

COMMISSION ON COMMON OWNERSHIP COMMUNITIES  
 Minutes of the Monthly Meeting  
Via Zoom Audio-Visual Conference  
**Wednesday August 4, 2021**

The monthly meeting of the Commission on Common Ownership Communities was called to order at 7:00 pm by Vice Chair Staci Gelfound.

**Commissioners present:** [12] ANDERSON, BENNETT, GELFOUND, HERRON, HOLMES, MOORE, MURTHY, MYO KHIN, NERLINGER, SEEBOLD, SMITH, STEINBACH

**Commissioners absent:** FINE (excused), WALKER

**Staff present** WALTER WILSON, ESQ. ASSOCIATE COUNTY ATTORNEY; Staff: IFE FABAYO, Investigator, MARK ANDERS, ESQ., and FRANK DEMARAIS, Deputy Director

**Guests:** Panel Chairs, Jeffrey Hamberger, Esq., Rene Sandler, Esq., EX-OFFICIO RAND FISHBEIN, PhD, Frank Luncheon, Jack Rich, Yvette Rich, and Royce Reiss

1. **Approval of Minutes:** After discussion, Commissioner Anderson moved to approve the minutes of the July 2021 monthly meeting with corrections. Commissioner Smith seconding. The motion was approved by unanimous consent.
2. **Community Forum:** Question was raised about a Board member's duty when serving on sub association and the master association Boards. It was confirmed that the Board member has a fiduciary duty of care while serving on each Board, however this was not under the Commission's jurisdiction.
3. **Submission of disputes for Commission consideration: Jurisdiction – Default cases:**
  - a. **#2021-078, Kennedy vs King Farm II Condominium, Inc.– Commissioner Anderson** moved to **Accept** jurisdiction and **Commissioner Smith** seconded the motion. After discussion, **the motion to Accept was carried by the Commission**, by unanimous consent.
  - b. **#2021-088, Longmead Crossing CSA vs. Flores, et al.– Commissioner Smith** moved to **Accept** jurisdiction with the Notice of Commission Decision sent to respondent by certified mail and **Commissioner Anderson** seconded the motion. After discussion, **the motion to Accept was carried by the Commission**, by unanimous consent.
  - c. **#2021-092, Longmead Crossing CSA vs. Soto, et al.– Commissioner Bennett** moved to **Accept** jurisdiction with the Notice of Commission Decision sent to respondent by certified mail and **Commissioner Holmes** seconded the motion. After discussion, **the motion to Accept was carried by the Commission**, by unanimous consent.
4. **Jurisdiction - Contested cases:**
  - a. **#2021-033, Errichetti vs. Glen Waye Gardens Condominium. – Commissioner Myo Khin** moved to **Accept** jurisdiction and **Commissioner Smith** seconded the motion. After discussion, **the motion to Accept was carried by the Commission**, by unanimous consent.

- b. **#2021-069, McDonald vs. Park Sutton Condominium.** – Commissioner Anderson moved to **Reject** jurisdiction and Commissioner Myo Khin seconded the motion. After discussion, **the motion to Deny was carried by the Commission**, with Commissioner Bennett abstaining due to prior involvement with the community and Commissioners Herron, Seebold, and Smith voting against the motion, and Commission Steinbach recusing (at mediation) 7/3/1.

5. **Decisions & Orders Issued:**

- a. **Two issued**

6. **Decisions & Orders on Appeal:**

**#2021-004, O’Neill v. 8101 Connecticut Avenue Condominium – Decision & Order Pending**

7. **County Attorney’s report:** 10-B amendments were moved from the County Attorney’s office to DHCA. Commissioner Gelfound discussed one change for the Commission to consider. After discussion amongst the Commissioners, the following Motion was made by Commissioner Smith and Seconded by Commissioner Anderson:

- **The Commission grants authority to the Chair and Vice Chair to request the County Council, during the public comments, to add to 10-B an Association Board’s authority to remove a Board member who refuses to take the mandated training.**  
**The Motion Passed by unanimous consent**

8. **DHCA status report:** The financial report case statistics for July 2021 was attached and discussed. A request from Commissioner Smith was made to have the Chair/Vice Chair receive individual staff salary information for budget planning purposes.

9. **Chairman’s Report:** None

10. **Committee reports:**

- a. **Education Outreach Committee** – Commissioner Smith thanked Commissioners Fine and Gelfound for their dedication of service in relation to the Board Training  
b. **Executive Committee** – None

11. Old Business: None

12. New Business: None

13. **Adjournment:** Meeting adjourned at 8:20 pm.

**Next meeting: Wednesday, September 1, 2021 at 7:00pm via zoom**