

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: Wednesday, November 21, 2012

Time: 9:00 a.m.

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

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

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

Others: Lei Fukumura, Esq., Special Deputy Attorney General, DCCA
John Connelley

Call to Order: The Chair called the meeting to order at 9:02 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.

The Chair informed the Commissioners that Commissioner Gendrano and herself attended the National Association of REALTORS' ("NAR") Annual Meetings and

Expo in Orlando, FL from November 7-13, 2012. The Chair stated that it was her first NAR conference and it was an excellent conference.

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.

2012 Annual Report

Upon a motion by Commissioner Sherley, seconded by Commissioner Faulkner, it was voted on and unanimously carried to accept the 2012 Annual Report.

Additional Distribution

7. Chapter 91, Hawaii Revised Statutes, Adjudicatory Matters
 - b. In the Matter of the Real Estate Brokers' Licenses of Tom Mukai, Brian Benton, Helen Lindemann, and Prudential Locations, LLC; REC 2008-215-L

Minutes of Previous Meeting

Upon a motion by Commissioner Sherley, seconded by Commissioner Kuriyama, it was voted on and unanimously carried to accept the minutes of the October 26, 2012 meeting.

Licensing –
Ratification:

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

Licensing –
Applications:

The EO 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.

Kenneth A. Helppie

After review of the information presented by the applicant, Commissioner Kuriyama moved to approve the real estate salesperson license of Kenneth A. Helppie with the following conditions:

1. That during the term of the conditional sentence, any violation of the terms of the conditional sentence, by the Applicant, shall be grounds for revocation of license.
2. That any subsequent criminal conviction whether by nolo contendere or otherwise, of a penal crime directly related to the qualifications, functions, or duties of the licensed profession or vocation shall be grounds for revocation of license.
3. That failure to provide written notice within 30 days to the licensing authority of any judgment, award, disciplinary sanctions, order, or other determination, which adjudges or finds that the licensee is civilly, criminally, or otherwise liable for any personal injury, property damage,

or loss caused by the licensee's conduct in the practice of the licensee's profession or vocation shall be grounds for revocation.

4. That the Applicant shall at all times be associated with and under the direct supervision of a principal broker or one or more brokers in charge, for all real estate transactions.
5. That the Applicant shall inform the principal broker or sole proprietor real estate broker (including a broker-in-charge of a real estate branch office) with whom the Applicant associates that such a conditional real estate salesperson license has been granted and the terms of the conditional license.
6. That **any** change of association and/or employment by Applicant to another real estate broker shall be submitted in writing to the Commission with the new broker, principal broker or sole proprietor, and if applicable the broker-in-charge, acknowledging the terms of the Applicant's conditional license within ten (10) days of the change.
7. And that the release of the Applicant from the conditional sentence shall not imply any changes upon the conditions of the license.
8. Upon successful completion of the conditional sentence, the Applicant must submit a written request to the Commission if the Applicant desires to have the conditions removed.

Commissioner Harvey seconded the motion. The motion was voted on and unanimously carried.

Darren W. Ogden

After review of the information presented by the applicant, Commissioner Kuriyama moved to approve the real estate salesperson license of Darren W. Ogden. Commissioner Harvey seconded the motion. The motion was voted on and unanimously carried.

Michael L. Parker

After review of the information presented by the applicant, Commissioner Harvey moved to approve the real estate salesperson license of Michael L. Parker. Commissioner Cobb seconded the motion. The motion was voted on and unanimously carried.

Chapter 91, HRS,
Adjudicatory
Matters:

The Chair called for a recess from the meeting at 9:17 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 Daniel S. Kaneshiro and Real Estate Source, LLC; REC 2011-15-L

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

In the Matter of the Real Estate Brokers' Licenses of Tom Mukai, Brian Benton, Helen Lindemann and Prudential Locations, LLC; REC 2008-215-L

The Chair and Commissioner Wada recused themselves due to a conflict of interest.

Upon a motion by Commissioner Arakaki, seconded by Commissioner Sherley, it was voted on and unanimously carried to issue a Real Estate Commission's Order Granting in Part and Denying in Part Motion for Summary Judgment Dated October 19, 2010, and Remanding the Portion of the Case Regarding Lindemann and Benton.

Following the Commission's review, deliberation, and decisions in these matters, pursuant to Chapter 91, HRS, the Vice Chair announced that the Commission was reconvening its scheduled meeting at 10:12 a.m.

Next Meeting: Friday, December 21, 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 10:12 a.m.

Reviewed and approved by:

/s/ Miles I. Ino

Miles I. Ino
Executive Officer

December 10, 2012

Date

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

APPROVED APPLICATIONS FOR REAL ESTATE
REAL ESTATE COMMISSION MEETING ON NOVEMBER 21, 2012

<u>Brokers – Limited Liability Companies and Partnerships</u>	<u>Effective Date</u>
Honolulu Land Company, LLC John Ohama, PB	10/19/2012
Maui Real Estate Advisors, LLC Kenneth M. Hayo, PB	10/26/2012

<u>Brokers – Corporations and Partnerships</u>	<u>Effective Date</u>
Island Pros, Inc. dba Real Property Management Island Professionals Louis Fishman, PB	10/16/2012
Maui International Real Estate Services, Inc. Claudia Garcia, PB	10/19/2012
Cliffs Club Interval Owners Association William K. Malish, PB	10/26/2012

<u>Trade Name</u>	<u>Effective Date</u>
Charles S. Portwood, III dba Honolulu Paradise Realty	10/09/2012

<u>Educational Equivalency Certificate</u>	<u>Expiration Date</u>
Jessica K. Jones	10/18/2014
Tamara Elizabeth Surtees	10/18/2014
Carol Leigh Parobek	10/18/2014
Louis John Puhek	10/24/2014
Martha Sonia Rodriguez	10/29/2014
Earl Bernaldes	10/30/2014
Lauren Sharon	11/02/2014

<u>Equivalency to Uniform Section of Examination Certificate</u>	<u>Expiration Date</u>
Jessica K. Jones	10/18/2014
Carol Leigh Parobek	10/18/2014
Louis John Puhek	10/24/2014
Martha Sonia Rodriguez	10/29/2014
Earl Bernaldes	10/30/2014

<u>Real Estate Broker Experience Certificate</u>	<u>Expiration Date</u>
Jessica K. Jones	10/18/2014
Barinna Poon	10/18/2014
Jay Kamalei Elicker	10/18/2014
Jennifer Helena Tempchin	10/18/2014
Rebecca Genevieve Hanna	10/24/2014
Richard Albert Littlefield	10/24/2014
Maile Joe-Rice Masada	10/24/2014
Lynette Marie Williams Pendergast	10/24/2014
Louis John Puhek	10/24/2014
Nancy Bulosan-Marvin	10/24/2014
John David Lyle	10/25/2014
Caroline Margaret Miller	10/25/2014
Martha Sonia Rodriguez	10/29/2014

Mari Supnet Cabanilla
Michelle Renee Bosque

11/02/2014
11/02/2014

Real Estate Broker

Walter W. Kubiak
Loren S. Tripoli
Sandra M.Y. Ching
Marcel D. Chan
Ahmad Mohammadi

Effective Date
10/16/2012
10/24/2012
01/01/2013
01/01/2013
01/01/2013

Restoration – Real Estate Salesperson

Denise Nakanishi-Andre

Effective Date
10/22/2012

Restoration – Real Estate Broker

Chuang, Alice Ang

Effective Date
11/01/2012

Continuing Education Equivalency

Gary R. Sweaney
Jean M. Mabry
Thomas D. Muldoon
Amie Arbid
William Cittadino
Marlene P. Calvello
Cynthia S. Lewis
Dennis Robert Fransen

Effective Date
10/16/2012
10/16/2012
10/17/2012
10/17/2012
10/17/2012
10/18/2012
11/7/2012
11/7/2012

Condominium Hotel Operator

Kina's Maui Condo Rentals, LLC
Maui Kaanapali Vacation Rentals, LLC

Effective Date
09/17/2012
10/16/2012