

Written Statement for Closing a Meeting ("Closing Statement")

Date: September 1, 2021

A. Pursuant to Section 3-305(b) and (d) of the General Provisions Article of the Annotated Code of Maryland, I move to adjourn this open session to a closed session only:

- 3. "To consider the acquisition of real property for a public purpose and matters directly related thereto;"
- 7. "To consult with counsel to obtain legal advice";
- 8. "To consult with staff, consultants, or other individuals about pending or potential litigation";
- 13. "To comply with a specific constitutional, statutory, or judicially imposed requirement that prevents public disclosures about a particular proceeding or matter";

B. For each provision checked above, the topic to be discussed and the reason for discussing that topic in closed session is provided below.

| Statutory Citation | Topic | Reason for closed-session discussion |
|--------------------|---|--|
| §3-305(b)(3) | The acquisition of the fee simple interest (via a purchase and sale agreement) of three multifamily properties located in Bethesda, Maryland (the "Properties") | The meeting must be closed to the public in order to protect HOC's ability to purchase the Properties. Public discussion of this item could result in HOC not being able to acquire the Properties. |
| §3-305(b)(13) | The confidential commercial and financial terms of financing the acquisition of the Properties. | Section 4-335 of the Maryland Public Information Act prevents disclosure of confidential commercial or financial information obtained from a third-party. The meeting must be closed to the public in order to protect confidential commercial and financial information provided to HOC from private financial institutions in order to finance the acquisition of the Properties. The information to be discussed is customarily and actually treated as private by the financial institutions and has been provided to HOC under an assurance of privacy. |
| §3-305(b)(7) | Obtaining legal advice from HOC's General Counsel about ongoing litigation. | The meeting must be closed to the public in order to protect HOC's attorney-client privilege. |
| §3-305(b)(8) | Obtaining legal advice from HOC's General Counsel about ongoing litigation. | The meeting must be closed to the public in order to protect HOC's attorney-client privilege. |
| §3-305(b)(13) | Discussing information that is subject to attorney-client privilege. | Section 4-301(a)(1) of the Maryland Public Information Act prevents disclosure of information if, by law, the information is privileged or confidential. The meeting must be closed to protect HOC's attorney-client privilege. |

C. This statement is made by Roy Priest, Chair.

D. Recorded vote to close the meeting:

- Date: September 1, 2021 Time: 5:55 p.m. Location: Zoom (LiveStream on YouTube)
- Motion to close meeting made by: Richard Y. Nelson, Jr., Chair Pro Tem
- Motion seconded by: Frances Kelleher, Vice Chair
- Commissioners in favor: Roy Priest, Frances Kelleher, Richard Y. Nelson, Jr., Pamela Byrd, Linda Croom, Jeffrey Merkwowitz, and Jackie Simon
- Commissioners opposed: None
- Commissioners abstaining: None
- Commissioners absent: None

Officer's Signature:  _____