

COMMISSION ON COMMON OWNERSHIP COMMUNITIES

Minutes of the Monthly Meeting
Via Zoom Audio-Visual Conference
Wednesday October 5, 2022

The monthly meeting of the Commission on Common Ownership Communities was called to order at 7:03 pm by Vice Chairman of the Commission, John Smith.

Commissioners present: [08] ANDERSON, HERRON, HOLMES, MOORE, MURTHY, NERLINGER, SEEBOLD, AND SMITH.

Commissioners absent: CHAIRWOMAN WALKER and COMMISSIONER STEINBACH (Five (5) Vacancies)

Staff present Walter Wilson, ESQ. ASSOCIATE COUNTY ATTORNEY; Staff: Ife Fabayo, INVESTIGATOR, OCOC. (presenting)

Guests:

Frank Luncheon, Jim Cagley, Esq., Jo Ellen Bilanin, Tesh Diriba, Wanda Boveja, Dorothy Legette, Pete Wergin, Jacquie Roberts and M. Freeman.

Facilitator Mark Fine

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1. **Proof of Quorum:** There being 8 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 Minutes:** Commissioner Anderson moved to approve the minutes of September, 2022 monthly meeting. Commissioner Nerlinger seconded. All voted in favor and the motion carried.
 4. **Community Forum:** Frank Luncheon raised a question with regards to “Mid Year Assessment increases”. His question was generally answered, but he was asked to contact the office in the morning for a detailed answer as the question was broad and would take more than a few minutes to answered. He agreed to contact the office.

Commissioner Anderson stated that Commissioner Seebold had raised her hand, Commissioner Seebold stated that she was going to assist in addressing the question, but it was handled.

5. **Report of the Chair:** The Vice Chair deferred this report, as the Chairwoman was not present
6. **Submission of disputes for Commission consideration: Jurisdiction –**

#2022-089, Potomac Glen Community Association v. Garg, et al.

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.

#2022-099, Village at Oak Hill v. Kerrigan

– **Commissioner Murthy** moved **Accept Jurisdiction of the case** and **Commissioner Moore** 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.

#2023-009, Wenzel v. The Colonnade at Kentlands HOA

The staff advised that both parties requested that this case be removed from the docket while they pursue a settlement in the matter.

#2022-066, Nail, et ux. v. The Chase at Bethesda, A Condominium

- The Staff advised that the Complainant has withdrawn their complaint.

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 *Mr. Fine advised that the staff was reviewing this case for a possible “Class A” violation as the Complainant has notified the office that the Respondent has possibly violated the Decision and Order.

No Updates on

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

7. County Attorney’s Report –

Mr. Wilson reported that he had one decision and order that he was reviewing, Jolles v Westlake 2022-007.

8. DHCA Staff Report -

Mr. Fine presented the Statistical Report to the Commissioners. In addition, Mr. Fine updated the Commissioners on pending staff items, that were discussed in the past several meetings.

- CCOC Agendas will be posted to the DHCA Calendar 5 days prior to the meeting.
- All Zoom information for future meetings has been corrected and all future meeting thru the remainder of the year will have the same zoom meeting ID number.
- There have also been questions regarding the Director Training programs, the ZOOM version is the 2nd Saturday and the 4th Sunday of each month and all zoom links are reflected on the DHCA Calendar.
- Regarding the question of posting the Decisions and Orders, Mr. Fine clarified that the link to the Decisions and Orders search platform has always been on the website and explained how to navigate it. He also advised that the office is verifying all Decisions and Orders rendered over the past 2 years and is ensuring that they are in fact in the system.
- Regarding the linking or “computer based” and “On-line and Zoom based” training, the office is working to merge all of the records to one platform and expect it to be done within the next few weeks, as we have identified 10-12 classes that needed to be added to the database.
- We anticipate that the “Governing Documents” portal will be live in the not to distant future.

- Mr. Fine advised that the Office of the County Executive is assisting the CCOC recruiting new Panel Chairs.

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

- A. 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.
- B. Education - The Committee Chair reminded the Commission that her report was included in the DHCA Office report. Mr. Fine apologized for that error.
- C. Legislative/Policies and Procedures - No Report
- D. Gaithersburg Task Force - No Report
- E. Communications Committee - No Report
- F. Budget and Information Technology – Ad-hoc No Report

10. UNFINISHED BUSINESS Mr. Fine advised that all the necessary documents for the Commissioner applicants has been forwarded to the XO's office for review.

11. NEW BUSINESS The Vice Chair requested the pending new business be tabled until the next meeting, when the Chairwoman will be in attendance.

12. GOOD OF THE ORDER Commissioner Holmes advised the Commission that the MD Legislation is gearing up, so if Commissioner has any suggestions for proposed legislation, please send it to the Legislation Committee.

13. ADJOURNMENT: Commissioner Holmes and Commissioner Anderson moved to adjourn the meeting all in favor. Meeting adjourned at 7:50 pm.

THE NEXT MONTHLY MEETING WILL BE ON November 3, 2022

Zoom invitations have been sent and are the same for the remainder of the year