

COMMISSION ON COMMON OWNERSHIP COMMUNITIES

Minutes of the Monthly Meeting Via Zoom Audio-Visual Conference Wednesday, April 12, 2023

The monthly meeting of the Commission on Common Ownership Communities was called to order at 7:07 p.m. by Vice Chair John Smith.

Commissioners present: [12] Anderson, Freeman, Hall, Hayes, Holmes, Mezey, Moore, Nerlinger, Seebold (joined at 7:18PM), Smith, Steinbach, and Zmuda.

Commissioners absent: Walker (excused)

Staff present: Walter Wilson, Esquire, Association County Attorney; Ramon Espin, Manager; Mark Anders, Investigator, Peter Atta, Investigator (presenting)

Guests: Dorothy Legette, Sheila Jenkins-Diaz, David Weiner, and Frank Luncheon.

1. **Proof of Quorum and Welcome:** There being 12 Commissioners present, the meeting was called to order. The Vice-Chair welcomed all in attendance.
2. **Approval of Agenda:** Commission Mezey moved to approve the April 12, 2023 agenda, and Commissioner Hall seconded. There were no objections, so the agenda was approved.
3. **Approval of Minutes:** Commission Freeman moved to approve the March 1, 2023 minutes, and Commissioner Zmuda seconded. There were no objections, so the minutes were approved. Commissioner Steinbach recused herself(absent)
4. **Community Forum:** There were 2 questions from the audience during the open forum regarding the posting of the minutes and the new Maryland cannabis law.
5. **Chairwoman's Report:** Vice-Chair Smith asked for the staff to prepare a note to Commissioner Walker to express the commission's condolences for her family's loss. Vice Chair extended a thank you to the CCOC Staff
6. **Submission of disputes for Commission consideration: Jurisdiction – Mr. Atta** presented the following cases to the Commission.

#2023-038, Longmead Crossing CSA v. Perez – Commissioner Anderson moved to **accept jurisdiction of the case** and **Commissioner Holmes** seconded the motion. There was some discussion after which **the motion was carried by the Commission**, by unanimous consent.

#2023-040, Longmead Crossing CSA v. Kun – Commissioner Anderson moved to **accept jurisdiction of the case** and **Commissioner Holmes** seconded the motion. There was no discussion. **The motion was carried by the Commission**, by unanimous consent.

#2023-032, Zhelyazkov, et al v. Montgomery West HOA – Commissioner Holmes moved to **accept jurisdiction of the case** and **Commissioner Anderson** seconded the motion. There was no discussion. **The motion was carried by the Commission**, by unanimous consent. Commissioner Steinbach recused.

#2023-032, Gabler v. Montgomery Mutual – Commissioner Mezey moved to **deny jurisdiction of the case** and **Commissioner Anderson** seconded the motion. There was no discussion. **The motion was**

carried by the Commission, by unanimous consent. Commissioner Freeman recused.

DECISIONS AND ORDERS ISSUED

#2022-072, Longmead Crossing CSA v. Green
 #2022-074, Longmead Crossing CSA v. Lentiro
 #2022-094, Longmead Crossing CSA v. Ondiek, et al.
 #2022-095, Longmead Crossing CSA v. Sung, et al.
 #2022-096, Longmead Crossing CSA v. Dickey
 #2022-097, Longmead Crossing CSA v. Baniya, et al.
 #2022-098, Galeas v. Sierra Landing Mutual Housing Corporation

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

#2019-038, Kenney v. Cherington Condominium

8. County Attorney's Report: There are three (3) outstanding decisions and orders to review.

9. DHCA Staff Report:

- a.) The manager provided a brief summary of the recent amendments to 10B, which will be effective July 3, 2023
- b.) Staff will be meeting with officials and staff representatives of the City of Gaithersburg in the month of April.
- c.) Manager provided general information on Internal staff review of workflow chart.
- d.) Manager provided a general summary of staff training and new employee orientation
- e.) The manager discussed and recommended the possibility of Discussion of reviving a Task force on distressed communities. - Commissioner Holmes expressed an interest in joining this committee; Commissioner Hall and Seibold asked questions about the make-up and placement of the task force. Walter Wilson confirmed that it would be an Ad-hoc committee made of commissioners.
- f.) The manager discussed and recommended Discussion regarding supportive and ongoing training for new and existing commissioners.

10. Vice Chair & Committee Reports: The Vice Chair deferred to the Committees so they could present their reports.

- A. Education – The Committee Chair, Susan Nerlinger, presented the report, which was also in the meeting packet. There was a request for additional trainers for the Zoom or in-person board trainings.
- B. Communications Committee – No report
- C. Legislative/Policies and Procedures – No report
- D. Nominating Committee – No report
- E. Gaithersburg Task Force- No report
- F. Budget and Information Technology –No report

11. UNFINISHED BUSINESS: The manager raised the concern and need for additional panel chair volunteers for upcoming hearing panels. The manager outlined the proposed hearing panel assignment procedures. The vice chair requests for procedures to be shared with the commission. The commission is looking to recruit a Secretary.

12. NEW BUSINESS: Staff discussed the need for two standing lift stay panels.

13. GOOD OF THE ORDER: Commissioner Steinbach would like to acknowledge staff member Ramon Espin, Commissioner Nerlinger would like to recognize staff member Pete Atta, Commissioner Moore would like to recognize Vice Chair Smith.

14. THE NEXT MONTHLY MEETING WILL BE ON MAY 3, 2023

15. ADJOURNMENT: Commissioner Holmes moved to **adjourn the meeting** and Commissioner Hall seconded the motion. All in favor. Meeting adjourned at 8:20 p.m.