

COMMISSION ON COMMON OWNERSHIP COMMUNITIES

Minutes of the Monthly Meeting
Montgomery College, Science Center West, 301
Wednesday, December 6, 2023

The monthly meeting of the Commission on Common Ownership Communities was called to order at 7:24 p.m. by Commission Chair Cheryl Walker.

Commissioners present: [11] Anderson, Freeman, Hall, Holmes, Mezey, Moore, Nerlinger, Seebold, Steinbach, Walker and Zmuda.

Commissioners absent: Hayes (excused)

Staff present: Walter Wilson, Esq., County Attorney; Ramon Espin, Manager; Peter Atta, Investigator; Ife Fabayo, Investigator; Iman Hasanvand, legal assistant

Guests: John Tsitos, Associa Community Management Corp. and Select Community Services; Ana Ariaza, Montgomery County Dept. of Environmental Protection; Sheena Oliver, Montgomery County Dept. of Environmental Protection; Sheila Price, Montgomery County Office of Licensing and Registration

- 1. Proof of Quorum and Welcome:** There being 10 Commissioners present, the meeting was called to order. The Chair welcomed all in attendance.
- 2. Approval of Agenda:** Commissioner Anderson moved to approve the Dec. 6, 2023, agenda and Commissioner Steinbach seconded. With no objections, the Dec. 6, 2023, agenda was approved by general consent.
- 3. Approval of Minutes:** Commissioner Anderson moved to approve the Nov. 1, 2023, minutes, and Commissioner Holmes seconded. With no objections, the Nov. 1, 2023, minutes were approved by general consent.
- 4. Chairwoman's Report:** Commissioner Walker introduced committee chairs (Nerlinger, Education; Steinbach, Communications; Holmes, Legislative), who summarized accomplishments in 2023. [Commissioner Hall joined the meeting at 7:48 p.m.]
- 5. Keynote Speaker, John Tsitos:** Mr. Tsitos gave an overview of common ownership communities, their advantages, and misconceptions about them.
- 6. Presentation by the Department of Environmental Protection:** Ms. Ariaza and Ms. Oliver gave information about their department's programs and grants.
- 7. Presentation by the Office of Licensing and Registration:** Ms. Price discussed details about the licensing and registration of common ownership communities in Montgomery County.
- 8. Community Forum:** There was a question from the audience during the open forum regarding the role of the CCOC and advocating to the Montgomery County Council.
- 9. Submission of disputes for Commission consideration:** Jurisdiction and reconsideration – Ms. Fabayo presented the following cases to the Commission:

2024-004 Clarksburg Village Community Association, Inc. v. Hampton, et al. – Commissioner Mezey moved to **accept jurisdiction of the case** and Commissioner Anderson seconded the motion. **The motion was carried** by the Commission, by unanimous consent.

2023-064, Blumenstock, et al. v. Americana Finnmark Condominium, Inc. – Mr. Wilson corrected a misquoted citation in the case report and Commissioner Seebold requested staff review office documents. Commissioner Anderson moved to **accept jurisdiction of the case** and Commissioner Mezey seconded the motion. **The motion was carried by the Commission**, by general consent, with Commissioner Steinbach recusing.

2024-017, Freeberg v. Fallsreach HOA – Commissioner Holmes moved to **accept jurisdiction of the case** and Commissioner Hall seconded the motion. **The motion was carried by the Commission**, by general consent, with Commissioner Steinbach recusing.

2023-015, Gallagher, et ux. v. Hampshire Greens HOA – Commissioner Anderson moved to **deny reconsideration of the case** and Commissioner Mezey seconded the motion. **The motion was carried by the Commission**, with Anderson, Freeman, Hall, Holmes, Mezey, Seebold, Walker and Zmuda in favor, Nerlinger opposed, and Steinbach and Moore recusing.

10. New Business – Mr. Espin said he will send Chair and Vice Chair position descriptions to commissioners.

11. Adjournment – With no objections, the meeting was adjourned at 9:57 p.m.

THE NEXT MONTHLY MEETING WILL BE ON **January 3, 2024.**