



January 2025



Monthly CCOC Commission Meeting Recap!

The Commission on Common Ownership Communities Monthly Meeting was held on Wednesday, January 8 at 7:00p.m.

The cases that were presented to the commission are as follows:

- Case 2024-061, Robert Athanasopulos v. Grosvenor Park IV Condominium **(Commission voted to deny Jurisdiction)**
- Case 2024-079, Marcia Nass v. Kentlands Citizen Assembly **(Commission voted to deny Jurisdiction)**
- Motion of Reconsideration - Case 2025-014, Sylvia Saunders v. Greencastle Manor 2 Condominium **(Commission voted to deny reconsideration)**

The commission meets the first Wednesday of each month. Join us at the next Commission meeting which is scheduled for **Wednesday February 5th at 7pm**. All meetings are virtual via zoom and will require for you to register prior to the meeting. Register at https://us02web.zoom.us/webinar/register/WN_IeLSgIUfQyqmljCnVJVLQ

Please note that the agenda and minutes of every CCOC meeting is posted on our website and can be found at <https://montgomerycountymd.gov/DHCA/housing/commonownership/minutes.html>

NEW LEGISLATIVE UPDATES!

[MC 11-25](#): Montgomery County – Common Ownership Communities – Disputes, Payments, and Elections. This proposed Bill aims to establish structured guidelines for Common Ownership Communities outlining various requirements and procedures, including but not limited to elections, dispute resolution, payment acceptance, prohibition of certain actions during disputes, and record production for Common Ownership Communities.

[HB0292](#): Cooperative Housing Corporations, Condominiums, and Homeowners Associations - Funding of Reserve Accounts and Preparation of Funding Plans; STATUS: IN THE HOUSE - Hearing 1/24 AT 2:30PM; Requiring that the annual budget of a cooperative housing corporation, a residential condominium, or a homeowners association include certain funds.

[HB0294/SB0071](#): Task Force on Common Ownership Communities; STATUS: IN THE HOUSE; Establishing the Task Force on Common Ownership Communities to study the education and training needs of common ownership community boards and new and prospective owners of homes and dwelling units in common ownership communities.

[HB0295](#): Real Property - Condominiums and Homeowners Associations - Governing Bodies and Annual Meetings; STATUS: IN THE HOUSE - Hearing 2/04 at 1:00p.m.; Requiring that unit owners or lot owners have an opportunity to comment during certain meetings convened by the board of directors, the developer, or the declarant of a condominium or a homeowners association.

[HB0299](#): Real Property - Governing Bodies of Common Ownership Communities - Member Training; STATUS: IN THE HOUSE - Hearing 2/04 at 1:00p.m.; Requiring certain members of a board of directors or certain officers of a council of unit owners of certain condominiums and certain members of a governing body of a homeowners association to successfully complete a training curriculum on the responsibilities of being a member or an officer in a certain manner and subject to certain requirements.

[HB0303](#): Real Property - Regulation of Common Ownership Community Managers; STATUS: IN THE HOUSE - Hearing 2/04 at 1:00p.m.; Creating the State Board of Common Ownership Community Managers in the Maryland Department of Labor to oversee the licensing of community managers who provide management services for common ownership communities; providing that certain provisions of the Act do not prohibit certain persons from providing certain services under certain circumstances.

[HB0306](#): Common Ownership Communities - Ombudsman Unit, Governing Document Database, and Local Commissions; STATUS: IN THE HOUSE - Hearing 2/04 at 1:00p.m.; Establishing the Common Ownership Community Ombudsman Unit in the Division of Consumer Protection in the Office of the Attorney General to receive and respond to certain complaints.



Update on The Corporate Transparency Act!

By: Billy Buttrey, CCOC Staff Investigator

In the September 2024 Newsletter, the Office of Common Ownership Communities (OCOC) included an article informing Common Ownership Communities (COCs) about the Corporate Transparency Act (CTA) and the January 1, 2025, Beneficial Ownership Information (BOI) reporting requirements. (You can find the Newsletter [here](#)).

In December, the courts were very busy deliberating the CTA and its legality, which is now in the hands of the U.S. Supreme Court. For those who are curious, here is a timeline of some of the events that led it to be brought before the Supreme Court:

- On December 3, 2024, in the case, *Texas Top Cop Shop Inc. et al. v. Garland et al.*, the U.S. District Court for the Eastern District of Texas entered a nationwide preliminary injunction suspending the enforcement of the CTA.
- On December 5, 2024, the Government appealed the ruling to the U.S. Court of Appeals for the Fifth Circuit.
 - On December 7, 2024, the U.S. Financial Crimes Enforcement Network (FinCEN) confirmed that at this time, reporting companies and BOI reporting is not required to be filed in a statement on their [website](#) but could still do so voluntarily.
- On December 23, 2024, the Fifth Circuit granted the Government's motion and reinstated the CTA's reporting requirements.
- On December 26, 2024, a different panel (merit panel) of the Fifth Circuit reversed the December 23 ruling and reinstated the injunction. The CTA's

requirements were voluntary again.

- On December 27, 2024, FinCEN issued a new statement, stating that BOI reporting is again voluntary.
- On December 31, 2024, the Government filed an “Application for a Stay of the Injunction Issued by the United States District Court for the Eastern District of Texas” with the Supreme Court of the United States (SCOTUS) to review the nationwide injunction (review the [application](#)).
- On January 3, 2025, Supreme Court Justice Samuel Alito requested parties submit their responses to the Government's application by January 10, 2025.

Now What? We all wait for SCOTUS to render its decision, which may be issued at any time (even before this article is published in the January 2025 Newsletter).

The outcome of this decision will provide more clarity on what the next steps of your COC are. The OCOC recommends that you continue to work with your community managers, CTA advisors, and legal counsel regarding your COC's next steps.

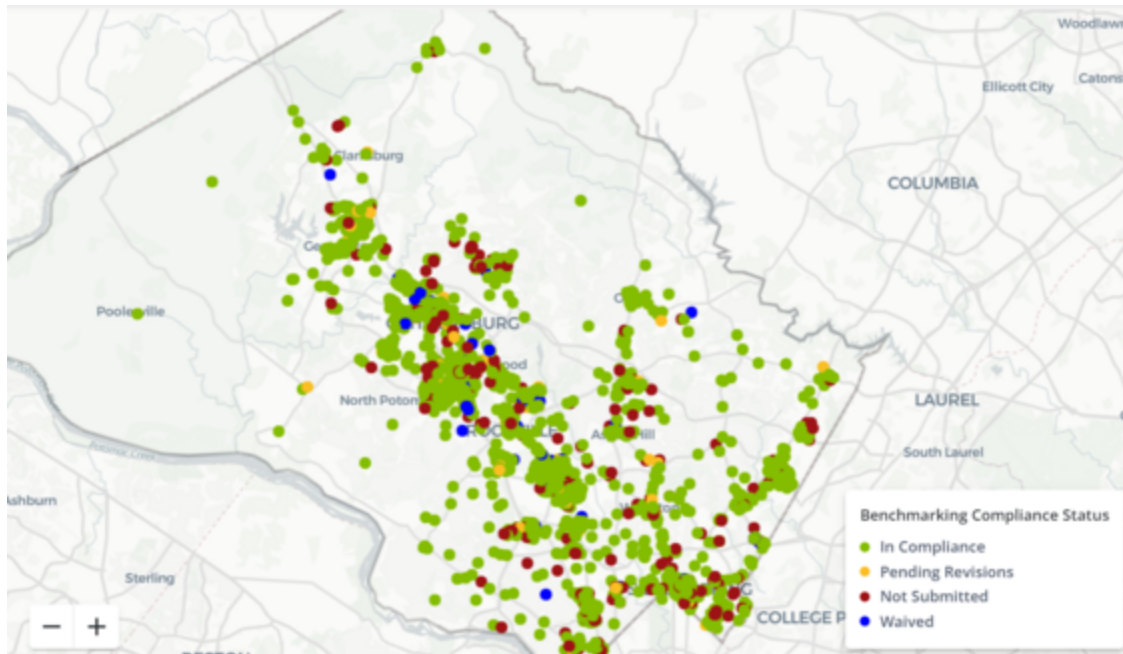
Remember, it is still up to the COCs to abide by all federal, state, and local laws, including this outcome.

Benchmarked Your Property and Thinking, How do I Comply with BEPS?

By: Sheena Oliver

Beginning in June, 2023 multifamily buildings were required to begin benchmarking and reporting their property's energy usage to the County starting with buildings 250,000 gross square feet and larger on June 1, 2023 followed by multifamily buildings 25,000 up to 250,000 gross square feet on June 3, 2024. This annual tracking and reporting is the first step in compliance with Building Energy Performance Standards (BEPS) which requires many building owners to assess and implement energy improvement measures to reduce site energy use intensity and meet long term standards by the mid-2030s. To find out more about County BEPS, please visit the [Montgomery County BEPS](#) website.

With an outstanding compliance rate of 90% to date, the majority of properties that are subject to the County benchmarking and BEPS law have started benchmarking and may be wondering what comes next in their journey to compliance with BEPS. What do the numbers mean? What am I required to do? How do I compare to other properties like mine? Many of these questions can be answered in three simple ways.



1. Check out our new tools, the [Montgomery County Building Energy Performance Map](#), an interactive and user-friendly tool to investigate compliance status, view energy performance data for each covered building and compare building's latest energy performance to proposed building energy performance standards. You can also check out the [Performance Requirement Look-Up Tool](#) for a more in-depth view into historically reported benchmarking for each building including the building's BEPS baseline (or projected baseline if only partway through the baseline period) and interim and final BEPS standards for each building based on proposed regulation.
2. Connect with [Montgomery County Green Bank](#) via their [Technical Assistance Program Application](#) where you can get assistance with completing energy audits and locating contractors to help your property along the path toward compliance by the interim and final standard dates.
3. Finally, reach out to the team at DEP at Energy@MontgomeryCountyMD.gov. if you have questions or feedback about these new tools or to request a site visit from our on-staff engineer who will complete a brief assessment of your property free of charge.

LANDSCAPING WITH BATTERIES Workshop & Tool Demos



JARDINERÍA CON BATERÍAS



Taller y Demostraciones para profesionales de paisajismo ¡En Español!

March 12th

Montgomery College,
Germantown, MD



Workshop: 8:30-2:30

Free for professionals--Breakfast & lunch
provided

REGISTRATION REQUIRED.

*Gratis para profesionales--Desayuno y almuerzo
proporcionados*

-SE REQUIERE REGISTRO.

**FIELD DAY: Equipment Demos
and Vendor Discounts: 10-2:30**

No registration required for Field
Day demos/discounts



COC Common Area Assistance Loan Fund

Did you miss the Common Area Assistance Loan Fund live webinar? Here is the copy of the [slide deck presentation](#).

DHCA is pleased to announce the launch of a new COC Common Area Assistance Loan Fund for homeowner and condominium associations experiencing financial hardship in their efforts to address immediate health or safety repairs, as documented by professional assessments or government citations. Some

examples of eligible common area rehabilitation projects may include failing water supply lines, elevators, fire suppression systems, underground and surface stormwater drainage, facades, balconies, sidewalks, pathways, and parking lots. Visit our website at [common-area-assistance-loan](#) to learn more about the program.

Applications are now being accepted. If you have questions, please call the Montgomery County customer service center at 240-777-0311.

Annual Registration Information

The Licensing & Registration Unit requires completion of the following:

- The completion of the [CCOC Registration Form](#).
- The completion and current copy of the governing documents.
- A list of the rental units in the community.
- A payment of the annual registration fee which is calculated based upon the number of units in the common ownership community.

It is the responsibility of each common ownership community to ensure compliance with this requirement.

Please feel free to contact the Licensing & Registration Department at ccocregistration@montgomerycountymd.gov with questions and/or concerns you may have.

UPCOMING BOARD TRAINING DATES!

[Sunday January 26th, 2025](#)

[Saturday February 8th, 2025](#)



****Class must have a minimum of six registrants to move forward. We will notify all registrants if the class is canceled. ****

Should you wish to schedule a classroom presentation for your association, at your community's facility, please contact our staff by e-mail at CCOC@MontgomeryCountyMD.gov



The leadership of each common ownership community must register annually as a requirement as stated in Chapter 10B of the Montgomery County Code.

[Mandatory Board Training](#)



In July 2023, [amendments to the county code](#) continue to require all Board of Directors for common ownership communities to successfully complete the Commission's Board Training program, also known as Community Governance Fundamentals. The new provision requires Board members to recertify every *three (3) years*.

Therefore, if you have not completed the training after July 3, 2020, you are required to fulfill this requirement. Information on the free training program and [schedule](#) may be found on the website or [click here](#).

COC Links and Shortcuts

[Office of Common Ownership Communities | DHCA \(montgomerycountymd.gov\)](#)- General information and resources for common ownership communities and homeowners.

[Common > "Community Governance Fundamentals" Training Program | DHCA \(montgomerycountymd.gov\)](#)- Mandatory training on Community Governance Fundamentals.

[Common > Registration of Common Ownership Communities | DHCA \(montgomerycountymd.gov\)](#) – Mandatory annual registration of common ownership communities.

[Calendar | DHCA \(montgomerycountymd.gov\)](#) – Calendar of Events.

Office of Common Ownership Communities

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Rockville, MD 20852

[Email](#) or call 311 (240) 777-0311



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