

REAL ESTATE COMMISSION
Professional and Vocational Licensing Division
Department of Commerce and Consumer Affairs
State of Hawaii

MINUTES OF MEETING

The agenda for this meeting was filed with the Office of the Lieutenant Governor, as required by Section 92-7(b), Hawaii Revised Statutes.

Date: Wednesday, May 23, 2001

Time: 9:00 a.m.

Place: Kapuaiwa Room
HRH Princess Victoria Kamamalu Building
1010 Richards Street, Second Floor
Honolulu, Hawaii

Present: John Ohama, Chair
Michael Ching, Vice Chair
Charles Aki, Member
Patricia Choi, Member
Alfredo Evangelista, Member (Late Arrival)
Mitchell Imanaka, Member
Iris Okawa, Member
Peter Rice, Member (Late Arrival)

Calvin Kimura, Supervising Executive Officer
Alan Taniguchi, Executive Officer
Lorene Arata, Real Estate Specialist
Cynthia Yee, Senior Condominium Specialist
Gina Watumull, Condominium Specialist
Cheryl Leong, Condominium Specialist
Shari Wong, Deputy Attorney General (Late Arrival)
Irene Kotaka, Secretary

Excused: Casey Choi, Member

Call to Order: The Chair called the meeting to order at 9:05 a.m., at which time quorum was established.

Chair's Report: No Chair's report was presented.

Commissioners Evangelista and Rice arrived.

Executive Officer's Report: **Announcements, Introductions, Correspondence and Additional Distribution**

Additions to the Agenda

Upon a motion by Commissioner Ching, seconded by Commissioner Imanaka, it was voted on and unanimously carried to add the following item to the agenda:

6. Licensing – Questionable Applications
 - d. Ryenn K. Sotelo

Additional Distribution

The following materials were distributed to the Commissioners prior to the start of the meeting:

4. Committee Reports
 - d. SWAT – Chapter 99, HAR, Rules Relating to Real Estate Brokers and Salespersons

Minutes of Previous Meetings

Upon a motion by Commissioner Imanaka, seconded by Commissioner P. Choi, it was voted on and unanimously carried to approve the minutes of the April 27, 2001 Real Estate Commission meeting as circulated.

The Deputy Attorney General arrived.

Committee Reports:

Laws and Rules Review Committee

Upon a motion by Commissioner Evangelista, seconded by Commissioner Imanaka, it was voted on and unanimously carried to accept the report of the May 11, 2001 Laws and Rules Review Committee meeting as follows:

1. Minutes of Previous Meetings – **Accept** the minutes of the April 11, 2001 meeting.
2. Program of Work, FY01
 - a. Licensing, Registration and Certification Administration Request for Decision – **Recommend acceptance** of candidate's passing score on the State portion of the examination and **accept** the approved Equivalency to Uniform Section of Examination Certificate and allow candidate to submit an application for license.
 - b. Neighbor Island Outreach – Hawaii Island, monthly committee meetings to be held on Monday, August 6, 2001 at the Outrigger Waikoloa at 1:00 p.m. LRRRC, 1:30 p.m. ERC, 2:30 p.m. CRC.
3. Next Meeting: **Thursday, June 14, 2001**
Kapuaiwa Room
HRH Princess Victoria Kamamalu Building
1010 Richards Street, Second Floor
Honolulu, HI

Education Review Committee

Upon a motion by Commissioner Aki, seconded by Commissioner P. Choi, it was voted on and unanimously carried to accept the report of the May 11, 2001 Education Review Committee meeting as follows:

1. Minutes of April 11, 2001 – **Accept.**
2. Continuing Education Administration, Curriculum, Courses, Providers, and Instructors – Applications – 2001-2002
Continuing Education Providers and Courses Ratification List – **Recommend approval** of the following:

<u>Registration/Certification</u>	<u>Effective Date</u>
Nationally Certified Course	
“Accredited Buyer Representative Course” (Owner/Author: Maui Board of REALTORS, Inc.)	04/09/01
3. Prelicensing Education Administration, Curriculum, Schools, Instructors, and Equivalency – Applications – 2001 – 2002
Prelicense Education Schools and Instructors Ratification List – **Recommend approval** of the following:

<u>Registration/Certification</u>	<u>Effective Date</u>
Instructor Kenneth D. H. Chong (Salesperson Curriculum)	04/19/01
4. Administration of Examinations – Test Development – ASI Test Development Workshop at Ala Moana Hotel, May 24-25, 2001, Senior Real Estate Specialist lead staff member.
5. Program of Work, FY01
 - a) Annual Report, Quarterly Bulletin, and School Files – Bulletin Consultant Contract – **Recommend approval** to accept John D. Ramsey's proposal dated April 25, 2001 and to execute a contract for the publication, layout, and printing of eight issues respectively of the Real Estate Commission Bulletin and the Hawaii Condominium Bulletin (total of 16 issues for two bulletins) for the compensation amount as specified in part B of the proposal as amended plus tax.
 - b) Neighbor Island Outreach – Hawaii Island, monthly committee meetings to be held on Monday, August 6, 2001 at the Outrigger Waikoloa at 1:00 p.m. LRRC, 1:30 p.m. ERC, 2:30 p.m. CRC.
 - c) Program of Work and Budget, FY02 – Accepting comments and suggestions.
6. Next Meeting: **Thursday, June 14, 2001**
10:00 a.m.
Kapuaiwa Room
HRH Princess Victoria Kamamalu Building
1010 Richards Street, Second Floor
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The Chair reported that there will be a meeting to discuss the core course for continuing education at 1 p.m. this afternoon in the Kuhina Nui Room. The Commissioners were invited to attend this meeting. Also, Commissioners P. Choi and Ohama will be attending the item writing workshops, along with REB staff on Thursday, May 24 and Friday, May 25, 2001.

Condominium Review Committee

Upon a motion by Commissioner Imanaka, seconded by Commissioner Rice, it was voted on and unanimously carried to accept the report of the May 11, 2001 Condominium Review Committee meeting as follows:

1. Minutes of April 11, 2001 - **Accept**.
2. Condominium Governance and Management
 - a. AOA Registrations – April 2001 – **Recommend approval** to ratify effective dates for AOA registrations received for the current biennium 1999 - 2001 through April 30, 2001; and AOA registrations received for the next biennium 2001-2003 through April 30, 2001, effective July 1, 2001.
 - b. Mediation & Arbitration – contract renewals – Pursuant to the automatic renewal for successive one year term provisions of the existing contracts, **recommend approval** to automatically renew the contracts for another year for the period beginning July 1, 2001 to and including June 30, 2002, subject to the same terms and conditions of the existing contracts for the following contractors:
 1. Mediation Center of the Pacific, Inc. fka Neighborhood Justice Center of Honolulu, Inc.
 2. Mediation Services of Maui, Inc.
 3. Kauai Economic Opportunity, Inc.
 4. Big Island Mediation, Inc. dba West Hawaii Mediation Services
 5. The Island of Hawaii YWCA
3. CPR Registration, Developer's Public Reports – April 2001 – **Recommend approval** to ratify issuance of effective dates of the developer's public reports and extensions issued for the month of April 2001.
4. Program of Work, FY01
 - a. Hawaii Condominium Bulletin
 - 1) **John D. Ramsey's Proposal** to Assist in the Publication – Matter taken up at the Education Review Committee meeting of May 11, 2001.
 - 2) **Pioneer Ventures, Inc., dba Fisher & Pioneer Printers** – contract renewal for printing the Hawaii Condominium Bulletin – Pursuant to the automatic renewal for successive one year term provisions of the existing contract, **recommend approval** to automatically renew the contract for another year for the period beginning July 1, 2001 to and including June 30, 2002 or publication and mailing of the fourth Bulletin, subject to the same terms and conditions of the existing contract
 - b. Meetings and Symposium – **Recommend approval** to sponsor a Condominium Symposium in the Fall of 2002

and to retain the services of a consultant to assist Commission with the development, marketing/advertising, coordination, delivery and administration of the symposium.

5. Neighbor Island Outreach – Hawaii Island, monthly committee meetings to be held on Monday, August 6, 2001 at the Outrigger Waikoloa at 1:00 p.m. LRRC, 1:30 p.m. ERC, 2:30 p.m. CRC.
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SWAT

Chapter 99, Hawaii Administrative Rules, Real Estate Brokers and Salespersons became effective on May 21, 2001. A copy of the amended rules were distributed to the Commissioners for their reference and information.

The Lieutenant Governor issued a press release on the amended rules on Monday, May 21, 2001. The amended rules have been posted on the Department's and the Commission's websites. REB staff will work with the Hawaii Association of REALTORS and the local boards in disseminating the information to the licensees.

Legislative Report

The SEO reported that the SWAT Bill, Senate Bill No. 1061, S.D.1, H.D.1, C.D.1, is awaiting the Governor's signature. The Commission has requested a bill signing ceremony.

Program of Work and Budget, FY02

REB staff has received recommendations from the Chairs and Vice Chairs of the Commission, the Laws and Rules Review Committee, the Education Review Committee, and the Condominium Review Committee.

The following program of work items were discussed and proposed:

Laws and Rules Review Committee

- Internet advertising
- License reciprocity with proposed legislation
- Guidelines or criteria for determining rehabilitation of applicant after criminal conviction
- Review of pre-petition disciplinary proceedings

Education Review Committee

- Broker curriculum resources, possible consultant contract
- Outsourcing of continuing education courses

Condominium Review Committee

- Recodification is a priority item
- International symposium

Upon a motion by Commissioner Aki, seconded by Commissioner Okawa, it was voted on and unanimously carried that REB staff is to finalize the program of work pursuant to the recommendations and comments raised and to prepare the budget for all three trust funds.

Licensing and
Registration -
Ratification:

Upon a motion by Commissioner Ching, seconded by Commissioner Evangelista, it was voted on and unanimously carried to ratify the attached list.

Licensing -
Questionable
Applications:

David Lowe

After a review of the information submitted by the applicant, Commissioner Ching moved to approve the real estate salesperson's license application of David Lowe. Commissioner Imanaka seconded the motion. The motion was voted on and unanimously carried.

Richard G. Staley

After a review of the information submitted by the applicant, Commissioner Aki moved to approve the real estate salesperson's license application of Richard G. Staley. Commissioner Ching seconded the motion. The motion was voted on and unanimously carried.

Jeff H. Hitchcock

After a review of the information submitted by the applicant, Commissioner P. Choi moved to approve the real estate salesperson's license application of Jeff H. Hitchcock. Commissioner Aki seconded the motion. The motion was voted on and unanimously carried.

Ryenn K. Sotelo

After a review of the information submitted by the applicant, Commissioner Imanaka moved that the Commission would most likely approve Ryenn K. Sotelo's application for a real estate salesperson's license. Commissioner Okawa seconded the motion. Commissioners Aki, P. Choi, Evangelista, Imanaka, Okawa and Rice voted in favor of the motion. Commissioners Ching and Ohama voted against the motion. The motion was carried.

Chapter 91, HRS,
Adjudicatory
Matters:

The Chair called for a recess from the meeting at 9:25 a.m., to discuss and deliberate on the following adjudicatory matters, pursuant to Chapter 91, HRS:

**In the Matter of the Real Estate Broker's Licenses of Corwin K.
Taketa and Corwin & Associates, Inc., REC 1999-120-L**

Upon a motion by Commissioner Okawa, seconded by Commissioner Ching, it was voted on and unanimously carried to accept the Settlement Agreement Prior to Filing of Disciplinary Action and Commission's Final Order. The motion was voted on and carried. Commissioner Evangelista voted against the motion.

Following the Commission's review, deliberation and decisions in these matters, pursuant to Chapter 91, HRS, the Chair announced that the Commission was reconvening its scheduled Commission meeting at 9:28 a.m.

Next Meeting:

Friday, June 29, 2001
9:00 a.m.
Kapuaiwa Room
HRH Princess Victoria Kamamalu Building
1010 Richards Street, Second Floor
Honolulu, Hawaii

Adjournment:

With no further business to discuss, the Chair adjourned the meeting at 9:28 a.m.

Reviewed and approved by:

/s/ Calvin Kimura
Calvin Kimura
Supervising Executive Secretary

June 29, 2001
Date

- [X] Approved as circulated.
[] Approved with corrections; see minutes of _____ meeting.

APPROVED APPLICATIONS FOR REAL ESTATE
REAL ESTATE COMMISSION MEETING ON MAY 23, 2001

<u>Brokers – Corporation and Partnership</u>	<u>Effective Date</u>
Central Pacific Properties, Inc. Joannie Tam, PB	04/25/01
Hawaiian Island Homes Ltd. Mary V. Savio, PB	04/27/01
Islands, Inc. Rick K. Yokogawa, PB	04/26/01
Activities 4 Less, Inc. Scott J. Allen, PB	05/09/01
<u>Brokers – Limited Liability Companies and Partnerships</u>	<u>Effective Date</u>
808 Properties LLC Michael D. Sakatani, PB	04/26/01
e-Resort, LLC Kay K. Nakano, PB	05/01/01
Pacific Realty 2000 LLC Patricia A. Naiyoke, PB	05/02/01
Esterle Enterprises, LLC Ivan R. Esterle, PB	05/02/01
Gloria's Vacation Rentals, LLC Robert P. Merkle, PB	05/10/01
<u>Branch Office</u>	<u>Effective Date</u>
Shell Development Corporation-Greens Andrea Lievens, PB Frances L. Morey, BIC	03/30/01
Marriott Kauai Ownership Resorts Inc., Marriott Vacation Club International Mary Lou Mendes, PB May W. Shumack, BIC	04/04/01
<u>Brokers - Sole Proprietor</u>	<u>Effective Date</u>
Rory K. Keith, American Pacific Properties	04/19/01
Elaine Christianson, Hawaii Palm Properties	04/09/01
Robert H. Baird	03/28/01
Coleen M. Arakawa	04/04/01
Clyde T. Yamada	04/06/01
Eileen Small	04/09/01
Catherine Jane Von Kennel Gaudin	04/02/01
Mitos T. Calica	04/16/01
Tuan Jensen-Lech	04/23/01
Herbert E. Bischke, Herbert E. Bischke, Realtor	04/27/01
Patriamor Edu Agullana, Pat's Realty	04/26/01
Patricia L. Handlir	05/07/01

Equivalency to Uniform Section of Examination Certificate

	<u>Expiration Date</u>
Seija Nordling Burke	04/20/02
Boonarong Sirithamrak	04/23/02
James Edward Warshawski	04/23/02
Lori Christensen	04/26/02
Lawrence E. Coats	04/26/02
Betty R. Hunter Oberman	04/26/02
Leonora Prince	04/26/02
Susan Carol Petrone	04/27/02
Faith Amby	04/30/02
Anne S. Wysong	04/30/02
James Harvey Austin	05/04/02
Stephen M. Figlmiller	05/04/02
Richard Hargrave	05/04/02
Russell L. Keefer	05/04/02
Sandra Lee Bailey-Keefer	05/04/02

Educational Equivalency Certificate

	<u>Expiration Date</u>
Lulu Tam Ho-Molina	04/20/02
Leonora Prince	04/26/02
Lawrence E. Coats	04/26/02
Lori Dawn Christensen	04/26/02
Susan Carol Petrone	04/27/02
Kevin Francis Grund	04/30/02
James Harvey Austin	05/04/02
Stephen Michael Figlmiller	05/04/02
Eugenia G. Whitten	05/08/02
Bonnie Alexandra	05/09/02

Real Estate Broker Experience Certificate

	<u>Expiration Date</u>
Patricia Lynn Handlir	04/19/02
Brian J. Berry	04/27/01
Gail Lee	04/30/02
Joylin C. K. Ho	04/30/02
Faith E. Naluai	04/30/02
Joy K. Nakagawa	04/30/02
Thomas G. Stuck	05/04/02
Carmen L. Magno	05/07/02
Allen P. Perkins, Jr.	05/07/02
Scot H. Hamaguchi	05/14/02

Real Estate Broker (upgrade)

	<u>Effective Date</u>
Chris K. Inouye	04/23/01
Delphine S. Funasaki	04/23/01
Carlton D. Choy	04/19/01
Frederic G. Berg	04/20/01
Elizabeth L. Fox	04/25/01
Dianne Calip Beliso	04/27/01
Kenneth F. Gemelli	05/08/01
Colin E. Stillwagen	05/03/01
Patricia L. Handlir	05/07/01

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Restoration – Real Estate Salesperson
Margaret Murdock

Effective Date
04/26/01

Restoration - Real Estate Broker
Catherine Jane Von Kennel Gaudin

Effective Date
04/02/01

Condominium Managing Agent
CBI, Inc., Grubb & Ellis/CBI
Clark Realty Corporation

Effective Date
04/03/01
04/24/01