



DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS

Marc Elrich
County Executive

Resolution

Aseem K. Nigam
Director

WHEREAS, the Montgomery County Commission on Common Ownership Communities, adopts the following policy with regards to its position on meetings of boards of directors and Committees of common ownership communities within Montgomery County, Maryland; and

WHEREAS, Maryland law generally requires that all community association meetings be open to community association members, specifically enumerating the instances in which a meeting may be closed, but does not precisely define what constitutes a meeting; and

WHEREAS, having reviewed relevant statutes and case law in other states and the District of Columbia, consulted the Maryland Open Meetings Act Manual prepared by the Office of the Maryland Attorney General, and studied the language of the Uniform Common Interest Ownership Act published by the Uniform Law Commission, the Commission finds it necessary to adopt a standard definition of "meeting" to guide future Commission hearing panels charged with adjudicating disputes involving a community association's alleged failure to properly conduct a meeting;

THEREFORE, BE IT RESOLVED that the following guidance as to what constitutes a community association meeting is hereby adopted by the Commission on Common Ownership Communities:

(a) A meeting is a gathering, regardless of description, of a quorum of the board of directors or a board-authorized committee of a common ownership community convened for the purpose of considering or transacting association business.

(b) A member of a common ownership community board of directors or a board-authorized committee may not use a gathering, regardless of description— e.g., work session, social gathering—in which a quorum is present to evade open meeting requirements.

Approved, and effective, this 5th day of February, 2020, by the Montgomery County Commission on Common Ownership Communities.

Division of Housing

Affordable Housing • Common Ownership Communities • Landlord-Tenant Affairs • Multifamily Housing

Mark S. Fine, Chairman

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