

COMMISSION ON COMMON OWNERSHIP COMMUNITIES

Minutes of the Monthly Meeting
Via Zoom Audio-Video Conference
Wednesday, June 5, 2024

Commissioners present: Anderson, Dixon, Fernandez, Freeman, Hall, Hayes, Holmes, Kraskin, Mezey, Moore, Nerlinger, Seebold, Walker and Zmuda.

Commissioners absent: None

Staff present: Walter Wilson, Esquire, County Attorney; Ramon Espin, Manager; Peter Atta, Investigator; Ife Fabayo, Investigator; Billy Buttrey, Investigator

- 1. Proof of Quorum and Welcome:** There being 14 Commissioners present, Vice Chair Nerlinger, acting as Chair, called the meeting to order at 7:02 p.m.
- 2. Approval of Agenda:** Commissioner Dixon moved to add the Institute for Sustainable Condominium Communities under New Business of the June 5, 2024, agenda, and Commissioner Freeman seconded. The amendment was approved by acclamation, with none opposed. Commissioner Dixon moved to approve the June 5, 2024, agenda as amended, and Commissioner Mezey seconded. The amended agenda was approved by acclamation, with none opposed.
- 3. Approval of Minutes:** Commissioner Mezey moved to approve the May 1, 2024, minutes, and Commissioner Dixon seconded. The May 1, 2024, minutes were approved by acclamation, with none opposed and Commissioner Moore abstaining.
- 4. Community Forum:** There was one question from the audience during the open forum regarding board training. Commissioner Holmes asked about the training materials for the next training.
- 5. Chairwoman's Report:** Chairwoman Anderson did not have anything to report.
- 6. Submission of disputes for Commission consideration:** Jurisdiction – Mr. Buttrey presented the following cases to the Commission:
#2024-017, David Freeberg v. Fallsreach HOA – was dismissed after a joint motion and settlement agreement.

Default Cases:

#2024-060, Longmead Crossing CSA v. Edwin Flores, et ex. – Commissioner Zmuda moved to accept jurisdiction of the case and Commissioner Mezey seconded the motion. The **motion was carried by the Commission** by acclamation, with none opposed.

#2024-062, Longmead Crossing CSA v. Himali Dias, et al. – Commissioner Holmes moved to accept jurisdiction of the case and Commissioner Moore seconded the motion. The **motion was carried by the Commission** by acclamation, with none opposed.

#2024-063, Longmead Crossing CSA v. Harrell E. Conner – Commissioner Freeman moved to accept jurisdiction of the case and Commissioner Zmuda seconded the motion. The **motion was carried by the Commission** by acclamation, with none opposed.

#2024-065, Longmead Crossing CSA v. Valerie Mulloon, et al. – Commissioner Mezey moved to

accept jurisdiction of the case and Commissioner Zmuda seconded the motion. The **motion was carried by the Commission** by acclamation, with none opposed.

#2024-066, Longmead Crossing CSA v. Mark Binfield, et al. – Commissioner Freeman moved to **accept jurisdiction of the case** and Commissioner Dixon seconded the motion. The **motion was carried by the Commission** by acclamation, with none opposed.

Contested Cases:

#2024-026, Sheila Snell v. Wintergate at Longmead Condominium – Commissioner Freeman moved to **deny jurisdiction of the case** and Commissioner Walker seconded the motion. After discussion, the **motion was carried by the Commission**, with Commissioners Freeman, Hall, Hayes, Holmes, Seebold, Walker and Zmuda in favor, Commissioners Anderson, Kraskin, Mezey and Nerlinger opposed, and Commissioners Dixon, Fernandez and Moore abstaining.

#2024-040, Colonnade at Kentlands Community Association, Inc. v. Deborah Wenzel – Commissioner Walker moved to **deny jurisdiction of the case** and Commissioner Holmes seconded the motion. The **motion was carried by the Commission** by acclamation; Commissioner Mezey abstained and Commissioner Anderson recused.

#2024-044, Dr. Robert Athanasopoulos v. Grosvenor Park IV Condominium – Commissioner Seebold moved to **deny jurisdiction of the case** and Commissioner Mezey seconded the motion. The **motion was carried by the Commission** by acclamation, with none opposed.

#2024-069, Haijuan Du v. Fallstone HOA – Commissioner Holmes moved to **deny jurisdiction of the case** and Commissioner Dixon seconded the motion. The **motion was carried by the Commission** by acclamation, with none opposed.

Decisions and Orders Issued:

#2022-068, Natalie Bobila v. Discoverly IV Condominium, Inc.

#2023-053, Luzia Saraiva, et ux. v. Camelback Village Condominium

Decisions and Orders on Appeal:

#2022-078, Karla Scappini v. Churchill Village South (hearing yet to be scheduled)

#2024-025, William Wilkinson v. Grosvenor Park IV Condominium (Petitioner filed notice of appeal to the Appellate Court of Maryland).

8. County Attorney's Report – Mr. Wilson reported that he recently reviewed the order of Stewart v Vineyards Condominium and sent his comments to the panel chair.

9. DHCA Staff Report – Mr. Espin introduced new panel chair Tim Edib and mediator Kimberly Pennamon
(Commissioner Seebold exited the meeting.)

10. Committee Reports

a.) Education – Commissioner Nerlinger reported the updated draft of the training was submitted for review to the committee and will next be submitted to County Attorney Wilson for review, then to the

Commission.

b.) Legislative/Policies and Procedures – Commissioner Holmes reported there will be discussions next month in state governance committees regarding legislation expected in January 2025.

c.) Nominating Committee – Commissioner Holmes reported there are no nominees at this time.

11. **New Business** –

(Commissioner Seebold returned to the meeting.)

a.) **Institute for Sustainable Condominium Communities** – Panel Chair Marietta Ethier requested that the Commission conduct a survey of its constituents regarding notice of energy performance standards requirements.

Some COCs did not receive notice of a bill that creates building energy performance standards.

Wilson: Section 18A-39, energy use benchmarking. County inspectors don't typically issue violations daily. After discussion, **Commissioner Dixon moved to table discussion to let Mr. Espin learn more about the matter**, and Commissioner Holmes seconded. The **motion was carried** by the Commission by acclamation, with none opposed.

13. **Adjournment** – With no objections, the meeting was adjourned at 9:12 p.m.

THE NEXT MONTHLY MEETING WILL BE ON July 3, 2024.