

COMMISSION ON COMMON OWNERSHIP COMMUNITIES

Minutes of the Monthly Meeting
Via Zoom Audio-Video Conference
Wednesday, January 3, 2024

The monthly meeting of the Commission on Common Ownership Communities was called to order at 7:00 p.m. by Commissioner Galia Steinbach.

Commissioners present: Anderson, Freeman, Hall, Hayes, Holmes, Mezey, Moore, Nerlinger, Seebold, Steinbach (left at 7:53 p.m.) and Zmuda

Commissioners absent: Walker

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

Guests: Yvonne Knight (panel chair), Dinah Stevens (panel chair)

1. **Proof of Quorum and Welcome:** There being 11 Commissioners present, the meeting was called to order.
2. **Approval of Agenda:** Commissioner Holmes moved to approve the January 3, 2024, agenda and Commissioner Zmuda seconded. After a lengthy discussion the motion failed, with Hayes, Holmes, Steinbach, Zmuda in favor; Anderson, Freeman, Mezey, Moore and Nerlinger opposed, and Hall recusing. Commissioner Anderson **moved that the agenda include the election of a chair, vice chair and recording secretary after the approval of the agenda.** Commissioner Mezey seconded. With no objections, **the motion was carried** and the agenda was approved as amended by general consent.

Commissioner Steinbach announced her resignation from the Commission and departed the meeting at 7:53 p.m. After the Commission's consultation with County Attorney Wilson, Commissioner Freeman, as presiding officer, chaired the meeting.

3. **Election of Officers:** Commissioner Anderson self-nominated for Chairperson. Commissioners voted in a closed vote to Mr. Atta. Mr. Atta announced the votes as 8 in favor and 2 abstentions. Commissioner Anderson continued the meeting as Chairperson.

Commissioner Moore nominated Commissioner Nerlinger for Vice Chairperson, and Commissioner Nerlinger accepted the nomination. Commissioner Anderson moved to vote by acclamation, and Commissioner Zmuda seconded. With no objections, Commissioner Nerlinger was elected Vice Chairperson.

Commissioner Holmes nominated Commissioner Freeman for Secretary. Commissioner Freeman accepted the nomination. Commissioner Anderson moved to vote by acclamation, and Commissioner Moore seconded. With no objections, Commissioner Freeman was elected Secretary.

4. **Approval of Minutes:** Commissioner Nerlinger moved to approve the Dec. 6, 2023, minutes, and Commissioner Zmuda seconded. With no objections, the Dec. 6, 2023, minutes were approved by

general consent.

5. **Community Forum:** There was one comment from the audience during the open forum to congratulate the new officers.
6. **Submission of disputes for Commission consideration:** Jurisdiction – Mr. Atta presented the following cases to the Commission:

#2024-010, Decoverly I Homeowners Association v. Cynthia Gaeta – Commissioner Zmuda moved to **accept jurisdiction of the case** and refer the matter to hearing panel for default proceedings and Commissioner Mezey seconded the motion. The **motion was carried by the Commission**, by unanimous consent.

#2023-041, David and Helaine Weiner v. Hidden Creek HOA – Commissioner Holmes moved to **deny jurisdiction of the case** and Commissioner Mezey seconded the motion. The **motion was carried by the Commission**, with Mezey, Holmes, Moore, Hall, Freeman and Zmuda in favor; Seebold and Nerlinger opposed, and Hayes recusing.

#2023-050, Sheryll Jones v. Churchill East Village Community Assoc. – Commissioner Freeman moved to **deny jurisdiction of the case** and Commissioner Holmes seconded the motion. The **motion was carried by the Commission**, by general consent, with Seebold opposed.

#2023-066, Marc Eller, et. ux v. Luxberry Courts Condominium – Commissioner Mezey moved to **deny jurisdiction of the case** and Commissioner Freeman seconded the motion. The **motion was carried by the Commission**, by general consent, with Seebold opposed.

#2024-021, Atilis v. Sierra Landing Condominium – Mr. Atta stated that the case was resolved prior to the meeting.

2024-029, Elwin Jones III v. Key West Condominium, Inc. - Commissioner Freeman moved to **accept jurisdiction of the case and consolidate it with Case Nos. 2022-090 and 2023-027**, and forward it to OZAH for further proceedings and Commissioner Nerlinger seconded the motion. The **motion was carried by the Commission**, by general consent.

8. **County Attorney's Report** – Mr. Wilson had nothing to report.

9. **DHCA Staff Report** – The report was deferred to the Commission's February meeting.

10. **New Business** – Commissioner Anderson moved to **appoint Mark Fine as a panel chair**, and Commissioner Zmuda seconded. Without objections, **the motion was carried by the Commission**, by general consent.

11. **Adjournment** – Commissioner Moore moved to **adjourn the meeting** and Commissioner Zmuda seconded the motion. With no objections, the meeting was adjourned at 9:09 p.m.

THE NEXT MONTHLY MEETING WILL BE ON February 7, 2024.

