

**REAL ESTATE COMMISSION**  
Professional and Vocational Licensing Division  
Department of Commerce and Consumer Affairs  
State of Hawaii  
[www.hawaii.gov/hirec](http://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: Thursday, April 22, 2010

Time: 9:00 a.m.

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

Present: Stanley Kuriyama, Vice Chair, Broker/Honolulu Commissioner  
Louis Abrams, Broker/Kauai Commissioner  
Annette Aiona, Broker/Hawaii Island Commissioner  
Frances Gendrano, Broker/Honolulu Commissioner  
Walter Harvey, Broker/Honolulu Commissioner  
Michele Sunahara Loudermilk, Public/Honolulu Commissioner  
Mark Suiso, 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  
Shari Wong, Deputy Attorney General  
Karyn Takahashi, Recording Secretary

Others: Lei Fukumura, Special Deputy Attorney General  
Ronald Michioka, Esq., Real Estate Recovery Fund Attorney  
Deborah Macer Chun, Esq.  
Erik B. DeRyke  
Siu Kei Tse  
Elsa Geling

Absent: Trudy Nishihara, Chair, Broker/Honolulu Commissioner  
Carol Ball, Broker/Maui Commissioner

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

Chair's Report: The Vice 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, and/or to consult with the Commission's attorney on questions and issues pertaining to the Commission's powers, duties, privileges, immunities, and liabilities in accordance with Section 92-5(a)(4), HRS.

Chair Nishihara and Commissioner Ball 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.

### **Announcements**

SEO Fujitani announced that in accordance with the approved program of work Staff would like to process travel requests to conferences in accordance with past approvals and with equal or fewer attendees.

**Delegation to Staff:** Upon a motion by Commissioner Abrams, seconded by Commissioner Aiona, it was voted on and unanimously carried to have Staff, in accordance to the approved program of work, process travel requests to conferences in accordance with past approvals.

### **Minutes of Previous Meeting**

Upon a motion by Commissioner Loudermilk, seconded by Commissioner Gendrano, it was voted on and unanimously carried to accept the minutes of the March 25, 2010 meeting.

Committees and  
Program of Work:

#### Condominium Review Committee

**CPR Registration and Developer's Public Reports - Request for an informal non-binding interpretation from the Real Estate Commission – SFI Ilikai Property Owner of 203 residential units and one commercial unit in the Ilikai Apartment Building Condominium whether SFI is a "developer" requiring registration in order to sell units – Deborah Macer Chun, Attorney for SFI Property Owner – Letter dated March 15, 2010**

Vice Chair Kuriyama and Commissioner Loudermilk recused themselves from discussion and voting on this matter. At this time, Commissioner Suiso, Vice Chair of the Condominium Review Committee, took over chairing the meeting.

Deborah Macer Chun, Esq., was present representing SFI Ilikai Property Owner LLC.

Ms. Chun stated that SFI acquired 203 residential units operated by Ilikai Hotel. She noted that 27 of the units are scattered among the building and her client is planning on selling those units. She stated that the condominium is 45 years old with many of the units going on fourth or fifth owners. Some of the units owned by SFI have been owned by individual natural persons and so a number of the units have been sold in bulk by entities over the years.

Ms. Chun stated that her client is not intending to do anything other than sell, as they have no controlling interest and are not able to do anything else. Her client would like to sell without applying for a supplementary report and they will comply with section 508D, HRS, and provide comprehensive disclosures. She noted that there will be no development and the condominium is still organized under 514A, HRS.

In regards to the sale of the 27 units, Ms. Chun stated that currently a huge portion of the units in the project are individual owned and the 27 units would most likely be purchased by individual owners.

Commissioner Abrams stated that although Ms. Chun stated that her clients would be compelled to provide disclosures per section 508D, HRS, he had concerns about purchasers receiving full, thorough disclosures as a developer's public report would provide.

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

Vice Chair Kuriyama returned to chairing the meeting.

Licensing –  
Ratification:

Upon a motion by Commissioner Aiona, seconded by Commissioner Abrams, 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.

#### **Siu Kei “Keith” Tse**

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

Mr. Tse stated that he is seeking an active license.

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

#### **Erik B. DeRyke**

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

Mr. DeRyke stated that he was present to address any questions the Commission may have.

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

Real Estate Recovery Fund: **Jo Ann Berger v. Capital Research Group, Inc., et al. Civil No. 1RC 10-1-2066, District Court of the First Circuit, Koolau-poko Div.**

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;" and pursuant to Section 92-5(a)(4), HRS, "To consult with the board's attorney on questions and issues pertaining to the board's powers, duties, privileges, immunities, and liabilities."

Upon a motion by Commissioner Abrams, seconded by Commissioner Harvey, 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 9:35 a.m., to discuss and deliberate on the following adjudicatory matters, pursuant to Chapter 91, HRS:

**In the Matter of the Real Estate License of Donald A. Wright, a Real Estate Salesperson; REC 2008-212-L**

Commissioner Suiso moved to defer decision making on this Settlement Agreement until such time RICO stipulates a definite due date of the administrative fine and RICO advises the Commission as to the extent in which self reporting is taken into consideration when negotiating a Settlement Agreement. Commissioner Aiona seconded the motion. The motion was voted on and unanimously carried.

**In the Matter of the Real Estate Salesperson's License of Marilou Valerio; REC 2008-303-L**

Commissioner Loudermilk moved to accept the Settlement Agreement. Commissioner Gendrano seconded the motion. The motion was voted on and unanimously carried.

**In the Matter of the Real Estate License of Remax Big Island LLC dba Re/Max Properties, a Real Estate Broker, REC 2006-124-L; and In the Matter of the Real Estate License of Heather E. Hedenschau, a Real Estate Broker; REC 2006-124-L**

Commissioner Aiona recused herself from discussion and voting on this matter.

Commissioner Abrams moved to accept the Settlement Agreement. Commissioner Suiso seconded the motion. Commissioners Kuriyama, Abrams, Harvey, Suiso and Gendrano voted aye. Commissioner Loudermilk voted nay. The motion was carried.

**In the Matter of the Real Estate License of Kevin Y. Yu, a Real Estate Salesperson; REC 2009-76-L**

Commissioner Suiso moved to accept the Settlement Agreement. Commissioner Abrams seconded the motion. The motion was voted on and unanimously carried.

**In the Matter of the Real Estate Licenses of Carol Star and Star International, LLC, Real Estate Brokers; REC 2009-132-L**

Commissioner Loudermilk moved to accept the Settlement Agreement. Commissioner Gendrano seconded the motion. The motion was voted on and unanimously carried.

**Request for Reconsideration - In the Matter of the Real Estate Broker's Licenses of Parifi Realty of Hawaii, Inc. and Francine D. Sapla; REC 2007-470-L**

Commissioner Harvey moved to accept the request for reconsideration, notwithstanding the respondent's failure to comply with the requirements for requests for reconsideration in Hawaii Administrative Rules 16-201-23. Commissioner Aiona seconded the motion. The motion was voted on and unanimously carried.

Commissioner Harvey moved for the Commission to stand on its decision to approve the Final Order dated February 26, 2010. Commissioner Aiona 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 10:18 a.m.

Executive Session: Upon a motion by Commissioner Abrams, seconded by Commissioner Gendrano, 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;" and pursuant to Section 92-5(a)(4), HRS, "To consult with the board's attorney on questions and issues pertaining to the board's powers, duties, privileges, immunities, and liabilities."

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

Committees and  
Program of Work:

Condominium Review Committee

**CPR Registration and Developer's Public Reports - Request for an informal non-binding interpretation from the Real Estate Commission – SFI Ilikai Property Owner of 203 residential units and one commercial unit in the Ilikai Apartment Building Condominium whether SFI is a "developer" requiring registration in order to sell units – Deborah Macer Chun, Attorney for SFI Property Owner – Letter dated March 15, 2010**

Vice Chair Kuriyama and Commissioner Loudermilk recused themselves from discussion and voting on this matter. At this time, Commissioner Suiso, Vice Chair of the Condominium Review Committee, took over chairing the meeting.

It was reiterated to the Commissioners that if SFI were considered a developer they would be required to submit a supplementary public report prior to selling or offering to sell any apartments in the Ilikai Apartment Building condominium project.

The Commissioners opined that they would like to err on the side of the consumer and the public report would guarantee that disclosures are provided to prospective purchasers.

Commissioner Harvey moved to issue an informal non-binding interpretation that based on the particular facts of the Ilikai Apartment Building condominium SFI Ilikai Property Owner LLC is considered a developer. Further, SFI Ilikai Property Owner LLC is required to submit to the Commission a supplementary public report updating the information contained in the expired developer's public report no. 22 prior to SFI Ilikai Property Owner LLC's selling or offering to sell any apartments in the Ilikai Apartment Building condominium project. Commissioner Gendrano seconded the motion. The motion was voted on and unanimously carried.

Vice Chair Kuriyama returned to chairing the meeting.

Licensing  
Applications:

**Siu Kei "Keith" Tse**

After review of the information presented by the applicant, Commissioner Suiso moved to approve the real estate salesperson's license of Siu Kei "Keith" Tse. Commissioner Gendrano seconded the motion. The motion was voted on and unanimously carried.

**Clayton Scott Adams**

After review of the information presented by the applicant, Commissioner Abrams moved to approve the real estate salesperson's license of Clayton Scott Adams with conditions. Commissioner Aiona seconded the motion. The motion was voted on and unanimously carried.

**Michael Lovelin**

After review of the information presented by the applicant, Commissioner Loudermilk moved to approve the real estate salesperson's license of Michael Lovelin with conditions. Commissioner Suiso seconded the motion. The motion was voted on and unanimously carried.

**Erik B. DeRyke**

After review of the information presented by the applicant, Commissioner Harvey moved to approve the real estate salesperson's license of Erik B. DeRyke. Commissioner Loudermilk seconded the motion. The motion was voted on and unanimously carried.

**Gladys Ortiz-Downing**

After review of the information presented by the applicant, Commissioner Suiso moved to approve the real estate salesperson's license of Gladys Ortiz-Downing, with conditions. Commissioner Gendrano seconded the motion. The motion was voted on and unanimously carried.

**Jennifer T. Barr**

After review of the information presented by the applicant, Commissioner Aiona moved to approve the real estate salesperson's license of Jennifer T. Barr. Commissioner Harvey seconded the motion. The motion was voted on and unanimously carried.

**Matthew Kaikoa Manner**

After review of the information presented by the applicant, Commissioner Abrams moved to most likely approve the real estate salesperson's license of Matthew Kaikoa Manner, with conditions. Commissioner Harvey seconded the motion. The motion was voted on and unanimously carried.

**Ainalani Properties dba Alani Realty**

After review of the information presented by the applicant, Commissioner Abrams moved to approve the assignment of Bob Cook as temporary principal broker of Ainalani Properties dba Alana Realty for the period of March 25 – September 24, 2010. Commissioner Suiso seconded the motion. The motion was voted on and unanimously carried.

**Delegation to Staff** – Upon a motion by Commissioner Suiso, seconded by Commissioner Gendrano, it was voted on and unanimously carried to delegate to Staff to process to approval subsequent license applications in which the applicant previously disclosed on a Preliminary Decision request, charges of unlicensed activity, criminal conviction, disciplinary action, pending lawsuit, unpaid judgment, outstanding tax obligations or involuntary lien which the REC has reviewed and approved. The "yes" response must be identical to the Preliminary Decision request that the REC has previously reviewed and approved. This would eliminate the REC from reviewing future applications in which the REC has already addressed the same issue. Further, the subsequent license application must be submitted within a six (6) month period from when the Preliminary Decision request decision was rendered. If the application is submitted AFTER a six (6) month period, it would require a review by the REC.

Next Meeting: Friday, May 28, 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  
10:43 a.m.

Reviewed and approved by:

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

May 11, 2010  
Date

- Approved as circulated.
- Approved with corrections; see minutes of \_\_\_\_\_ meeting.



APPROVED APPLICATIONS FOR REAL ESTATE  
REAL ESTATE COMMISSION MEETING ON APRIL 22, 2010

<u>Brokers – Limited Liability Companies and Partnerships</u>	<u>Effective Date</u>
Priscilla Hilt LLC Priscilla Hilt, PB	03/22/10
SZG Rental Management, LLC Sandra Greenberg, PB	04/12/10

  

<u>Brokers – Corporations and Partnerships</u>	<u>Effective Date</u>
K-ONI, Inc., Kauai Rentals & Real Estate	02/24/10
Biznet.com Inc., Pacific Link Properties	03/08/10
V V Hawaii, Inc.	03/30/10
ERA Signature Homes, Inc.	03/31/10

  

<u>Brokers – Sole Proprietor</u>	<u>Effective Date</u>
Jimmy Flores	02/01/10
Michael J. Peters	02/01/10
Christopher B. Singleton	02/01/10
Nancye M. Capri	02/10/10
Kirk Belsby	02/11/10
Maxine N. Shea	03/08/10
Goerge V. Vea, Coastal County Properties	03/23/10
Christina Vivian Chang, Anchor Realty	04/05/10
Jason W. Thoele	04/09/10

  

<u>Limited Liability Companies and Partnerships Name</u>	<u>Effective Date</u>
Waipouli Oceanfront Realty LLC	03/24/10
Innovative Property Management, LLC	04/10/10

  

<u>Branch Office</u>	<u>Effective Date</u>
Marriott Ownership Resorts, Inc. Faye R. Kurk, PB	02/23/10
J. Samuels Signature Homes LLC Marifrances Krstic, PB	02/23/10

  

<u>Corporation and Partnership Name</u>	<u>Effective Date</u>
Condo Queen Inc., Pinnacle Realty Group	04/06/10
Kauai North Shore Properties, Inc.	04/05/10

  

<u>Trade Name</u>	<u>Effective Date</u>
Fernando E. Po, Realty Homesale	03/09/10
Robert P. Enterprises LLC, Wind "N" Sea Maui Realty	03/29/10
Diane E. Mather, Mather Real Estate	03/25/10
Kennedy Wilson Auction Group Inc., Kennedy Wilson	03/25/10
Randall Y. M. Zane, RYZ Realty	04/06/10

  

<u>Equivalency to Uniform Section of Examination Certificate</u>	<u>Expiration Date</u>
Heidi L. Schimke	03/15/12
Olga De Haro	03/15/12
Timothy Allan Fong	03/16/12
Linda Helene Duran	03/16/12

<u>Equivalency to Uniform Section of Examination Certificate</u>	<u>Expiration Date</u>
Petronilo Jusay Pineda	03/18/12
Joey Ann Staggs	03/18/12
Tanya Diane Hawkins	03/18/12
David Lee Ameen	03/23/12
Carol Maria Doty	03/23/12
Christine J. Chagnon-Smith	03/23/12
Jeff Ivan Minster	03/23/12
Sheryl Ann Shigemasa	03/23/12
Yuko Marie Mauldin	03/24/12
John James Teed	03/24/12
Dante Charles Gomez	03/24/12
Jeffrey John Lovelace	03/24/12
Jennifer Christine Lucien	03/25/12
Leonora C. Moore	03/29/12
David Michael Kreutzer	03/29/12
Jonathan Benjamin Breese	03/29/12
Michael Ryan Pereira	04/05/12
Jeremy Patrick Menschel	04/08/12
Linda Mason Dalsimer	04/08/12
Gerardo M. Tech	04/08/12
Richard Daryl Brazil	04/12/12
Christian Barrett Miller	04/12/12
Eric Glen Bollinger	04/13/12

<u>Educational Equivalency Certificate</u>	<u>Expiration Date</u>
Michael Ryan Pereira	03/04/12
Heidi L. Schimke	03/15/12
Olga De Haro	03/15/12
Matthew R. Randall	03/17/12
Timothy Allan Fong	03/16/12
Linda Helene Duran	03/16/12
Nga Ngoc Nguyen	03/16/12
Petronilo Jusay Pineda	03/18/12
Joey Ann Staggs	03/18/12
Rex Yasuo Akutagawa	03/18/12
Tanya Diane Hawkins	03/18/12
David Lee Ameen	03/23/12
Carol Maria Doty	03/23/12
Christine J. Chagnon-Smith	03/23/12
Michael Y. Oshita	03/23/12
Aida Luz Rodriguez	03/24/12
Jeff Ivan Minster	03/23/12
Sheryl Ann Shigemasa	03/23/12
Yuko Marie Mauldin	03/24/12
John James Teed	03/24/12
Dante Charles Gomez	03/24/12
Nathan Scott McKay	03/24/12
Jeffrey John Lovelace	03/24/12
Jennifer Christine Lucien	03/25/12
Leonora C. Moore	03/29/12
David Michael Kreutzer	03/29/12

Educational Equivalency Certificate

	<u>Expiration Date</u>
Ha Nguyen Thu Le	03/29/12
Marina Kaiulani Sands	03/29/12
Jonathan Benjamin Breese	03/29/12
Jennifer Lauren Stites	03/31/12
Maria Lilibeth Roberts	04/01/12
Marisa Malialani Pollard	04/07/12
Ivy Xiao Chang	04/07/12
Jeremy Patrick Menschel	04/08/12
Linda Mason Dalsimer	04/08/12
Gerardo M. Tech	04/08/12
Justin Bruce Donovan	04/08/12
Amy Aurora Wisthoff-Martin	04/12/12
Christopher Arthur Santos	04/12/12
Munro Murdock	04/12/12
Richard Daryl Brazil	04/12/12
Christian Barrett Miller	04/12/12
David Alan Asakura	04/12/12
Idella Ward	04/12/12
Eric Glen Bollinger	04/13/12

Real Estate Broker Experience Certificate

	<u>Expiration Date</u>
Kevin T. Shannon	03/17/12
John Griffith Kimball	03/18/12
Alana Jo Dela Cruz	03/18/12
Michael Dean Styring	03/22/12
David Lee Ameen	03/23/12
Jeffrey John Lovelace	03/24/12
Alvin Kan	04/01/12
Gerardo M. Tech	04/08/12
Justin Bruce Donovan	04/08/12
Jonathan Koji Sadoyama	04/08/12
Leann Laura Strasen	04/08/12
Michele Monica Pichay	04/12/12
Richard Daryl Brazil	04/12/12
JB Jerry Brunsford	04/12/12
Christian Barrett Miller	04/12/12
Jason K. Ho'opai	03/31/12
Jamie-Jo DeGraw Sobering	03/31/12

Real Estate Broker (upgrade)

	<u>Effective Date</u>
Judy Lee	03/01/10
Sue Connelly	03/01/10
Pahl D. Newlon	03/01/10
David J. Kucic	03/01/10
Corey T. Kawai	03/01/10
Brian D. Bowers	03/08/10
Kevin T. Ota	03/08/10
Mark A. Ames	03/08/10
Maxine N. Shea	03/08/10
Shaila Mirchandani	03/10/10
Gary P. Masich	03/15/10

Real Estate Broker (upgrade)

Grace P. A. Lee  
Jase Bennett  
Kazuhiko Udagawa  
Kelly A. Lee  
Denise L. Miyahira  
Megan M. Tune  
Jason W. Thoele  
Maria M. Sims  
Sandra Z. Greenberg

Effective Date

03/17/10  
03/18/10  
03/23/10  
03/31/10  
04/01/10  
04/07/10  
04/09/10  
04/06/10  
04/12/10