

**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: Friday, April 27, 2012

Time: 9:00 a.m.

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

Present: Carol Ball, Chair, Broker/Maui Commissioner  
Stanley Kuriyama, Vice Chair, Broker/Honolulu Commissioner  
Rowena Cobb, Broker/Kauai Commissioner  
Frances Gendrano, Broker/Honolulu Commissioner  
Walter Harvey, Broker/Honolulu Commissioner  
Nikki T. Senter, Public/Honolulu Commissioner  
Scott A. Sherley, Broker/Hawaii Island Commissioner  
Aileen Wada, Broker/Honolulu Commissioner

Neil K. Fujitani, Supervising Executive Officer  
Miles Ino, Executive Officer  
Diane Choy Fujimura, Senior Real Estate Specialist  
Cynthia Yee, Senior Condominium Specialist  
Amy Endo, Real Estate Specialist  
David Grupen, Real Estate Specialist  
Cheryl Leong, Condominium Specialist  
Shari Wong, Deputy Attorney General  
Lesley Matsumoto, Recording Secretary

Others: Lei Fukumura, Special Deputy Attorney General  
Richard Emery  
Debbie Takeuchi-Au  
Gary Fujitani  
Art Schaupeter  
Roy Sakamoto  
Debra Pestrak  
Wayne Mau, Esq.  
Janet Ryan  
Greg Petterson  
Peri Aplin  
Pam Schaupeter  
Laura Merrifield

Absent: Michele Sunahara Loudermilk, 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, 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.

Commissioner Loudermilk was excused from the meeting. Prior notification of her non-attendance was received.

Supervising 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 Sherley, seconded by Commissioner Gendrano, it was voted on and unanimously carried to approve the minutes.

#### **Commissioners' Schedule of Non-Accessible Dates**

The Commissioners were asked to turn in their schedule of non-accessible dates for July to December 2012 by June 8, 2012.

Committees and  
Program of Work:

**Condominium Review Committee – Division of Financial Institutions, DCCA, State of Hawaii's March 13, 2012 Request for an Informal Non Binding Interpretation of §514A-97(c)(1), HRS, Association of Apartment Owners funds; Handling and Disbursement, and §514B-149(c)(1)(A), HRS, Association Fiscal matters; Handling and Disbursement of Funds and any related HRS sections**

Debbie Takeuchi-Au, Examiner representing the Division of Financial Institution (DFI) was present. Wayne Mau, Janet Ryan, Greg Petterson, Richard Emery, and Laura Merrifield representing Mutual of Omaha were present for oral testimony.

Mr. Mau informed the Commission that Mutual of Omaha will expand their Hawaii branch around June 1, 2012, but as of right now, they have one staff member at their branch in Hawaii. She answers phone callers, but if she cannot assist the caller, they are transferred to the Arizona branch.

Mutual of Omaha stated that the Hawaii branch of Mutual of Omaha can open any time now and become a full service branch. Their branch continues to grow and they have hired at least five employees for their Hawaii branch.

After discussion, upon a motion by Commissioner Kuriyama, seconded by Commissioner Gendrano, it was voted on and unanimously carried to take the matter under advisement.

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

Licensing – The SEO informed the Commissioners that the information provided to the

Applications: 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.

**Peri D. Aplin**

The Chair asked Ms. Aplin if she wished to have her application for real estate salesperson license considered in executive session. She declined the offer.

Ms. Aplin provided copies of letters of recommendation for the Commission to review. Upon a motion by Commissioner Sherley, seconded by Commissioner Gendrano, it was voted on and unanimously carried to take the matter under advisement.

**Debra D. Pestrak  
Arthur H. Schaupeter**

Ms. Pestrak and Mr. Schaupeter requested that their preliminary decision be considered in executive session.

The Chair recused herself from any discussion and decision making on Arthur H. Schaupeter's application.

Executive Session: Upon a motion by Commissioner Kuriyama, seconded by Commissioner Sherley, 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 Gendrano, 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 9:48 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 Lily L.H. Kong, a Real Estate Broker; REC 2009-295-L.**

Upon a motion by Commissioner Kuriyama, seconded by Commissioner Gendrano, it was voted on and unanimously carried to accept the settlement agreement.

**In the Matter of the Real Estate Salesperson's License of John C. Dinan, REC 2009-271-L**

Upon a motion by Commissioner Kuriyama, seconded by Commissioner Gendrano, it was voted on and unanimously carried to approve the final order.

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 9:53 a.m.

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

**Committees and Program of Work:** **Condominium Review Committee – Division of Financial Institutions, DCCA, State of Hawaii's March 13, 2012 Request for an Informal Non Binding Interpretation of §514A-97(c)(1), HRS, Association of Apartment Owners funds; Handling and Disbursement, and §514B-149(c)(1)(A), HRS, Association Fiscal matters; Handling and Disbursement of Funds and any related HRS sections**

After discussion, upon a motion by Commissioner Kuriyama, seconded by Commissioner Sherley, it was voted on and unanimously carried to defer the request for an informal non-binding interpretation referenced above to the date of the opening of Mutual of Omaha's branch office in Hawaii or June 1, 2012 (whichever date is earlier) and additionally decided that the deferral should not be construed to change or impact the Commission's prior informal non-binding interpretations on the subject.

**Licensing – Applications:**

**Peri D. Aplin**

After review of the information presented by the applicant, Commissioner Gendrano moved to approve the real estate salesperson license of Peri D. Aplin. Commissioner Sherley seconded the motion. The motion was voted on and unanimously carried.

**Carol J. Clayton**

After review of the information presented by the applicant, Commissioner Gendrano moved to approve the real estate salesperson license of Carol J. Clayton. Commissioner Harvey seconded the motion. The motion was voted on and unanimously carried.

**Debra D. Pestrak**

After review of the information presented by the applicant, Commissioner Gendrano moved to approve the real estate salesperson's license of Debra D. Pestrak, with conditions. Commissioner Harvey seconded the motion. The motion was voted on and unanimously carried.

**Arthur H. Schaupeter**

After review of the information presented by the applicant, Commissioner Kuriyama moved to defer decision making on the real estate salesperson's license of Arthur H. Schaupeter pending staff's investigation and evaluation of the IRS levy and the applicant's progress with the civil judgment. Commissioner Sherley seconded the motion. The motion carried.

Next Meeting: Friday, May 25, 2012  
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 10:40 a.m.

Reviewed and approved by:

/s/ Neil K. Fujitani

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Neil K. Fujitani  
Supervising Executive Officer

May 18, 2012

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Date

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

APPROVED APPLICATIONS FOR REAL ESTATE  
REAL ESTATE COMMISSION MEETING ON APRIL 27, 2012

<u>Brokers – Limited Liability Companies and Partnerships</u>	<u>Effective Date</u>
Colliers International HI, LLC Andrew D. Friedlander, PB	03/15/2012
Eastern Realty, LLC Diane L. Heung, PB	03/05/2012
Windward Realty, LLC Karen Keanu Cardoza, PB	03/21/2012
White Mountain Realty, LLC Henry C. Williams, PB	03/21/2012
Kona Club Holdings, LLC Elisabeth D. Garske, PB	03/23/2012
SZG Rental Management, LLC Sandra Zoe Greenberg, PB	03/28/2012
H K Realty, LLC James Gaffney, PB	04/11/2012
Raku Management, Inc. Erin Struxness, PB	04/16/2012

<u>Brokers – Corporations and Partnerships</u>	<u>Effective Date</u>
Tholco Real Estate Group, Inc. Jason Thoele, PB	04/02/2012

<u>Brokers – Sole Proprietor</u>	<u>Effective Date</u>
Craig S. Becker	03/01/2012
Gary P. Masich	03/02/2012
Gordon M. Wyant	03/06/2012
Jeri Parker	03/12/2012
Adam Wedemeyer	03/15/2012
Stephen Ozimec	03/15/2012
Toni Cofran	03/21/2012
David G. Gravelle dba Gravelle Group	03/22/2012
Ernest H. Shrenzel dba Honolulu and Maui Realty	03/23/2012

<u>Branch Office</u>	<u>Effective Date</u>
Hawaiian Island Homes, Ltd. Dana Kenny, PB	03/01/2012
Hawaiian Island Homes, Ltd. Dana Kenny, PB	03/01/2012

<u>Trade Name</u>	<u>Effective Date</u>
Lyniel Choy Berris dba Rainbow Realty International	03/20/2012
Stuart W. Wade dba Diamond Head Properties	03/27/2012

<u>Educational Equivalency Certificate</u>	<u>Expiration Date</u>
Brandy Suzanne Knight	03/19/2014
Kevin Godden	03/19/2014
Monte Wayne Lowderman	03/19/2014
Marco Da Silva	03/19/2014
Jean Marie Mabry	03/19/2014
Tara Lynn Johnson	03/19/2014
Gretchen Louise Heitzman	03/20/2014
Carol Anne Philips	03/20/2014

William Henry O'Toole	03/21/2014
Christopher Chad Worth	03/21/2014
Tony Langdon	03/21/2014
Norman R. Rose	03/27/2014
Fereshteh Zimmer	03/27/2014
Ron F. Hixson	03/28/2014
Jennifer Bulseco Ramos	03/28/2014
Patrick Michael Franta	03/28/2014
Robert Francis Ramos	04/02/2014
Fereshteh Nikbakhsh-Tali	04/02/2014
Richard R. Romano	04/02/2014
Paula Hugentugler Gaillard	04/02/2014
Josephine M. Matsubara	04/02/2014
Ernest Cameron Leonard	04/03/2014
Krista L. Polvi	04/03/2014
David Michael Striph	04/03/2014
Elena Oswald	04/03/2014
Amy Aurora Wisthoff-Martin	04/04/2014
Lisa V. DeFelice	04/04/2014
Sonya Joyce Healey	04/05/2014
Samuel Michael Nakhimovsky	04/05/2014
Chari B. Badua-Robinson	04/05/2014
Joshua Coughran	04/09/2014
Tessa Kin-Kwan Shao	04/09/2014
William Simonet Palmer	04/10/2014
Jennifer Kim Tran	04/12/2012

Equivalency to Uniform Section of Examination Certificate

Expiration Date

Brandy Suzanne Knight	03/19/2014
Kevin Godden	03/19/2014
Monte Wayne Lowderman	03/19/2014
Marco Da Silva	03/19/2014
Jean Marie Mabry	03/19/2014
Tara Lynn Johnson	03/19/2014
Gretchen Louise Heitzman	03/20/2014
Tony Langdon	03/21/2014
Norman R. Rose	03/27/2014
Richelle Johnson	03/27/2014
Ron F. Hixson	03/28/2014
Jennifer Bulseco Ramos	03/28/2014
Patrick Michael Franta	03/28/2014
Kimberly Ann MacDuffee	03/29/2014
Robert Francis Ramos	04/02/2014
Fereshteh Nikbakhsh-Tali	04/02/2014
Richard R. Romano	04/02/2014
Paula Hugentugler Gaillard	04/02/2014
Ernest Cameron Leonard	04/03/2014
Krista L. Polvi	04/03/2014
Elena Oswald	04/03/2014
David Michael Striph	04/03/2014
Lisa V. DeFelice	04/04/2014
Fereshteh Zimmer	04/05/2014
Sonya Joyce Healey	04/05/2014
Samuel Michael Nakhimovsky	04/05/2014
Chari B. Badua-Robinson	04/05/2014

Joshua Coughran	04/09/2014
Tessa Kin-Kwan Shao	04/09/2014
William Simonet Palmer	04/10/2014
Jennifer Kim Tran	04/12/2012

Real Estate Broker Experience Certificate

	<u>Expiration Date</u>
Bienvenida V. Gephart	03/16/2014
Brandy Suzanne Knight	03/19/2014
Mari Tianne Okamoto	03/19/2014
Jean Marie Mabry	03/19/2014
Tara Lynn Johnson	03/19/2014
Miyako Kunishige	03/21/2014
Loren Sueko Tripoli	03/21/2014
Philip Michael McCaffray	03/21/2014
Norman R. Rose	03/27/2014
Violet Rae Kahalapuna Mangene	04/02/2014
Fereshteh Nikbakhsh-Tali	04/02/2014
Ernest Cameron Leonard	04/03/2014
David Michael Striph	04/03/2014
Krista L. Polvi	04/03/2014
Michael Dean Styring	04/05/2014
Roy Marvin Vandoorn	04/05/2014
Joshua Coughran	04/09/2014
Tessa Kin-Kwan Shao	04/09/2014
William Simonet Palmer	04/10/2014

Real Estate Broker (upgrade)

	<u>Effective Date</u>
Eric S. West	02/29/2012
Gay N. Sapp	03/05/2012
Diane L. Heung	03/05/2012
Trina S. Martin	03/12/2012
Louis Mercer	03/16/2012
Deryck C. Wahl	03/21/2012
Gail L. Swanson	03/22/2012
Milo K.F. Spindt	03/22/2012
Christina M. Low	03/27/2012
Elaine R. Van de Zande	03/29/2012
Susan T. Strickland	04/02/2012

Restoration – Real Estate Salesperson

	<u>Effective Date</u>
Donna L. Festa	03/15/2012
William David St. John	03/15/2012

Condominium Hotel Operator

	<u>Effective Date</u>
MCW LLC	03/14/2012