

Fill in this information to identify the case:

United States Bankruptcy Court for the:
 _____ District of Maryland
 (State)
 Case number (if known): _____ Chapter 11

Check if this is an amended filing

Official Form 201

Voluntary Petition for Non-Individuals Filing for Bankruptcy

04/16

If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write the debtor's name and the case number (if known). For more information, a separate document, *Instructions for Bankruptcy Forms for Non-Individuals*, is available.

1. Debtor's name The Condominium Association of the Lynnhill Condominium

2. All other names debtor used in the last 8 years See attached.
 Include any assumed names, trade names, and doing business as names

3. Debtor's federal Employer Identification Number (EIN) 52 - 0993760

4. Debtor's address

<p>Principal place of business</p> <p><u>3103 and 3107 Good Hope Avenue</u> Number Street</p> <hr/> <p><u>Temple Hills MD 20748</u> City State ZIP Code</p> <hr/> <p><u>Prince George's</u> County</p>	<p>Mailing address, if different from principal place of business</p> <p><u>4204 Leisure Drive</u> Number Street</p> <hr/> <p><u>P.O. Box</u> <u>Temple Hills MD 20748</u> City State ZIP Code</p> <hr/> <p>Location of principal assets, if different from principal place of business</p> <p>_____ Number Street</p> <hr/> <p>_____ City State ZIP Code</p>
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5. Debtor's website (URL) _____

6. Type of debtor

Corporation (including Limited Liability Company (LLC) and Limited Liability Partnership (LLP))

Partnership (excluding LLP)

Other. Specify: Unincorporated Condominium Association

Debtor The Condominium Association of the Lynnhill Condominium
 Name

Case number (if known) _____

7. Describe debtor's business

A. Check one:

- Health Care Business (as defined in 11 U.S.C. § 101(27A))
- Single Asset Real Estate (as defined in 11 U.S.C. § 101(51B))
- Railroad (as defined in 11 U.S.C. § 101(44))
- Stockbroker (as defined in 11 U.S.C. § 101(53A))
- Commodity Broker (as defined in 11 U.S.C. § 101(6))
- Clearing Bank (as defined in 11 U.S.C. § 781(3))
- None of the above

B. Check all that apply:

- Tax-exempt entity (as described in 26 U.S.C. § 501)
- Investment company, including hedge fund or pooled investment vehicle (as defined in 15 U.S.C. § 80a-3)
- Investment advisor (as defined in 15 U.S.C. § 80b-2(a)(11))

C. NAICS (North American Industry Classification System) 4-digit code that best describes debtor. See <http://www.uscourts.gov/four-digit-national-association-naics-codes>.

5 3 1 3

8. Under which chapter of the Bankruptcy Code is the debtor filing?

Check one:

- Chapter 7
- Chapter 9
- Chapter 11. Check all that apply:

- Debtor's aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$2,566,050 (amount subject to adjustment on 4/01/19 and every 3 years after that).
- The debtor is a small business debtor as defined in 11 U.S.C. § 101(51D). If the debtor is a small business debtor, attach the most recent balance sheet, statement of operations, cash-flow statement, and federal income tax return or if all of these documents do not exist, follow the procedure in 11 U.S.C. § 1116(1)(B).
- A plan is being filed with this petition.
- Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b).
- The debtor is required to file periodic reports (for example, 10K and 10Q) with the Securities and Exchange Commission according to § 13 or 15(d) of the Securities Exchange Act of 1934. File the *Attachment to Voluntary Petition for Non-Individuals Filing for Bankruptcy under Chapter 11* (Official Form 201A) with this form.
- The debtor is a shell company as defined in the Securities Exchange Act of 1934 Rule 12b-2.

Chapter 12

9. Were prior bankruptcy cases filed by or against the debtor within the last 8 years?

No

Yes.

District	<u>Maryland (Greenbelt)</u>	When	<u>07/02/2014</u>	Case number	<u>14-20607</u>
			<small>MM / DD / YYYY</small>		
District	<u>Maryland (Greenbelt)</u>	When	<u>04/28/2010</u>	Case number	<u>10-19462</u>
			<small>MM / DD / YYYY</small>		

If more than 2 cases, attach a separate list.

10. Are any bankruptcy cases pending or being filed by a business partner or an affiliate of the debtor?

No

Yes.

Debtor	_____	Relationship	_____
District	_____	When	_____
			<small>MM / DD / YYYY</small>
Case number, if known	_____		

List all cases. If more than 1, attach a separate list.

Debtor The Condominium Association of the Lynnhill Condominium
Name

Case number (if known) _____

11. Why is the case filed in this district?

Check all that apply:

- Debtor has had its domicile, principal place of business, or principal assets in this district for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other district.
- A bankruptcy case concerning debtor's affiliate, general partner, or partnership is pending in this district.

12. Does the debtor own or have possession of any real property or personal property that needs immediate attention?

- No
- Yes. Answer below for each property that needs immediate attention. Attach additional sheets if needed.

Why does the property need immediate attention? (Check all that apply.)

- It poses or is alleged to pose a threat of imminent and identifiable hazard to public health or safety.
 What is the hazard? _____
- It needs to be physically secured or protected from the weather.
- It includes perishable goods or assets that could quickly deteriorate or lose value without attention (for example, livestock, seasonal goods, meat, dairy, produce, or securities-related assets or other options).
- Other See attached.

Where is the property? 3103 and 3107 Good Hope Avenue

Number	Street		
		MD	20748
Temple Hills		State	ZIP Code
City			

Is the property insured?

- No
 - Yes. Insurance agency John M. Brown Insurance Agency Inc.
- Contact name Trudy Vargas
- Phone 888-973-0016

Statistical and administrative information

13. Debtor's estimation of available funds

Check one:

- Funds will be available for distribution to unsecured creditors.
- After any administrative expenses are paid, no funds will be available for distribution to unsecured creditors.

14. Estimated number of creditors

- | | | |
|---|--|--|
| <input type="checkbox"/> 1-49 | <input type="checkbox"/> 1,000-5,000 | <input type="checkbox"/> 25,001-50,000 |
| <input type="checkbox"/> 50-99 | <input type="checkbox"/> 5,001-10,000 | <input type="checkbox"/> 50,001-100,000 |
| <input type="checkbox"/> 100-199 | <input type="checkbox"/> 10,001-25,000 | <input type="checkbox"/> More than 100,000 |
| <input checked="" type="checkbox"/> 200-999 | | |

15. Estimated assets

- | | | |
|--|--|--|
| <input checked="" type="checkbox"/> \$0-\$50,000 | <input type="checkbox"/> \$1,000,001-\$10 million | <input type="checkbox"/> \$500,000,001-\$1 billion |
| <input type="checkbox"/> \$50,001-\$100,000 | <input type="checkbox"/> \$10,000,001-\$50 million | <input type="checkbox"/> \$1,000,000,001-\$10 billion |
| <input type="checkbox"/> \$100,001-\$500,000 | <input type="checkbox"/> \$50,000,001-\$100 million | <input type="checkbox"/> \$10,000,000,001-\$50 billion |
| <input type="checkbox"/> \$500,001-\$1 million | <input type="checkbox"/> \$100,000,001-\$500 million | <input type="checkbox"/> More than \$50 billion |

Debtor The Condominium Association of Lynnhill Condominium
Name

Case number (if known) _____

16. Estimated liabilities
- | | | |
|--|--|--|
| <input type="checkbox"/> \$0-\$50,000 | <input checked="" type="checkbox"/> \$1,000,001-\$10 million | <input type="checkbox"/> \$500,000,001-\$1 billion |
| <input type="checkbox"/> \$50,001-\$100,000 | <input type="checkbox"/> \$10,000,001-\$50 million | <input type="checkbox"/> \$1,000,000,001-\$10 billion |
| <input type="checkbox"/> \$100,001-\$500,000 | <input type="checkbox"/> \$50,000,001-\$100 million | <input type="checkbox"/> \$10,000,000,001-\$50 billion |
| <input type="checkbox"/> \$500,001-\$1 million | <input type="checkbox"/> \$100,000,001-\$500 million | <input type="checkbox"/> More than \$50 billion |

Request for Relief, Declaration, and Signatures

WARNING -- Bankruptcy fraud is a serious crime. Making a false statement in connection with a bankruptcy case can result in fines up to \$500,000 or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.

17. Declaration and signature of authorized representative of debtor
- The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.
 - I have been authorized to file this petition on behalf of the debtor.
 - I have examined the information in this petition and have a reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on 01 / 10 / 2018
MM / DD / YYYY

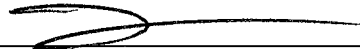

Signature of authorized representative of debtor

Stanley Briscoe

Printed name

Title Acting President

18. Signature of attorney


Signature of attorney for debtor

Date 01 / 10 / 2018
MM / DD / YYYY

Patrick Potter
Printed name

Pillsbury Winthrop Shaw Pittman LLP
Firm name

1200 Seventeenth Street, NW
Number Street

Washington
City

DC 20036
State ZIP Code

(202) 663-8928
Contact phone

patrick.potter@pillsburylaw.com
Email address

08445
Bar number

MD (Federal Bar)
State

SCHEDULE TO PETITION

Question 2:

Names used by the Debtor in the last eight years include:

1. Lynnhill Condominium;
2. Council of Co-owners of Lynnhill Condominium;
3. Lynnhill Condominium Association;
4. Council of Unit Owners of Lynnhill Condominium;
5. Lynnhill Condominium, Inc.;
6. Lynnhill Condominium Unit Owners Association; and
7. The Lynnhill Condominium.

This list will be supplemented to the extent necessary.

Question 12:

In the interest of full disclosure, the Debtor provides the following response to question 12 regarding the Debtor's possession of real property that needs immediate attention.

The Debtor is an unincorporated condominium association that is in possession of the Lynnhill Apartments, two 7-story buildings located at 3103 and 3107 Good Hope Avenue, Temple Hills, Maryland 20748 (the "Property"). The Property has 219 units, a parking lot and common areas. The Property's condition has deteriorated significantly in recent years, to the point that utilities were terminated on more than one occasion, by mid-2017 the Property was approximately 40% vacant, and by the fall of 2017, utilities were conclusively terminated and the balance of the units were vacated and abandoned. Prince George's County (the "County") has determined that the Property is uninhabitable and has threatened to condemn the Property because it is a threat to the public and a burden to the county. Between the spring of 2016 and approximately December 18, 2017, the Property was uninsured because of the Debtor's dire financial situation.

On October 4, 2017, the Circuit Court for Prince George's County (the "Circuit Court") entered a judgment and order authorizing the Debtor to, among other things, (i) conduct a sale process and convey the Property through a chapter 11 bankruptcy process, and (ii) encumber the Property with first-priority liens to obtain financing to pay for insurance and the expenses associated with documenting, seeking bankruptcy court approval of, and closing the sale of the Property. *See* Am. Findings of Facts, Conclusions of Law and Am. Judgment, *Consumer Prot. Div. Office of the Md. Attorney Gen. v. Lynnhill Condo. Dev., Inc.*, No. CAE16-40059 (Cir. Ct. Prince George's Cnty. Nov. 2, 2017), attached as Exhibit A.

Since entry of the Circuit Court's order, the Debtor has secured pre- and post-petition financing to enable it to pay for property insurance and other expenses associated with the Property. To attempt to keep unauthorized individuals from entering the Property, the Property

is monitored by security officers and surrounded by a fence. Despite these efforts, the Debtor from time to time receives reports of trespassers entering the Property illegally. With the aid of a security company, a winterization and property-stabilization company and the County police, the Debtor expects to limit these nuisances (for both the Debtor and the County) pending the anticipated mid-February 2018 closing on the sale of the Property pursuant to the chapter 11 plan filed contemporaneously with the Petition.

Exhibit A

IN THE CIRCUIT COURT FOR PRINCE GEORGE'S COUNTY
CIVIL DIVISION

CONSUMER PROTECTION DIVISION)
OFFICE OF THE MARYLAND)
ATTORNEY GENERAL)
200 St. Paul Place, 16th Floor)
Baltimore, Maryland 21202,)

Plaintiff,)

v.)

Case No. CAE16-40059

LYNNHILL CONDOMINIUM)
DEVELOPMENT, INC.)
29 Gaither Street)
Temple Hills, Maryland 20748)

and)

JOHN DOES 1-75,)
Defendants.)

LYNNHILL CONDOMINIUM)
DEVELOPMENT, INC.)
29 Gaither Street)
Temple Hills, Maryland 20748)

Cross-Claim Plaintiff,)

v.)

CROSS-CLAIM

JOHN DOES 1-75,)
Cross-Claim Defendants.)

LYNNHILL CONDOMINIUM)
DEVELOPMENT, INC.)
29 Gaither Street)
Temple Hills, Maryland 20748)

Third-Party Plaintiff,)

v.)

THIRD-PARTY COMPLAINT

JOHN DOES 1-219, et. al.)
Third-Party Defendants,)

**AMENDED FINDINGS OF FACT, CONCLUSIONS OF LAW AND
AMENDED JUDGMENT**

THIS CAUSE came to be heard on the 4TH day of October, 2017, upon (among other things) the pleadings filed herein, the evidence adduced, and the arguments of counsel; where upon the Court made (and makes) the following findings of fact and conclusions of law, and enters judgment accordingly:

1. The Condominium Association of the Lynnhill Condominium (the “**Association**”) is an unincorporated condominium association existing under the laws of the State of Maryland.

2. The Association is responsible for managing, administering, and taking certain critical actions (and providing certain services) with respect to certain real estate, amenities and improvements (including residential units) thereon located at 3103-3107 Good Hope Avenue, Temple Hills, Maryland 20748 (the “**Property**”). The Property is generally described as two 7-story residential unit buildings (comprised of 219 living units, the “**Units**”), a single/shared parking lot, land and related common and non-common (e.g., office, utility space, etc.) areas and amenities; all situated on approximately 4.88 acres of land. Without limitation, the Property, including the land, the buildings and all improvements as well as easements, rights and appurtenances thereunto belonging, is described as (and includes) the real property now or formerly designated as:

Parcel lettered “A” in the subdivision known as
“LYNNHILL GARDENS” as per plat recorded in Plat
Book WWW-56, Plat No. 87, among the Land Records of Prince
George’s County, Maryland.

3. Presently, the Association acts through a board of directors (each a “**Member**”; more than one “**Members**”; and collectively, the “**Board**”).

4. Presently, the entirety of the Property, including but not limited to the Units, has been vacated and abandoned by those with interests in the Units.

The Property has been secured by a fence that surrounds the entire Property and Law Enforcement Officers, and to attempt to keep unauthorized individuals from accessing the Property. Prince George's County (the "County") has set October 2, 2017 as the deadline for individuals to remove any belongings from the Property. All utilities will be terminated at the Property by October 5, 2017. The Property is in disrepair and has been determined by the County to be uninhabitable. The Property is covered by no property-loss or any other insurance (*i.e.*, completely uninsured). The Association is without the financial resources sufficient to insure and maintain the Property through the closing on a sale of the Property. The Association or Council of Unit owners shall not seek to reconnect utilities pursuant to 11 U.S.C. 366 or subsequent bankruptcy filing.

5. The Property, in its present state, represents a threat to the public and a burden to the County. The County has represented on the record to the Court it may condemn the Property in the near future.

6. A solution to address the issues confronting the Association, owners of Units, the public, the County and others is required. Claims in this case, including requests for declaratory relief were brought in this action to obtain authorization from this Court to approve a strategy for adequately addressing these issues.

7. Pursuant to the Court's legal, equitable and statutory powers, the Court possesses the authority to grant the relief set forth herein.

8. The Association has proffered that it has received offers or expressions of interest from parties indicating a willingness to purchase the Property for prices ranging approximately from \$11 million to \$15 million. The purchaser would presumably rehabilitate the property in a way that reverses the threat to the public and the burden to the County. The Association has proffered that, if it is authorized to convey title to the entirety of the Property to a purchaser, that the proceeds would be distributed to creditors (of the Association and of Unit

owners) and to the Unit owners in accordance with an order of a court with jurisdiction to approve such distributions (either this Court or a U.S. Bankruptcy Court). The Association also proffered that first-priority debt financing (secured by the Property) will be required to obtain insurance and to fund the expenses (including those of professionals) that will be required to document the transaction, prosecute approval of the transaction and close the same. The foregoing is referred to as the “**Proposed Sale Process.**”

9. Based upon the record in the case and the findings of the Court, the Court finds that the Proposed Sale Process is in the best interest of all entities and individuals with claims against and interests in the Property.

10. Accordingly, the Court hereby authorizes the Association to take all appropriate and necessary actions to sell the Property to a buyer that the Association, in the exercise of its business judgment, deems to be the highest and best offeror with the ability to close a transaction as soon as reasonably practicable (“**Purchaser**”).

11. The Association is authorized to conduct the Proposed Sale Process and convey the fee simple absolute Property through or outside of a chapter 11 bankruptcy process (in which latter case subject to the rulings of a bankruptcy judge of competent jurisdiction).

12. The grounds for the Court’s ruling are several. The Court holds that it may vest the Association with the authority to sell the Property in fee simple absolute under a number of circumstances, including (a) where the equities and public welfare require it; (b) where there has been a threat of condemnation; and (c) where the condominium regime is terminated and the Association becomes the effective owner of the Property for such purposes. The Court finds that each of these conditions exist, and that by necessity under the circumstances, and as a practical matter (where the Property has been fully vacated, is uninsured, lacking in financial resources, and possess a threat to the public and a burden to the

County), the condominium is for all intents and purposes terminated. The Association shall be deemed the fee simple absolute owner of the Property for the purpose of prosecuting the consummating the Proposed Sale Process, and making distributions subject to court order.

Based upon the foregoing, the Court concludes that the Association is entitled to Judgment.

AMENDED JUDGMENT

WHEREFORE, it is by the Court this 2nd ~~day~~ ^{NOVEMBER} of ~~October~~, 2017.

ORDERED, ADJUDGED AND DECREED:

A. The Association (through its Board) is immediately authorized to take any and all actions necessary (including but not limited to execution of all necessary documents, including but not limited to purchase agreements, deeds, and other conveyance documents), to prosecute and consummate the Proposed Sale Process (including obtaining debt financing secured by first-priority liens against the Property), and convey all right title of interest (regardless of holder) in the Property to the Purchaser. The foregoing authorization includes, but is not limited to, engaging professionals (e.g., real estate brokers/advisors, lawyers, etc. the "Association Professionals") to assist the Association in consummating the Proposed Sale Transaction, and distributing the proceeds thereof in accordance with applicable law. The foregoing authorization also includes the Association having access to the Property in order to enable brokers and potential purchasers to inspect (and conduct due diligence on) the Property, and no one shall interfere with the Association's rights to access the Property for such purposes. Access shall be coordinated with Prince George's County.

B. All distributions to creditors (of the Association and Unit owners) and ultimately to Unit owners, shall be the subject of an order of this Court or a U.S. Bankruptcy Court.

C. The condominium/condominium regime of the Lynnhill Condominium is hereby terminated.

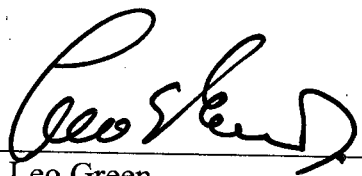
D. This case will remain open until the final distribution of sale proceeds. This Court will retain jurisdiction to interpret its findings of fact and conclusions of law, and to enforce this judgment.

E. The proposed version of this Order contained the following language, which this Court struck:

“The Association is authorized to satisfy the costs of maintaining the Property (including insurance) and the costs of the Proposed Sale Transaction and other related costs (including the fees and expenses of Association Professionals) from the first proceeds of sale of the Property.”

This language was stricken to avoid the appearance that the Court was pre-approving fees and expenses, including those of professionals. Said deletion is without prejudice to the Association or any other party with appropriate standing to request in the future (whether from this Court or the Bankruptcy Court), allowance of fees, expenses, costs, etc., and to request that the same be paid from the proceeds of the sale of the Property or any other available assets; which requests this Court or the Bankruptcy Court (whichever possesses jurisdiction) may grant or deny as each may deem appropriate at that time.

IT IS SO ORDERED AND ADJUDGED.



Judge Leo Green

Cc:

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Washington, DC 20005

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Columbia, MD 21046

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5827 Allentown Rd.
Camp Springs, Maryland 20746

NOTICE

The parties pursuant to the provisions of Prince Georges County Circuit Court and the Maryland Rules, may obtain a review of this matter by a Judge of the Circuit Court of Price Georges County, by filing a written motion complying with this Rule within ten (10) days of entry of this judgment.