

## COMMISSION ON COMMON OWNERSHIP COMMUNITIES

Minutes of the Monthly Meeting  
1401 Rockville Pike, 4<sup>th</sup> Floor, Rockville, MD 20850  
**August 1, 2018**

The monthly meeting of the Commission on Common Ownership Communities was called to order at 7:14pm by Chairman Mark Fine.

**Commissioners present:** Branda, Burrows, Etheir, Fine, Fishbein, Gardner, Oxendine, Valley, Viney

**Staff present:** Walter Wilson, Associate County Attorney; Mark Anders & Ife Fabayo.

**Guests:** Stacy Jarboe [Takoma Condo Assoc.];

Commission & panel chair nominees: Peter Myo Khin, Galia Steinbach, Partap Verman, Sarah Stanton, Len Malamud, Brian Fellner [absent], Donald Perper [absent]

Chairman Fine introduced the Commission nominees who are expected to be appointed by the County Council at their August meeting. Their training will commence this month to facilitate their sitting with the Commission in September.

1. **Minutes approved as presented:** Commissioner Fishbein moved to accept the minutes as presented; motion approved by majority vote, Commissioner Gardner & Oxendine abstained.
2. **OPEN FORUM:** Ms Jarboe attending to “see how the Commission works.”
3. **Default cases:**
  - #2018-075 Longmead Crossing v. Sunda & Jin Choi - Commissioner Viney moved to accept jurisdiction and refer the case to a default hearing; motion approved by unanimous vote.
  - #2018-081 Longmead Crossing v. Shawn & Carmen Johnson - Commissioner Ethier moved to accept jurisdiction and refer the case to a default hearing; motion approved by unanimous vote.
  - Discussion followed regarding the time limit for filing a “Complaint of Enforcement” for a failure to comply with a Commission decision. Mr. Wilson advised that such a complaint must be made within one year of the date of the decision.
  - #2018-093 The Brandermill Association v. Angela M. Watts-Perry – Commissioner Fishbein moved to accept jurisdiction and refer the case to a default hearing; motion approved by unanimous vote.
  - #2018-094 Mansukh Sakhawala & Jyothi Shanbhag v. Seneca Park North HOA - discussion re delivery of service to mgmt co. who has not responded with answer. Commissioner Gardner moved to accept jurisdiction and refer the case to a default hearing; motion approved by unanimous vote.
  - Discussion followed as to whether delivery of notices by “regular mail” and “certified mail” is sufficient. Some Commissioners thought extra notice should be afforded to attorneys and community managers [who did not reply with an answer to this complaint], though not for individual unit owners. No change was made to the current process.
  - Discussion followed with the suggestion that community managers who regularly use the Commission for enforcement be asked to attend a monthly meeting to talk about the process, follow-up, etc.

Commissioner Branda suggested that community managers and attorneys who regularly file with the Commission be advised to use the new online complaint form.

**4. D&Os Issued:**

#2018-037 Hypolite v. Longmead Crossing - Motions to reconsider are pending

**5. D&O on Appeal:** Dillin & Nadri v. Willoughby – At issue in the Circuit Court: are the pilasters installed to conceal the alarm system wiring considered “repair & replacement” or “additions, alterations, or improvements”.

**6. County Attorney’s report:** nothing to report

**7. DHCA Staff report:** Monthly data statistics report on Team-up

**8. Chairman’s report:** As mentioned earlier, a Director Training session will be held on August 13<sup>th</sup> [6:00-9:00pm, 5<sup>th</sup> floor conference room] for the recently nominated commissioners & panel chairs. The training will also be advertised on Event Bright. The first advertisement for panel chairs is in the July/August edition of the Bar Association of Montgomery County Newsletter. Past Decisions & Orders are being summarized for the CCOC Guide. A temp worker has been hired to scan pre-2017 cases [CE1, governing documents, & Decisions] into the CMS; another temp worker has been hired to assist staff as Larita Carney [Office Coordinator] is leaving next week. All staff [permanent and temps] will be cross-trained.

**9. Committee reports:**

Education Committee report: Commissioner Viney reported that there will be a committee meeting on August 14<sup>th</sup>. First order of business is to discuss a proposed “Good Governance Forum” in Leisure World [for Leisure World residents only] tentatively scheduled for October. If this is successful it could be a template for future presentations around the county; a representative from the MOCO Green Bank will also make a brief presentation.

Legislation Committee report: Commissioner Branda reported that 10B modifications are being finalized by DHCA management but won’t go to the Council until at least January, after new administration is seated.

Process & Procedures report: Commissioner Ethier reported that 17 attorneys or law firms have responded to our letters about developing educational programs. She will review those responses and make recommendations to Steve Brown by August 15<sup>th</sup>, after which Mr. Brown will send out RFPs to the qualified candidates. Staff training is scheduled for Sept.10<sup>th</sup> at 11am.

**10. Old business:** Tablets are available, especially for panel chairs, and training will be scheduled with Commissioner Burrows.

**11. New business:** Commissioners whose appointments have been renewed should get a confirmation letter from the Council.

**12. Adjournment:** Meeting was adjourned at 8:47pm. Next meeting:

**Wednesday, September 5<sup>th</sup> at 7:00pm**  
**1401 Rockville Pike**  
**5<sup>th</sup> Floor Conference Room**