

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: Thursday, August 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 (late arrival)
Frances Gendrano, Broker/Honolulu Commissioner
Walter Harvey, Broker/Honolulu Commissioner
Michele Sunahara Loudermilk, Public/Honolulu Commissioner
Scott A. Sherley, Broker/Hawaii Island 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: Myoung Oh, Honolulu Board of REALTORS®
Lei Fukumura, Special Deputy Attorney General
Christopher S. Lancaster
Peter Chen
Huicun Qiao

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

Call to Order: The Chair called the meeting to order at 9:48 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, 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.

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

Executive Officer's
Report:

The Executive Officer (EO) 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 Loudermilk, seconded by Commissioner Gendrano, it was voted on and unanimously carried to accept the minutes of the July 30, 2010 meeting.

Committees and
Program of Work:

Laws and Rules Review Committee – Budget and Finance Report – Real Estate Recovery Fund

Condominium Review Committee – Budget and Finance Report – Condominium Education Trust Fund

Education Review Committee – Budget and Finance Report – Real Estate Education Fund

Upon a motion by Commissioner Sherley, seconded by Commissioner Loudermilk, it was voted on and unanimously carried to accept the Real Estate Recovery Fund, Condominium Education Trust Fund, and Real Estate Education Fund reports for fiscal year ending June 30, 2010.

Licensing –
Ratification:

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

Licensing –
Applications:

The 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.

Christopher S. Lancaster

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

Mr. Lancaster stated that he was here today to show the Commission that he will take the responsibility of being a real estate licensee seriously. He has learned through the real estate education process the importance of fiduciary duty, trustworthiness and ethics in the real estate profession.

When asked what his plans were if granted a license, Mr. Lancaster stated that he will take a position with Keller Williams.

When asked about his current employment, Mr. Lancaster responded that he currently runs a multi-media company—photography and video. If granted his license he plans to work in real estate full-time.

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

Peter Chen

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

Mr. Chen stated that unfortunate things happened with his business and that is why he fell behind with his child support payments. He stated that he has tried his best to pay his child support and has a payment plan in place. He stated that he chose to appear today to show the Commission his sincerity and show how important attaining his real estate license is to him.

Mr. Chen stated that he has been a loan officer for the past five years and if licensed he is planning to focus on real estate.

Mr. Chen stated that he was laid off and that is when he fell behind on his child support payments. He is trying to increase his monthly payment and has made additional payments when possible. He stated that he has provided proof of payments to the Commission.

When asked about how he plans to maintain his child support payments if he switches to the real estate profession, Mr. Chen stated that he is confident in his ability to generate business and noted that he has the advantage of being able to speak five languages. He added that he is also the president of Omni Capital Group and receives a salary. He stated that Omni Capital Group focuses on buying foreclosed/distressed properties in Hawaii.

Mr. Chen stated that if licensed, he plans to hang his license with Abe Lee and continue to work at Omni.

When asked about Omni's license status, Mr. Chen stated that Omni is not licensed and the company is only in the prep stages. He stated that Omni's business plan is to buy bank owned property in Hawaii; however, they have not started.

When asked about possible conflict of interest between Mr. Chen's positions as president of Omni and if licensed, hanging his license with Abe Lee, Mr. Chen stated that he did not believe there would be a conflict. He stated that there would be a separate broker representing Omni. He stated he is trying to obtain his license in order to more clearly understand the real estate transaction process. He stated the he believes it is in the best interest of the company if he understands the real estate laws. He added that he understands that he cannot represent the company in a real estate transaction and Omni will hire a broker. He added that Omni has purchased/financed a property in Hualalai and they hired a broker for that transaction.

When asked if Mr. Lee was aware of Mr. Chen's relationship with Omni, Mr. Chen replied no.

When asked if he would continue conducting mortgage business if granted a real estate license, Mr. Chen responded no.

It was mentioned to Mr. Chen that although he stated that he has made additional payments towards his child support, the payment record as of March 2010 reflects that his last payment was made in September 2009.

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

Huicun Qiao

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

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

Licensing
Applications:

Huicun Qiao

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

Chapter 91, HRS,
Adjudicatory
Matters:

The Chair called for a recess from the meeting at 10:25 a.m., to discuss and deliberate on the following adjudicatory matters, pursuant to Chapter 91, HRS:

In the Matter of the Real Estate Brokers' Licenses of Steve M. Wright and All Professional Hawaii Realty, Inc.; REC 2008-302-L

Upon a motion by Commissioner Loudermilk, seconded by Commissioner Harvey, it was voted on and unanimously carried to defer decision making on this Settlement Agreement.

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 10:33 a.m.

Executive Session: Upon a motion by Commissioner Loudermilk, seconded by Commissioner Harvey, 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 Sherley, seconded by Commissioner Loudermilk, it was voted on and unanimously carried to move out of executive session.

Licensing
Applications:

Christopher S. Lancaster

After review of the information presented by the applicant, Commissioner Loudermilk moved to approve the real estate salesperson's license of Christopher S. Lancaster. Commissioner Gendrano seconded the motion. The motion was voted on and unanimously carried.

Peter Chen

After review of the information presented by the applicant and his oral testimony, Commissioner Harvey moved to deny the real estate salesperson's license of Peter Chen, based on sections 467-8(a)(3), 436B-19(1), 436B-19(8), and 436B-9(12), Hawaii Revised Statutes. Commissioner Gendrano seconded the motion. The motion was voted on and unanimously carried.

Lawrence E. Fillhart

After review of the information presented by the applicant, Commissioner Loudermilk moved to approve the real estate salesperson's license of Lawrence E. Fillhart. Commissioner Sherley seconded the motion. The motion was voted on and unanimously carried.

Phyllis Ann Mafi

After review of the information presented by the applicant, Commissioner Harvey moved to most likely approve the real estate salesperson's license of Phyllis Ann Mafi. Commissioner Sherley seconded the motion. The motion was voted on and unanimously carried.

Huicun Qiao

After review of the information presented by the applicant, Commissioner Sherley moved to approve the real estate broker's license of Huicun Qiao. Commissioner Harvey seconded the motion. The motion was voted on and unanimously carried.

CRS Residential LLC dba CRS Residential

After review of the information presented by the applicant, Commissioner Harvey moved to deny the real estate limited liability company license of CRS Residential LLC dba CRS Residential, based on section 467-9(b)(3), Hawaii Revised Statutes. Commissioner Sherley seconded the motion. The motion was voted on and unanimously carried.

Ann Susan Shipman

After review of the information presented by the applicant, Commissioner Loudermilk moved to deny the prelicense education equivalency of Ann Susan Shipman, based section 467-9.5(a)(2)(A), Hawaii Revised Statutes and section 16-99-37, Hawaii Administrative Rules, as the Commission finds that a Certified Property Manager designation is not substantial enough to meet the equivalency category and the applicant's IREM classes are outdated. Commissioner Gendrano seconded the motion. The motion was voted on and unanimously carried.

Next Meeting: Thursday, September 23, 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 11:05 a.m.

Reviewed and approved by:

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

September 2, 2010
Date

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

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

<u>Brokers – Limited Liability Companies and Partnerships</u>	<u>Effective Date</u>
Pure Hawaii Destinations, LLC Paul A. Lockett, PB	06/23/1
Sun Realty, LLC Thomas T. M. Ho, PB	06/29/10
Urban Island Realty LLC Larry Tadlock, PB	07/19/10
Island Paradise Properties, LLC Regina M. Hodges, PB	07/20/10
Oahu Luxury Homes LLC David M. Dunham, PB	07/26/10
AhChong Realty, LLC Darren M. AhChong, PB	07/29/10
Strategic Vision Advisory Partners LLC, VR Mergers and Acquisitions Steve Abdalla, PB	08/05/10
Properties Of Oahu LLC Vicky Smith, PB	08/10/10
<u>Brokers – Corporations and Partnerships</u>	<u>Effective Date</u>
Waikiki Real Estate, Inc. John R. Leonard, PB	07/29/10
Haseko Realty (Hawaii), Inc. David S. Inafuku, PB	08/12/10
<u>Brokers – Sole Proprietor</u>	<u>Effective Date</u>
Christian Arbid	07/16/10
Thomas C. Thompson, Platinum Properties International	07/20/10
Alan B. Lundberg, The Hawaii Real Estate Office	08/02/10
Hiroki Kawasaki, Kawasaki Realty	08/04/10
Holly Lazo	08/10/10
Stephanie W. Ross	08/12/10
<u>Trade Name</u>	<u>Effective Date</u>
Cheryl L. T. Lau, Lualima Real Estate Group	06/10/10
Sue Williams, Sue Williams & Associates	07/19/10
<u>Equivalency to Uniform Section of Examination Certificate</u>	<u>Expiration Date</u>
Alan Stephen Craft	07/21/12
Anthony Martin, II	07/22/12
Shawna Cassandra Engebretson	07/22/12
Tammy M. Y. Rodrigues	07/22/12
Helen Elaine Kilgore	07/22/12
Stephen Frederick Redman	07/26/12
David Dana Monaghan	07/26/12
Linda Joyce Moran	07/27/12
Robert William Liesche	07/29/12
Diana Lynn Redman	07/29/12
Alison Robyn Neustein	07/30/12
James Ward Petty	08/03/12

Equivalency to Uniform Section of Examination Certificate

	<u>Expiration Date</u>
John Pershing Thornton, Jr.	08/03/12
Cirilo V. Ilar, Jr.	08/03/12
Peggy Ann Edwards	08/04/12
Frank Violi, Jr.	08/05/12
Lawrence David Boggan	08/05/12
Andrew Ray Kress	08/09/12
Warren Shizuo Doi	08/09/12
Shanden Anne Brutsch	08/09/12
Cari Ann Holdorf	08/09/12
Sona Aredjian	08/10/12
Jeffrey Allen Vesce	08/10/12
John Ross Kelly	08/10/12

Educational Equivalency Certificate

	<u>Expiration Date</u>
James Mauliola Keaka Stone, Jr.	07/20/12
Alan Stephen Craft	07/21/12
Anthony Martin, II	07/22/12
Shawna Cassandra Engebretson	07/22/12
Tammy M. Y. Rodrigues	07/22/12
Helen Elaine Kilgore	07/22/12
Stephen Frederick Redman	07/26/12
David Dana Monaghan	07/26/12
Linda Joyce Moran	07/27/12
Wayne Jed Chi	07/28/12
Robert William Liesche	07/29/12
Diana Lynn Redman	07/29/12
Michele Anita Efron Youngblood	07/29/12
Kimberly Anela Shimabuku	07/29/12
Alison Robyn Neustein	07/30/12
Leslie Carol Maharaj	07/30/12
James Ward Petty	08/03/12
Scott Thomas McGrew	08/03/12
Russell Hugh Adkins	08/03/12
John Pershing Thornton, Jr.	08/03/12
Cirilo V. Ilar, Jr.	08/03/12
Danielle Kasaparek	08/03/12
Peggy Ann Edwards	08/04/12
Frank Violi, Jr.	08/05/12
Lawrence David Boggan	08/05/12
Andrew Ray Kress	08/09/12
Warren Shizuo Doi	08/09/12
Shanden Anne Brutsch	08/09/12
Timothy Lussier	08/09/12
Colin West Moe	08/09/12
Cari Ann Holdorf	08/09/12
Sona Aredjian	08/10/12
Jeffrey Allen Vesce	08/10/12
John Ross Kelly	08/10/12

Real Estate Broker Experience Certificate

	<u>Expiration Date</u>
Ian Park Bigelow	07/21/12
Alan Stephen Craft	07/21/12
Christine Masako Yuu	07/22/12

<u>Real Estate Broker Experience Certificate</u>	<u>Expiration Date</u>
Michele Anita Efron Youngblood	07/22/12
Ulf Schaefer	07/26/12
Alexa Russell	07/26/12
Stephen Frederick Redman	07/26/12
Linda Joyce Moran	07/27/12
Jill Marie Federizo	07/27/12
Wayne Jed Chi	07/28/12
Malia Ann Siu	07/28/12
Robert William Liesche	07/29/12
Diana Lynn Redman	07/29/12
Stephanie Qi Young	07/30/12
Ryan Russell Wells	08/02/12
Peggy Ann Edwards	08/04/12
Lawrence David Boggan	08/05/12
Warren Shizuo Doi	08/09/12
Karen Marie Peel	08/09/12
Cari Ann Holdorf	08/09/12

<u>Real Estate Broker (upgrade)</u>	<u>Effective Date</u>
Leann Strasen	07/15/10
Christian Arbid	07/16/10
Sachi Petersen	07/19/10
Suzanne Candini	07/19/10
Mihaela Stoops	07/19/10
Eric L. Moses	07/19/10
Margarita Margo Munden	07/22/10
Caron A. Ling	07/26/10
Isabelle Lizotte	07/28/10
Kent A. Badham	07/28/10
Alan B. Lundberg	08/02/10
Marcela Burboa	08/04/10
Jamie-Jo D. Sobering	08/05/10
Holly Lazo	08/10/10
Ulf Schaefer	08/11/10
Stephanie W. Ross	08/12/10

<u>Continuing Education Equivalency</u>	<u>Effective Date</u>
Sylvia M. Burton	07/13/10
John C. Pinchiaroli	08/03/10
Lauri A. Foster	08/04/10
Jiletta J. Ryan	08/10/10

<u>Restoration – Real Estate Salesperson</u>	<u>Effective Date</u>
Bradford W. Aquinde	07/27/10