

COMMISSION ON COMMON OWNERSHIP COMMUNITIES

Minutes of the Monthly Meeting
Via Zoom Audio-Video Conference
Wednesday, February 7, 2024

Commissioners present: [14] Anderson, Dixon, Fernandez, Freeman, Hall, Hayes, Holmes, Kraskin, Moore, Nerlinger, Seebold, Steinbach, Walker and Zmuda

Commissioners absent: Mezey (excused)

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

Guests: Dinah Stevens, Mark Fine, Yvonne Knight

1. **Proof of Quorum and Welcome:** There being 14 Commissioners present, Commissioner Anderson called the meeting to order at 7:01 p.m.
2. **Approval of Agenda:** Commissioner Nerlinger moved to approve the February 7, 2024, agenda and Commissioner Moore seconded. With Anderson, Dixon, Moore, Nerlinger and Zmuda in favor; Hall, Hayes, Holmes, Seebold, Steinbach and Walker opposed; and Fernandez, Freeman and Kraskin abstaining, the motion did not carry.
Commissioner Walker moved to amend the agenda to add, after Approval of Agenda, a discussion on the Jan. 3 CCOC meeting not to exceed 15 minutes. Commissioner Hayes seconded. The Feb. 7, 2024, agenda was approved as amended, with Anderson, Moore and Nerlinger opposed, and none abstaining.
3. **Discussion:** Commissioners and Mr. Wilson discussed the Jan. 3 CCOC meeting and procedures.
4. **Approval of Minutes:** Commissioner Nerlinger moved to approve the Jan. 3, 2024, minutes, and Commissioner Moore seconded. Commissioner Seebold moved to amend the minutes to include her “no” vote on Case #2023-050 and citing consultation with the county attorney for the agenda approval. The Jan. 3, 2024, minutes were approved as amended with Anderson, Freeman, Moore, Nerlinger, Seebold and Zmuda in favor; Hall, Holmes and Steinbach opposed; and Dixon, Fernandez, Hayes, Kraskin and Walker abstaining.
5. **Community Forum:** There were 2 questions from the audience during the open forum regarding dismissed cases and changes to Montgomery County Code Chapter 10-B.
6. **Chairwoman’s Report:** Commissioner Anderson had no report.
7. **Submission of disputes for Commission consideration:** Jurisdiction – Ms. Fabayo presented the following cases to the Commission:

2023-019, Temple, et al. v. Rock Creek Overlook HOA – Commissioner Zmuda moved to **accept jurisdiction of the case** and Commissioner Nerlinger seconded the motion. **The motion was carried by the Commission**, by general consent, with Steinbach abstaining.

2024-025, Wilkinson v. Grosvenor Park IV Condominium – Commissioner Moore moved to accept staff’s recommendation to **deny jurisdiction of the case** and Commissioner Nerlinger seconded the motion. **The motion was carried by the Commission**, by general consent, with Anderson abstaining.

2024-033, Nove v. Condominium Residences II of Fallsgrove – Commissioner Hall moved to **accept jurisdiction of the case and refer it to a hearing panel for further proceedings** and Commissioner

Zmuda seconded the motion. The **motion was carried by the Commission**, by general consent, with Steinbach abstaining.

7. Decisions and Orders Issued – 2022-078, Scappini v. Churchill Village South is being appealed.

9. DHCA Staff Report – Mr. Espin summarized information in the DHCA quarterly report for the common ownership communities program. He also welcomed three new commissioners (Dixon, Fernandez, Kraskin) and mentioned a possible half-day educational summit.

11. Unfinished Business – Commissioner Dixon requested a description of the committees and their work.

12. New Business – Commissioner Anderson affirmed the reappointments of hearing panel chairs Ethiers, Felner, Fine, Stevens and Tajammul.

13. Adjournment – Commissioner Anderson moved to **adjourn the meeting**. With no objections, the meeting was adjourned at 9:30 p.m.

THE NEXT MONTHLY MEETING WILL BE ON March 6, 2024.