



DC Cooperative Housing Coalition News

Representing the interests of the cooperative community in the District of Columbia since 1984

May - August | 2019

Serving the District's cooperative housing community for 35 years

SAVE THE DATE: **October 22** **Coalition Annual Meeting**

Hosted by The Broadmoor
3601 Connecticut Avenue, NW

Registration starts at 6pm

Guest speaker: John Manougian
"The Depth of Master Policy Coverage for Cooperative Apartments"

Chris Manougian is an insurance agent with the John Manougian Insurance Agency, specializing in insuring community associations since the late 1970s. Chris has been actively writing community association insurance since the early 1990s. Chris has been active in the legislative process concerning master policy deductible responsibility in Maryland and in Washington DC.

NCB: Washington Post's 2019 Top Workplace

Congratulations, NCB! The Coalition is pleased to share with you the National Cooperative Bank's YouTube video that announces it was named a Top Workplace by The Washington Post for the sixth year in a row! The link to this two and a half minute video is

<https://youtu.be/puswTxmeBs>.

NCB has been a long-time and very generous supporter of the Coalition and the District's cooperative housing community.

It Won't Be Long!

The CAI Expo

February 21 and 22, 2020

Bigger and better than ever!

Mark Your Calendar now so you won't miss it!

Just a few more months: 100 Years of Co-ops

Video - Book - Tours and More!

The Coalition will mark and celebrate next year's centennial of the District's first housing cooperatives. A book and a video documenting the past 100 years of District co-ops are nearing completion. The final details of a Smithsonian Associates tour and a social event at the Arena Stage with discounted tickets to see the play, *Toni Stone*, are being made. Other plans include a special Saturday Seminar, a special honors event, social media, and much more. Maybe even a Nat's game! Watch your emails and mailings as we prepare to celebrate in just a few months!

How will your co-op celebrate 100 years of cooperatives?

Next year, four Coalition members will mark their 100 years as cooperatives that began the co-op movement in DC: Cavanaugh Court, Lambert, Netherlands, and Rutland Court. In addition to the Coalition's celebratory plans, the Coalition encourages all co-ops to make their own plans to mark this special anniversary. Here are some ideas:

- enjoy an informal activity/party with neighboring co-ops hosted by one of the co-ops. →



- working together, have an open house and/or conduct a tour of neighboring co-ops.
- write a short history about your co-op
- collect money, clothing, home goods and donate it to a housing charity or homeless shelter in the name of 100 years of housing cooperatives.
- If your co-op has a website, add our soon-to-be-released logo marking 100 years
- add the 100-year logo to your co-op's newsletter/BuildingLink
- Write a letter to your local neighborhood newspaper/newsletter and describe the advantages of housing cooperatives

Whatever you do to celebrate the occasion, let us know and we will share it with other Coalition members who might like to follow your lead!

Thank you!

Special thanks to centennial supporters. The following either have pledged or have contributed support for next year's events, book, and video:

Platinum Level, \$5,000+

- National Cooperative Bank
- RCN Telecommunications
- Whiteford Taylor & Preston

Gold Level, \$2,500+

- Caliber Home Loans

Silver, \$1,000+

- Bill Karas (Former Owner/Pres. of the Edmund J. Flynn Co.)

Bronze, \$500+

- G.S. Dunham (Steam Heating)

Thank you all!

Recent Coalition Email Surveys

The following email surveys were conducted May through August at the request of Coalition members. Thanks to the Coalition members

for sharing your knowledge and experiences with other Coalition members. The questions are broad and interesting and our members always come through!

- Electrical Upgrades (May)
- Subletting (May)
- Composting/Solar (May)
- Mailbox Replacements (May)
- Window Replacement (Aug.)
- Plumber Recommendation (Aug.)
- Guest Suites (July)
- Hot Water Temperatures (June)
- Interior Design (May)
- Minutes (July)
- Underlying Mortgages (July)

An Inconvenient Truth: Open Meetings

*By Susan L. Truskey, ESQ., WTP
This article originally appeared in
the July 2019 issue of the
WMCCAI **Quorum** Magazine*

Ms. Truskey is an attorney at Whiteford, Taylor & Preston, LLP. Her practice is devoted to the representation of condominium and community association clients throughout Virginia and the District of Columbia. She has been named a "Rising Star" by the Washington Metropolitan Chapter Community Associations Institute and currently co-chairs the Chapter's *Quorum* Editorial Committee.

Open meeting requirements restrict when and how a board of directors may discuss and conduct association business. With few exceptions, all board meetings, including those of any committee or subcommittee, must be open to all members of the association.

To fully appreciate and understand the spirit and intent behind open meeting laws, let's briefly consider their history. The concept of open meetings developed in response to growing concerns and suspicion from citizens over government meetings that were held in secret. It seemed only fair that tax-paying

constituents who are affected by the decisions of their elected officials should be entitled to attend meetings where deliberations were occurring, and decisions were being made.

Open meetings are intended to create transparency and foster confidence in an association. Work sessions, off-line discussions, and substantive email exchanges among directors are prohibited. Trying to find loopholes in the open meeting requirement ignores the spirit of democracy and deprives members of their statutory right to attend meetings of an association and observe the deliberative process. To ensure compliance with open meeting requirements, it is important to know when a "meeting" is actually taking place.

What constitutes a meeting is usually defined by (a) its purpose, and (b) the presence of a quorum. While board members should feel free to socialize together outside of a "meeting," even if a quorum of directors results, they cannot discuss association-related business.

This is one of the challenges that board members often face – balancing their rights as a homeowner living in the community with the duties that come with serving as a director. If the directors wind up discussing or deliberating association business, their informal gathering has effectively become a "meeting" of the association and they have violated the open meeting requirement. It also is important to keep in mind that advance notice of all meetings of an association and the board of directors must be given to association members.

As such, open meeting requirements must be observed. All board members are bound by the duty of care, which requires each director to prioritize the interests of the association above their own. If a director fails to comply with →

open meeting requirements or remains willfully ignorant about their application, the director can expose herself and the association to liability.

The following is a summary of DC's open meeting requirements as it pertains to condominiums.

Although DC cooperatives are not covered by this Act, its requirements are still good rules for co-ops to follow. It is important to note that an association's governing documents may also impose additional open meeting requirements and should always be consulted to ensure compliance.

District of Columbia

§42-1903.03(b)(1) of the D.C. Condominium Act requires all meetings of the unit owners' association, its executive board and committees to be open for observation by all unit owners in good standing. Similar to the laws in Virginia and Maryland, §42-1903.03(b)(5) of the D.C.

Condominium Act permits a limited number of topics to be discussed during a closed session, including: (1) personnel matters; (2) contracts, leases and other commercial transactions currently in or under negotiation; (3) pending or anticipated litigation; (4) matters involving state or local administrative or other formal proceedings before a government tribunal for enforcement of the condominium instruments or rules and regulations; (5) consultation with legal counsel; (6) matters involving individual unit owners or members; and (7) for such other exceptional reason so compelling as to override the general public policy in favor of open meetings.

To avoid the appearance of impropriety, follow the open meeting requirements required by law. Try to be as respectful as possible of the rights of members to attend meetings. If the Board is conducting most, if not all, of its business during open meetings and publishing minutes from each meeting as a record of the actions

taken, then community members will have less reason to suspect inappropriate behavior, and the democratic process lives on. [End of article]

In a related matter: In the July email survey concerning Minutes (see "Recent Coalition Email Surveys," p. 2), done at the request of a Coalition member, a question was included asking how Board meetings are conducted: "Are your Board meetings open or closed to co-owners?" It was surprising to learn that 3 of the 19 responding co-ops indicated their Board meetings are closed to the membership. Except for personnel, legal, contract and other issues that should be held in private for obvious reasons and explained, above, if your Board does not conduct the corporation's business in public but does so only in private (i.e., secret) sessions, your co-op should reconsider that decision.

How to Appeal Your DC Property Tax Assessment

*by Nena Perry-Brown,
Urbanturf, June 17, 2019 issue*

(https://dc.urbanturf.com/articles/blog/how-to-appeal-your-dc-property-tax-assessment/15508?utm_source=newsletter&utm_medium=keep_reading_link&utm_campaign=Monday+June+17th%2C+2019&omhide=true)

Most DC homeowners received their property tax assessments in the mail earlier this year, while others may receive them after a new home purchase. For those who disagreed or took issue with those assessments, here is how you can appeal.

1. File as soon as possible. The Office of Tax and Revenue (OTR) requires appeals be filed

electronically on or before April 1. For new property owners, [the form here](#) must be filed within 45 days of receiving their assessment.

2. Call your assessor. The contact information for the person who assessed the property should be listed on the assessment. The assessor should be able to give you an idea as to why the home was assessed at that particular value and why it might have changed from prior assessments. The government's assessment incorporates data from sales, construction permits, field visits and existing land values.

3. Gather evidence. OTR warns that your appeal should be specific and should have hard supporting evidence: "Please note that a successful appeal requires meaningful and accurate supporting information. Simply offering an opinion with no factual basis will probably not result in a reduced assessment." Leading with strong evidence will put you on a better footing throughout the appeals process.

4. File a first-level appeal. You can claim that the assessment is incorrect based on the home's estimated market value (using a recent appraisal, for example); equalization (comparing to similar properties); classification (the current use of the property); and property damage or condition. You can choose a written, phone or in-person hearing with OTR.

5. Appeal to the Real Property Tax Appeals Commission. If your first-level appeal is denied, you can appeal the assessment to the Real Property Tax Appeals Commission (RPTAC) within 45 days.

6. Appeal to the DC Superior Court. As a last resort, property owners can appeal RPTAC's decision to the DC Superior Court.

Board of Directors

President

Russ Rader
Westmoreland, 60 units

Vice President

Katie Wilson
Cathedral Avenue, 145 units

Secretary

Art Leabman
1870 Wyoming Avenue, 28 units

Treasurer

Ray Olson
River Park, 518 units

Directors

Matt Buzby
Broadmoor, 194 units

Fred Dyda
Tilden Gardens, 170 units

Loretta Glaze Elliott
Shoreham West, 60 units

Andy Litsky
Tiber Island, 389 units

Stephen McKevitt
Beverly Court, 39 units

Mike O'Dell
Harbour Square, 447 units

Janet Sten
3020 Tilden Street, 21 units

Spring Worth
Madison Terrace, 44 units

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About DC/CHC, the Coalition

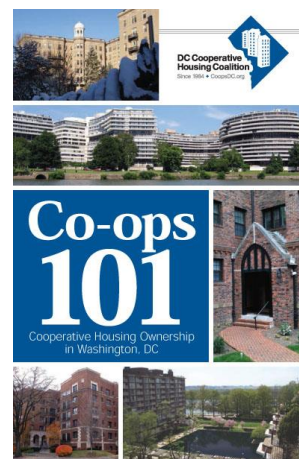
Established in 1984, the DC Cooperative Housing Coalition exists to advance the common interests of cooperative housing associations in the District of Columbia and to promote cooperative housing as a desirable form of home ownership. It is therefore both an advocacy organization that articulates the interests of members before government officials and regulatory agencies and a service organization that provides information and education to members.

Membership is open to all District housing cooperatives, regardless of size. A volunteer board of directors, elected by member co-ops, governs the Coalition. Activities are financed through annual dues, \$1.50 per unit per year (12.5 cents per month).

The Coalition grew out of an ad-hoc group of District cooperatives that formed in response to a judicial ruling that had cast a cloud over many cooperatives by banning proportionate voting. By marshaling the forces of more than 3,000 housing cooperative units, the ad-hoc group persuaded the District's City Council to resolve the matter.

Recognizing the importance to the cooperative housing community of speaking in a single voice and maintaining the ability to respond quickly and knowledgeably to matters affecting cooperative housing, the ad-hoc group decided to form a permanent organization.

The Coalition was established in 1984 and was incorporated as DC/CHC, Inc., a nonprofit, IRS Code Section 501(c)(6) organization in the District of Columbia, May 24, 1993.



**Co-ops 101 FREE
DOWNLOAD:**

<http://coopsdc.org/wp-content/uploads/2014/07/Co-ops101-PDF.pdf>

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FREE Member Profile Page

Does your cooperative have its own dedicated page on the Coalition's website? It is free and is a Coalition member benefit. See what you are missing at <https://coopsdc.org/members/>

Click on members with names in bold to see their details.

The place to find a service provider:

<https://coopsdc.org/service-providers/>

Support those who support the Coalition and the District's market-rate cooperative housing community.