

REAL ESTATE COMMISSION
Professional and Vocational Licensing Division
Department of Commerce and Consumer Affairs
State of Hawaii
www.hawaii.gov/hirec

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: Friday, February 26, 2010

Time: 9:00 a.m.

Place: Queen Liliuokalani Conference Room
King Kalakaua Building
335 Merchant Street, First Floor
Honolulu, Hawaii

Present: Trudy Nishihara, Chair, Broker/Honolulu Commissioner
Louis Abrams, Broker/Kauai Commissioner
Annette Aiona, Broker/Hawaii Island Commissioner
Carol Ball, Broker/Maui Commissioner
Frances Gendrano, Broker/Honolulu Commissioner
Walter Harvey, Broker/Honolulu Commissioner
Michele Sunahara Loudermilk, Public/Honolulu Commissioner

Neil K. Fujitani, Supervising Executive Officer
Jon Ellis M. Pangilinan, Executive Officer
Diane Choy Fujimura, Senior Real Estate Specialist
Cynthia Yee, Senior Condominium Specialist
Amy Endo, Real Estate Specialist
David J. Grupen, Real Estate Specialist
Cheryl Leong, Condominium Specialist
Benedyne Stone, Condominium Specialist
Karyn Takahashi, Recording Secretary

Others: Dirk H. Miraflor
Steven B. Robertson
Vicki D. Hanby
Noe Noe Tom, Retired Licensing Administrator

Absent: Stanley Kuriyama, Vice Chair, Broker/Honolulu Commissioner
Mark Suiso, Public/Honolulu Commissioner

Call to Order: The Chair called the meeting to order at 9:00 a.m., at which time quorum was established.

Chair's Report: The Chair announced that the Commission may move into executive session to consider and evaluate personal information relating to individuals applying for licensure in accordance with Section 92-5(a)(1), HRS.

Commissioners Kuriyama and Suiso were excused from the meeting. Prior notification of their non-attendance was received.

Executive Officer's Report: The Supervising Executive Officer (SEO) informed the Commissioners that the original applications with any original associated documents to be considered at the meeting were available for review.

Minutes of Previous Meeting

Upon a motion by Commissioner Ball, seconded by Commissioner Aiona, it was voted on and unanimously carried to accept the minutes of the January 28, 2010 meeting.

Licensing – Ratification: Upon a motion by Commissioner Abrams, seconded by Commissioner Aiona, it was voted on and unanimously carried to ratify the attached list.

Licensing – Applications: The Supervising Executive Officer informed the Commissioners that the information provided to the Commissioners is related only to the issue that is before the Commission for consideration. The other materials submitted are available for the Commissioners review should they desire to review it. If the applicants have an issue, which is personal in nature, they have the right to request that their application be considered in executive session.

Dirk H. Miraflor

Mr. Miraflor was asked if he wished to have his application for real estate salesperson's license considered in executive session. He declined the offer.

Mr. Miraflor stated that if licensed, he plans to work for Aloha Pacific Properties. He stated that he is currently employed with the Department of Education at Mililani High School.

Mr. Miraflor stated that the incident in question occurred when he was 13 years old.

After review of the information presented by the applicant, Commissioner Abrams moved to approve the real estate salesperson's license of Dirk H. Miraflor. Commissioner Aiona seconded the motion. The motion was voted on and unanimously carried.

Steven B. Robertson

Mr. Robertson was asked if he wished to have his application for real estate salesperson's license considered in executive session. He declined the offer.

Mr. Robertson stated that if he knew some of the information that he learned in the prelicense course before, he would have been able to clear some things up. He stated that Mr. Eckerle did not complete the building of the home he was contracted to build and kept his equipment. He is currently in the process of suing Mr. Eckerle; however, he has been unable to serve him and his life is in a standstill. He stated that he let people take advantage of his good name.

When questioned about what he learned in the prelicense course that would have helped his situation, Mr. Robertson stated that he learned in prelicense school that if no notice of completion is issued and a year has passed, a mechanic's lien cannot be placed on the property.

Mr. Robertson stated that he was unaware that the house was not completed and that the sub-contractors were not paid. He stated that he did not conduct a final walk-through. Mr. Robertson reiterated that he is trying to settle this situation, but is unable to contact Mr. Eckerle to serve him.

Mr. Robertson stated that he has had three attorneys. The first attorney told him that he could not be sued, but he was. Mr. Robertson stated that he let it go and made bad decisions.

When questioned about his plans if licensed, Mr. Robertson stated that he has been to three interviews in Kona, and rather than go into business for himself, he will work under a broker in commercial real estate sales/leasing.

Mr. Robertson was asked about his pending lawsuits and judgments. He stated that in regards to the land lawsuit it is in the process of foreclosure. In the equipment lawsuit, they have been trying to serve/contact Mr. Eckerle for the past three to four weeks.

In regards to the Discover judgment, Mr. Robertson stated that he is willing to make minimum payments and is waiting for settlement papers from Discover's attorney.

Mr. Robertson was asked what type of business Pacific All American is. He replied that it is a janitorial business.

When asked about the heavy equipment, Mr. Robertson stated that it was purchased for use on his 15 acres of land.

Chair Nishihara stressed to Mr. Robertson that in the real estate business financial integrity is of utmost importance, as the licensee is dealing with a consumer's most prized assets and one must have that financial integrity behind them. She noted that there seems to be serious litigations contradictory to financial integrity.

Upon a motion by Commissioner Abrams, seconded by Commissioner Gendrano, it was voted on and unanimously carried to take this matter under advisement.

Vicki D. Hanby

Ms. Hanby was asked if she wished to have her issue considered in executive session. She declined the offer.

It was reported that Ms. Hanby had gained entry, taken and passed the real estate broker's examination on November 25, 2009, without the proper documentation.

Ms. Hanby was asked if she was aware that she needed a broker's experience certificate in order to take the real estate broker's examination. Ms. Hanby replied that she is usually very thorough and after reading the application for the broker experience certificate, she did understand that she needed to apply for the certificate, rather she thought the completion of the experience certification statement was sufficient. She had the completed statement and was mistakenly allowed into the examination.

Ms. Hanby was asked about her signing the statement regarding understanding that Hawaii law requires, prior to taking the examination, that she must have satisfied the educational requirements and experience requirements. Ms. Hanby stated that she believed that she had all the required documents—she would not have signed the statement if she did not believe that.

After review of the information presented, Commissioner Loudermilk moved to accept Vicki D. Hanby's passing score received on the broker examination taken of November 25, 2009. Commissioner Gendrano seconded the motion. The motion was voted on and unanimously carried.

Chair's Report: At this time, the Commission recognized Ms. Noe Noe Tom on her retirement. Ms. Tom was the former Licensing Administrator and retired at the end of 2009. The Commission presented Ms. Tom with a lei and gift as a token of their appreciation.

Executive Session: Upon a motion by Commissioner Abrams, seconded by Commissioner Loudermilk, it was voted on and unanimously carried to enter into executive session, pursuant to Section 92-5(a)(1), HRS, "To consider and evaluate personal information, relating to individuals applying for professional or vocational licenses cited in section 26-9 or both."

Upon a motion by Commissioner Abrams, seconded by Commissioner Aiona, it was voted on and unanimously carried to move out of executive session.

Chapter 91, HRS, Adjudicatory Matters: The Chair called for a recess from the meeting at 9:39 a.m., to discuss and deliberate on the following adjudicatory matters, pursuant to Chapter 91, HRS:

Chapter 91, Hawaii Revised Statutes, Adjudicatory Matters – In the Matter of the Real Estate Brokers' Licenses of Parifi Realty of Hawaii, Inc. and Francine D. Sapla; REC 2007-470-L

Commissioner Harvey moved to approve the Commission's Final Order. Commissioner Loudermilk seconded the motion. The motion was voted on and unanimously carried.

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 meeting at 9:41 a.m.

Licensing –
Applications:

Steven B. Robertson

After a review of the information presented by the applicant, Commissioner Harvey moved to deny the real estate salesperson's license application of Steven B. Robertson, based on sections 467-8, 436-B-19(1) and (8), Hawaii Revised Statutes. Commissioner Loudermilk seconded the motion. Commissioners Harvey, Loudermilk, Gendrano, Ball and Nishihara voted aye. Commissioner Abrams voted nay. Commissioner Aiona abstained from voting. The motion was carried.

Tulsi Anderson

Ms. Anderson submitted a request to remove the conditions from her salesperson's license.

Commissioner Loudermilk inquired on what procedures were in place to verify that a licensee is eligible to have conditions removed from their license.

Commissioner Loudermilk moved to approve the removal of conditions from the real estate salesperson's license of Tulsi Anderson subject to receipt of a signed verification from the licensee that she has complied with all conditions placed on her license. Commissioner Harvey seconded the motion. The motion was voted on and unanimously carried.

Staff will come up with procedures for future requests for removal of conditions.

Next Meeting: Thursday, March 25, 2010
9:00 a.m.
Queen Liliuokalani Conference Room
King Kalakaua Building
335 Merchant Street, First Floor
Honolulu, Hawaii

Adjournment: With no further business to discuss, the Chair adjourned the meeting at 9:48 a.m.

Reviewed and approved by:

/s/ Neil K. Fujitani
Neil K. Fujitani
Supervising Executive Officer

March 17, 2010
Date

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

APPROVED APPLICATIONS FOR REAL ESTATE
 REAL ESTATE COMMISSION MEETING ON FEBRUARY 26, 2010

<u>Brokers – Limited Liability Companies and Partnerships</u>	<u>Effective Date</u>
Azure Sea Real Estate LLC Connie McCormick, PB	01/19/10
Aloha Realty and Management, LLC Nicole Chung, PB	01/22/10
Real Select USA, L.L.C. Kuni Onoe, PB	01/25/10
Big Wave Realty LLC April F. Nims, PB	01/27/10
TNP Property Manager, LLC Darryll Goodman, PB	02/01/10
Property One LLC Catherine K.L.C. Wong, PB	02/03/10

<u>Brokers – Corporations and Partnerships</u>	<u>Effective Date</u>
Kennedy Wilson Auction Group Inc. Joel K. La Pinta, PB	01/06/10
Hawaii Real Estate Services Kauai Gary Pierce, PB	01/11/10
Whalers Realty Management Company, Inc., Vacation-Maui.com Tess Cartwright, PB	01/21/10
Marriott Resorts Hospitality Corporation Leslie Kobata, PB	01/22/10

<u>Brokers – Sole Proprietor</u>	<u>Effective Date</u>
Jo Anne L. Y. Talo	12/02/09
Michael K. Perius	12/08/09
Amanda S. Chang	12/09/09
Jay T. Coskie	12/28/09
Michael F. Marlowe	01/05/10
John C. Stevenson	01/06/10
Andrea G. Lehman	01/22/10
Jonathan Ford, Honolulu Property Finds	01/27/10

<u>Corporation and Partnership Name</u>	<u>Effective Date</u>
ERA Management (fka Hawaii Property Management Services)	02/08/10
Aloha Real Estate Referral Service, Inc. (fka EOR Referral Inc.)	02/11/10

<u>Trade Name</u>	<u>Effective Date</u>
Catherine Lynch, Leeward Realty	12/30/09
Aloha Pacific Realty LLC, Aloha Pacific Realty	01/12/10
Katy Gallagher, MRV Real Estate	02/03/10

<u>Equivalency to Uniform Section of Examination Certificate</u>	<u>Expiration Date</u>
LuAnn Makaui Poti	01/19/12
Richard Steele Nagai	01/19/12
Victoria Ellen Barthomomae	01/20/12
Shawlea K. Aona	01/25/12
Leonore Payne	01/26/12

Equivalency to Uniform Section of Examination Certificate

	<u>Expiration Date</u>
Kristi Daugherty Lundquist	01/27/12
Laura Witek	01/27/12
Thomas Scott Dixon	01/27/12
Carlos Guevara	01/28/12
Shawna M. Bowen	02/01/12
Raymond Note Dilg	02/02/12
Sandra Jo Wilson	02/08/12
Beata Helen Miklos	02/08/12
Cathy Karver	02/09/12
Fred Romvari	02/09/10

Educational Equivalency Certificate

	<u>Expiration Date</u>
LuAnn Makai Poti	01/19/12
Richard Steele Nagai	01/19/12
Robyn M. Apisa-Matie	01/19/12
Louise Elizabeth Wittern	01/19/12
Victoria Ellen Barthomomae	01/20/12
Leonore Payne	01/26/12
Kristi Daugherty Lundquist	01/27/12
Thomas Scott Dixon	01/27/12
Laura Witek	01/27/12
Carlos Guevara	01/28/12
Shawna M. Bowen	02/01/12
Raymond Note Dilg	02/02/12
Chiu Hien Everett	02/08/12
Sandra Jo Wilson	02/08/12
Beata Helen Miklos	02/08/12
Cathy Karver	02/09/12
Samantha Kate Haas	02/09/12
Fred Romvari	02/09/10

Real Estate Broker Experience Certificate

	<u>Expiration Date</u>
Victoria Ellen Barthomomae	01/20/12
Corey Takashi Kawai	01/19/12
Denise Lei Miyahira	01/19/12
Ronnie Allen Margolis	01/22/12
Leonore Payne	01/26/12
Shaila Siu Lin Mirchandani	01/26/12
Kristi Daugherty Lundquist	01/27/12
Kevin Ota	01/27/12
Derek Lee Lock	01/27/12
Belinda B. Barnes	02/01/12
Megan Miyo Sunahara Tune	02/01/12
Krishna Renauer	02/01/12
Stephanie Lolli Lopez	02/01/12
Lisa Nicole Downer	02/01/12
John Baxter Baumgartner	02/01/12
Keiki-Dawn K. Izumi	02/02/12
Michelle J. Saito	02/02/12
Stewart Lowry Munroe	02/04/12
Masato Hirata	02/04/12

Real Estate Broker Experience Certificate

Chiaki Ikeue Hasegawa
Sandra Jo Wilson
Beata Helen Miklos
Andrew Matthew Vye
Theresa Q. Aki

Expiration Date

02/04/12
02/08/12
02/08/12
02/09/12
02/09/12

Real Estate Broker (upgrade)

Justin Schuman
Kelly Condon
Joyce J. Ariyoshi
Sandy Tang Ho
Brad B. Kaneshiro
Chip Fithian
Sisi C. Morgan
Anthony Edmond Brown
Miriam Perlmutter
David Roy Picasso
Gloria Almendares
Alan H. Lam
John W. Shaw
Sue Brown
John w. Somerville
Clifford R. Smith
Mary Lou Cummings
Carol Ann Storer
Patricia Morgan-Dupuis
Bill Heideman
Christopher P. Ordonez
Ethan Olins
Rebecca Cuzman
Valeria Affinito
Donald G. Pixler
Cathy Possedi
Jeri Parker

Effective Date

12/22/09
01/04/10
01/05/10
01/05/10
01/06/10
01/08/10
01/08/10
01/12/10
01/13/10
01/14/10
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01/27/10
01/28/10
02/02/10
02/03/10
02/10/10

Condominium Hotel Operator

Unique Boutique Hospitality Group

Effective Date

02/16/10