

**Resolution to Require HOA Board of Directors and HOA Committee Members
to Complete Mandatory CCOC Training**

Administrative Resolution to Require HOA Board of Directors and HOA Committee Members to Complete Mandatory “Community Governance Fundamentals” and/or CCOC-Approved Educational Curriculum and Training Program

Adopted: October 19, 2020

Effective: October 19, 2020

Updated: May 22, 2023

WHEREAS, the Waterford Place Homeowners Association, Inc. (“the Association”) is a Maryland corporation duly organized and existing under the laws of Montgomery County in the State of Maryland; and

WHEREAS, the Association is responsible for governing and maintenance of Waterford Place (“Property”); and

WHEREAS, Article VIII, Section 1(c) of the By-Laws and Article VII, Section 1 of the Declaration of Covenants, Conditions, and Restrictions (“Declarations”) give the Board of Directors (“Directors”) the powers and duties necessary to conduct the affairs of the Association, and to make such rules and regulations as the Directors deem in the best interests of the Association; and

WHEREAS, the Montgomery County, Maryland Law ([Bill 45-14](#)) and [Bill 28-22](#)) mandates that all members of community association boards of directors who are elected or re-elected after January 1, 2016, must take and pass an approved educational curriculum and training program provided by the Montgomery County Commission on Common Ownership Communities (“CCOC”) within 90 days of their elections or re-elections; and

WHEREAS, the Association desires and intends to require all homeowners/members who are appointed or re-appointed, on or after October 19, 2020, to serve on any established committee(s) of the Association, to take an approved educational curriculum and training program provided by the Montgomery County Commission on Common Ownership Communities (“CCOC”) within 90 days of their appointment or re-appointment; and

WHEREAS, for the health, safety, welfare, and comfort and convenience of all residents, the Board wishes to establish rules enforcement, policies, and procedures so that it may fairly and consistently enforce the governing documents of the Association;

NOW, THEREFORE BE IT RESOLVED that the Board, acting in the best interest of the Association, adopts the following rules and enforcement policies for Waterford Place Homeowners Association, Inc., which shall be binding upon all owners and their grantees, lessees, tenants, occupants, successors, heirs and assigns who currently, or in the future, may possess an interest in the Property, and which shall supersede any previously adopted rules on the same subject matter.

I. Definitions:

- A. Statutory training – legally required training where a statutory body has dictated that an organization must provide training based on legislation.

- B. Mandatory training - legally required and compulsory training determined to be essential by an organization for the safe and efficient delivery of services. This type of training is designed to reduce organizational risks and comply with local or national policies and government guidelines.
- C. Owner – refers to the record owner, whether one or more persons or entities, of the fee simple title to any Lot situated on the Property.
- D. Property - refers to all real Property (described in Article II of the Declarations of Covenants, Conditions, and Restrictions for Waterford Place Homeowners Association, Inc.).
- E. Committee - a person or group elected or appointed to perform some service or function to investigate, report on, or act upon a particular matter.

II. **Background.**

Waterford Place Homeowners Association, Inc. is governed by a board of directors initially appointed by the developer and subsequently elected by the membership. Board members/directors are unpaid volunteers who serve their community.

Directors are responsible for enforcing their governing documents per Montgomery County and Maryland state laws, adopting budgets, maintaining Common Areas, and overseeing all aspects of their community. Therefore, even with the professional assistance of a licensed community association manager and association attorney, directors must be familiar with applicable laws, accounting rules, and the articles, By-Laws, and governing documents for their community.

A Montgomery County, Maryland, statutory law requires that the Board of Directors/members complete an approved educational curriculum and training program within 90 days after being elected or appointed to the Board/governing body. Understanding the fiduciary duties imposed on a director and the unique requirements for homeowner association boards regarding open meetings and membership access to records is critical for directors.

The Montgomery County Commission on Common Ownership Communities (CCOC) has developed and offers a mandatory educational curriculum and training program. The statutory educational curriculum and training program is available and provided for in-person, online, and virtual (webinar/video conferencing) participation by the CCOC, takes approximately three (3) hours to complete, and is complimentary (free of charge).

Each member of the Board must maintain a valid training certificate. A training certificate issued by the CCOC is valid for three (3) years. Therefore, a board member will be required to participate in regular periodic director training if re-elected or re-appointed for continued or future service on the Board of Directors for the community association.

If a board member does not complete the mandatory training, the CCOC may exercise its authority and take legal action (including monetary fines of up to \$500 to the individual board member) to ensure compliance with the mandatory training requirement. Additionally, a CCOC dispute resolution/hearing panel or hearing examiner may consider a board member's failure to complete the mandatory training, if relevant, in deciding a dispute between a homeowner and the community association. However,

failure to satisfy the mandatory training requirement does not disqualify a board member from continuing to serve on the Board or invalidate a vote by the member.

Each common ownership community association in Montgomery County must register with the CCOC annually, identify its elected leadership and managing agents, and submit the information required on the registration form provided by the CCOC.

Each common ownership community association in Montgomery County must certify to the CCOC that each board member has successfully completed the required educational curriculum and training; must retain a copy of the training certificate for inspection by the members of the Association for the duration of the board member's service; and report to the CCOC that each member has successfully completed the training within 90 days after each board member has been appointed or elected.

Each common ownership community association in Montgomery County must report to the CCOC no later than December 31 of each year membership data required by the CCOC, including a) the name and address of each member of the Board; b) the date each member completed the required training; c) the number of vacancies on the Board; and d) the length of time each vacancy existed.

At least annually, the Board of Directors must distribute information to all owners about the availability of dispute resolution, education, and other services to owners/members and residents of the common ownership community through the CCOC and the Montgomery County Department of Housing and Community Affairs (DHCA). The Board may satisfy this requirement by including in any annual notice or mailing to all members of the community association any written materials/forms developed by the DHCA to describe the CCOC's services.

***NOTE:** This section of the policy resolution was updated and adopted by the Board of Directors for Waterford Place Homeowners Association Inc. to incorporate Montgomery County Council Legislation, Bill 28-22, Common Ownership Communities – Duties, Requirements and Procedures, signed into Law on April 3, 2023, Effective July 3, 2023.*

III. Policy.

All homeowners/members of the Waterford Place Homeowners Association, Inc. who are elected, re-elected, appointed, or re-appointed for service on the Board of Directors and/or to an established committee (e.g., Architectural & Environmental Review Committee (AERC), Social Committee, Finance Committee) of the Association on or after October 19, 2020, must take and successfully complete the mandatory "Community Governance Fundamentals," or other CCOC-approved educational curriculum and training program provided by the Montgomery County Commission on Common Ownership Communities ("CCOC") **within 90 days of their election, re-election, appointment or re-appointment.** In addition, the homeowner/member must submit a copy of their valid "Certificate of Completion" issued by the CCOC to the Association's property manager to be retained on file with the Association's official documents for the duration of the homeowner/member service on the Board and/or committee(s).

A training certificate issued by the CCOC is valid for three (3) years. Therefore, a homeowner/member must participate in regular periodic director training if re-elected or re-appointed for continued or future service on the Board of Directors or an established committee (e.g., Architectural & Environmental Review Committee (AERC), Social Committee, Finance Committee) of the Waterford Place

Homeowners Association, Inc. In addition, the homeowner/member must submit a copy of their valid "Certificate of Completion" issued by the CCOC to the Association's property manager to be retained on file with the Association's official documents for the duration of the homeowner/member service on the Board and/or committee(s).

NOTE: This section of the policy resolution was updated and adopted by the Board of Directors for Waterford Place Homeowners Association Inc. to incorporate Montgomery County Council Legislation, Bill 28-22, Common Ownership Communities – Duties, Requirements and Procedures, signed into Law on April 3, 2023, Effective July 3, 2023.

IV. Enforcement.

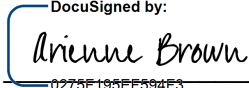
In addition to the means for enforcement provided by the Association's governing documents (By-Laws; Article V, Section 3 - Removal) and otherwise permitted by law, the Association may bring an action declaratory relief with the CCOC after notice and opportunity to be heard. If the CCOC determines that the Association rule is enforceable, the Association may pursue an additional course of action by requesting the removal of the non-compliant director or committee member by a majority vote of the members of the Association. In the event of the removal of a director, their successor shall be selected by the remaining members of the Board and shall serve for the unexpired term of their predecessor.

This policy resolution was updated, adopted, and made part of the meeting minutes on May 22, 2023. Notice of the Board's adoption shall be given to the membership within 15 days of today's date.

Jacquelyn
Y. Roberts

Digitally signed by Jacquelyn Y. Roberts
DN: cn=Jacquelyn Y. Roberts,
o=Waterford Place Homeowners
Association, Inc. (WPHOA), ou=WPHOA
President & Board of Directors Member,
email=WPHOA.Jacque@gmail.com, c=US
Date: 2023.05.25 00:30:42 -04'00'

By: _____
Association's President

Attest: 
0275F195EF594F3...
Association's Vice-President

Date: May 22, 2023

**WATERFORD PLACE
HOMEOWNERS ASSOCIATION, INC.
RESOLUTION ACTION RECORD**

Resolution Type: ADMINISTRATIVE No. 2023-2

Pertaining to: Montgomery County Council Legislation, Bill 28-22, Common Ownership Communities – Duties, Requirements and Procedures, signed into Law on April 3, 2023, Effective July 3, 2023. (Updates for CCOC Manadatory Educational Curriculum & Training Program and Certification/Certificate Validation Period; Regular Periodic Training requirements)

Duly adopted at a meeting of the Board of Directors held: MAY 22, 2023

Motion by: JACQUELYN ROBERTS Seconded by: JAD IBRAHIM, JR.

VOTE:

	YES	NO	ABSTAIN	ABSENT
<u>JACQUELYN ROBERTS</u> President	<u>X</u>	_____	_____	_____
<u>ARIENNE BROWN</u> Vice President	<u>X</u>	_____	_____	_____
<u>WANDA MYERS</u> Treasurer	<u>X</u>	_____	_____	_____
<u>KENNETH BUCH</u> Member At Large	<u>X</u>	_____	_____	_____
<u>JAD IBRAHIM, JR.</u> Member At Large	<u>X</u>	_____	_____	_____

ATTEST: **Jacquelyn Y. Roberts**

Digitally signed by Jacquelyn Y. Roberts
DN: cn=Jacquelyn Y. Roberts, o=Waterford
Place Homeowners Association, Inc.
(WPHOA), ou=WPHOA President & Board of
Directors Member,
email=WPHOA.Jacque@gmail.com, c=US
Date: 2023.05.25 00:34:06 -04'00'

MAY 22, 2023

Association's President

Date

FILE:Book of Resolutions: Resolution effective date: MAY 22, 2023