

COMMISSION ON COMMON OWNERSHIP COMMUNITIES

Minutes of the Monthly Meeting
Via Zoom Audio-Video Conference
Wednesday, Sept. 6, 2023

The monthly meeting of the Commission on Common Ownership Communities was called to order at 7:06 p.m. by Commission Chair Cheryl Walker.

Commissioners present: Anderson, Freeman, Hall, Hayes, Mezey, Moore, Nerlinger, Seebold, Smith, Steinbach, Walker and Zmuda.

Commissioners absent: Holmes (excused)

Staff present: Walter Wilson, Esquire, County Attorney; Ramon Espin, Manager; Peter Atta, Investigator; Iman Hasanvand, legal assistant

Guest: Patsy Warnick, Montgomery County Department of Permitting Services

- 1. Proof of Quorum and Welcome:** There being 12 Commissioners present, the meeting was called to order. The Chair welcomed all in attendance.
- 2. Approval of Agenda:** Commissioner Smith moved to approve the Sept. 6, 2023, agenda and Commissioner Freeman seconded. With no objections, the agenda was approved by general consent.
- 3. Approval of Minutes:** Commissioner Steinbach moved to approve the Aug. 2, 2023, minutes, and Commissioner Mezey seconded. With no objections, the minutes were approved by general consent.
- 4. Public Forum:** There were no questions from the audience during the open forum.
- 5. Presentation by the Montgomery County Department of Permitting Services:** Patsy Warnick, DPS manager (fire code compliance), spoke on new state/county sprinkler requirements for common ownership community high-rise buildings and answered Commissioners' questions.
- 6. Submission of disputes for Commission consideration:** Mr. Atta and Mr. Espin presented the following cases to the Commission:

2023-053, Saraiva, et al. v. Camelback Village Condominium – Commissioner Freeman moved to **accept jurisdiction of the case** and Commissioner Zmuda seconded the motion. **The motion was carried by the Commission**, by unanimous consent.

2023-057, Tanner v. Riverstone Condominiums – Commissioner Freeman moved to **accept jurisdiction of the case** and Commissioner Smith seconded the motion. **The motion was carried by the Commission**, by unanimous consent

2023-051, Demidov v. Symphony Park – Commissioner Smith moved to **accept jurisdiction of the case** and Commissioner Hall seconded the motion. **The motion was carried by the Commission**, by unanimous consent, with Steinbach abstaining.

2023-055, Collins v. Montgomery Mutual, Inc. – Commissioner Smith moved to **deny jurisdiction of the case** and Commissioner Zmuda seconded the motion. **The motion was carried by the Commission**,
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by unanimous consent, with Anderson and Freeman abstaining.

2023-062, John J. Dunn Jr. v. Leisure World Community Association – Commissioner Smith moved to **accept jurisdiction of the case** and Commissioner Mezey seconded the motion. **The motion was carried by the Commission**, by unanimous consent, with Anderson and Freeman abstaining.

2021-096, Mary Triantis v. Americana Centre Condominium, Inc. – With the direction and recommendation of the commission Chair, Commissioner Smith moved to **refer the case to OZAH (Office of Zoning and Administrative Hearing) for a hearing** and Commissioner Nerlinger seconded the motion. **The motion was carried by the Commission**, by unanimous consent, with Steinbach abstaining.

2022-090, Elwin D. Jones III v. Key West Condominium – With the direction and recommendation of the commission Chair, Commissioner Zmuda moved to **refer the case to OZAH for a hearing** and Commissioner Mezey seconded the motion. **The motion was carried by the Commission**, by unanimous consent, with Smith abstaining.

2023-027, Elwin D. Jones III v. Key West Condominium – With the direction and recommendation of the commission Chair, Commissioner Hayes moved to **refer the case to OZAH for a hearing with a recommendation to address cases 2022-090 and 2023-027 together** and Commissioner Hall seconded the motion. **The motion was carried by the Commission**, by unanimous consent, with Smith abstaining.

2023-038, Longmead Crossing CAS v. Mayra Perez – The commission **unanimously accepted the staff's recommendation to assemble an all-commissioner hearing panel.**

2023-040, Longmead Crossing CSA v. Muna Kun – The commission **unanimously accepted the staff's recommendation to assemble an all-commissioner hearing panel.**

7. County Attorney's Report – Mr. Atta reported that there were no pending decisions and orders to review.

8. DHCA Staff Report – Mr. Espin introduced Iman Hasanvand, a new legal assistant in DHCA and reported that Yvonne Knight was a new panel chair.

9. Committee Reports – Commissioner Nerlinger reported on Community Governance Fundamentals training.

10. New Business – An attendee asked a question about commissioners' terms and voting.

13. Adjournment – With no objections, Commissioner Walker adjourned the meeting at 9:56 p.m.

The next monthly meeting will be on October 4, 2023.