderson moved to approve the minutes of August, 2022 monthly meeting. Commissioner Holmes seconded. All voted in favor and the motion carried.
 5. **Community Forum:** No Comments from the Community
 6. **Report of the Chair:** The Vice Chair deferred this report, as the Chairwoman was not present
 7. **Submission of disputes for Commission consideration: Jurisdiction –**

#2022-083, Village at Oak Hill v. Kerrigan *–Commissioner Nerlinger moved Accept Jurisdiction of the case and Commissioner Herron seconded the motion. The Vice Chair called for discussion, hearing none, a roll call vote was called. **The motion was carried by the Commission,** by unanimous consent.

#2022-094, Longmead Crossing CSA v. Ondiek, Et. Al. – Commissioner Murthy moved Accept Jurisdiction of the case and Commissioner Holmes seconded the motion. The Vice Chair called for discussion, hearing none, a roll call vote was called. **The motion was carried by the Commission,** by unanimous consent.

#2022-095, Longmead Crossing CSA v. Sung – Commissioner Anderson moved Accept Jurisdiction of the case and Commissioner Herron seconded the motion. The Vice Chair called for discussion, hearing none, a roll call vote was called. **The motion was carried by the Commission,** by unanimous consent.

#2022-096, Longmead Crossing CSA v Dickey - Commissioner Nerlinger moved Accept Jurisdiction of the case and Commissioner Anderson seconded the motion. The Vice Chair called for discussion, hearing none, a roll call vote was called. The motion was carried by the Commission, by unanimous consent.

#2022-097, Longmead Crossing CSA v. Baniya, Et. Al. – Commissioner Anderson moved Accept Jurisdiction of the case and Commissioner Holmes seconded the motion. The Vice Chair called for discussion, hearing none, a roll call vote was called. The motion was carried by the Commission, by unanimous consent.

#2023-008, Glaze v. The Greens II at Leisure World – Commissioner Herron moved Deny Jurisdiction of the case and Commissioner Anderson seconded the motion. The Vice Chair called for discussion, Commissioner Steinbach had procedural questions about the case, Mr. Wilson explained the procedures for processing this particular case and how it came before the Commission. Ms. Fabio when asked by Commissioner Steinbach if she had contacted the Association replied no she had not. Ms. Fabio made the determination in the case based on documents submitted. Commissioner Herron also commented in support of the staff. A roll call vote was called. The motion was carried by the Commission, by unanimous consent.

#2022-090, Jones v. Key West Condominium, Inc. – Commissioner Steinbach moved Accept Jurisdiction of the case and Commissioner Anderson seconded the motion. The Vice Chair called for discussion, hearing none, a roll call vote was called The motion was carried by the Commission, by unanimous consent.

Note* Prior to the discussion of the 1st case Commissioner Murthy inquired where the summary page for the 1st few cases were. There was a brief discussion as to what transpired with the production of the packet.

DECISIONS AND ORDERS ISSUED

#2021-080, Simpson v. King Farm Citizens Assembly, Inc. (in packet)

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

No Updates on

#2021-013, Kotelba v. King Farm Citizens Assembly

#2021-033, Errichetti v. Glen Way Gardens Condominium

7. County Attorney's Report – No Report

8. DHCA Staff Report The OCA review one D/O 2021-080

No update from last month's report

9. Vice Chair & Committee Reports – The Vice Chair thanked all of the Committees for their hard work.

- A. Education – The Committee Chair presented her written report (attached) and stated that the committee would be meeting on 9/12 and did not meet on 9/5 as it was a holiday. She also updated those in attendance on the stats for the 1st EV Webinar participation.

- B. . Legislative/Policies and Procedures – Commissioner Herron gave an update on the review of the pending legislation before the Council on the changes to MCC 10-B (in packet)
- C. Gaithersburg Task Force- Commissioner Anderson gave a brief update on the registration status of Gaithersburg as well as the training materials for the city are being updated.
- D. Nominating Committee.- Commissioner Holmes gave an update on the status of commissioner interviews. He reported that there were 25 applicants, Interviews were held on July 26, 28 and 29, 2022. Of the 15 Commissioners there are 5 vacancies.
- E. Communications Committee –**No Report submitted She gave a verbal report. She reported that she submitted website changes to the IT dept. 2 months ago and has not heard back. She had a meeting with their liaison a few weeks ago and still no action has taken place. She still remains hopeful.**
- F. Budget and Information Technology – Ad-hoc No Report

10. UNFINISHED BUSINESS None

11. NEW BUSINESS The Chair asked that efforts be made to hold the final meeting of the year at to DCHA

12. GOOD OF THE ORDER Commissioner Steinbach thanked Mr. Fine for his hard work helping the Commission after stepping away from the Commission

13. ADJOURNMENT: Commissioner Murthy and Commissioner Nerlinger moved to adjourn the meeting.in favor. Meeting adjourned at 8:01 pm.

THE NEXT MONTHLY MEETING WILL BE ON **October 5, 2022**

Zoom invitations have been sent