

**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, September 23, 2005

Time: 9:00 a.m.

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

Present: Iris Okawa, Vice Chair, Public/Honolulu Commissioner  
Louis Abrams, Broker/Kauai Commissioner  
Carol Ball, Broker/Maui Commissioner  
Kathleen Kagawa, Broker/Honolulu Commissioner  
Stanley Kuriyama, Broker/Honolulu Commissioner  
Michele Sunahara Loudermilk, Public/Honolulu Commissioner

Calvin Kimura, Supervising Executive Officer  
Neil Fujitani, Executive Officer  
Diane Choy Fujimura, Senior Real Estate Specialist  
Lorene Kimura, Real Estate Specialist  
Cynthia Yee, Senior Condominium Specialist  
David Grupen, Condominium Specialist  
Cheryl Leong, Condominium Specialist  
Shari Wong, Deputy Attorney General  
Irene Kotaka, Secretary

Carol M. Egan, All Islands Real Estate School  
Diane Corn, RICO  
William Harrison, Esq.  
Myoung Oh, Hawaii Association of REALTORS  
Nicki Ann Thompson, Hawaii Association of REALTORS  
Rochelle Gregson, Honolulu Board of REALTORS

Absent: Trudy Nishihara, Chair, Broker/Honolulu Commissioner  
Vern Yamanaka, Broker/Hawaii Island 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 thanked the Commissioners for being able to be present at the meeting this morning.

Executive Officer's Report: The Executive Officer informed the Commissioners that the applications to be considered at the meeting were available for their review.

The Executive Officer informed the Commissioners that staff had polled the Commissioners for the October REC Meetings and has determined that either

October 21 or October 25, 2005 would be the best day to hold the Real Estate Commission meeting. Therefore, the October 28, 2005 Real Estate Commission meeting has been cancelled. The meeting date will be determined after conferring with the Commission Chair upon her return.

#### **Minutes of Previous Meetings**

Upon a motion by Commissioner Abrams, seconded by Commissioner Kagawa, it was voted on and unanimously carried to accept the minutes of the August 26, 2005 Real Estate Commission meeting.

#### **Additional Distribution**

The following materials were distributed to the Commissioners prior to the start of the meeting:

4. Committee Reports
  - b. Education Review Committee – Instructor – Carol M. Egan, All Island Real Estate School, Salesperson and Broker Curricula
  - e. Legislation Report and Bills
6. Licensing – Applications
  - c. Marion L. Lindsey
  - d. Donna I. Gutierrez

#### Committee Reports:

#### **Laws and Rules Review Committee**

Upon a motion by Commissioner Abrams, seconded by Commissioner Kagawa, it was voted on and unanimously carried to accept the report of the September 14, 2005 Laws and Rules Review Committee meeting as follows:

1. Minutes of August 11, 2005 – **Accept**
2. Program of Work – Division and Department Programs – Defer acceptance of the RICO Real Estate Advisory Committee listing to the September 23, 2005 Real Estate Commission meeting.
3. Next Meeting: Wednesday, October 12, 2005  
9:00 a.m.  
Queen Liliuokalani Conference Room  
King Kalakaua Building  
335 Merchant Street, First Floor  
Honolulu, HI 96813

Upon a motion by Commissioner Abrams, seconded by Commissioner Loudermilk, it was voted on and unanimously carried to approve the list of RICO Real Estate Advisory Committee members, effective January 1, 2006.

### Education Review Committee

Upon a motion by Commissioner Ball, seconded by Commissioner Abrams, it was voted on and carried to accept the report of the September 14, 2005 Education Review Committee meeting as follows:

1. Minutes of August 11, 2005 – **Accept**
2. Continuing Education Administration, Curriculum, Courses, Providers, and Instructors – Applications
  - a. Course – “Hawaii Lands, Historical Review;” Author/Owner: Suzette Nassar; Provider: Kauai Board of REALTORS; Course Category: Property Ownership and Development; Clock Hours: **3 Recommend approval**
  - b. Course – “Fair Housing;” Author/Owner/Provider: Charles Barnes School of Real Estate; Course Category: Fair Housing; Clock Hours: **3 Recommend approval**
  - c. Provider – Career WebSchool (a dba of Thompson Learning Inc.), Lucia Coghlan, Administrator **Recommend approval**
3. Prelicensing Education Administration, Curriculum, Schools, Instructors, and Equivalency
  - a. Instructor – Carol M. Egan, All Island Real Estate School, Salesperson and Broker curricula – **Recommend** deferral of decision making to the September 23, 2005 Real Estate Commission Meeting pending receipt of further information.
  - b. Salesperson’s Curriculum – The cut-off date for the 45-hour real estate salesperson’s course is December 31, 2005. All prelicense schools will teach the 60-hour real estate salesperson’s prelicensing course effective January 1, 2006. The targeted implementation date is February 1, 2006 for the new real estate salesperson’s licensing examination.
4. Administration of Examinations – Promissor – Broker Passing Statistics 2/1/05 through 5/31/05 – **Recommend** that Promissor be requested to provide real estate broker passing statistics on a regular basis.
5. Next meeting: Wednesday, October 12, 2005  
Upon adjournment of the Laws and Rules Review Committee meeting, which convenes at 9:00 a.m.  
Queen Liliuokalani Conference Room  
King Kalakaua Building  
335 Merchant Street, First Floor  
Honolulu, Hawaii

Instructor – Carol M. Egan, All Island Real Estate School, Salesperson and Broker curricula – Ms. Egan was asked to explain her knowledge of real estate. She said that she taught business law at the University of Hawaii and the College of Business Administration for approximately seven years. She taught the real estate law segment. She also mentioned that she is a GRI instructor and has taught continuing education courses for the Honolulu Board of REALTORS and the Hawaii Association of REALTORS in the 1990s. She had a private law practice and is a licensed attorney in Illinois in private practice.

The requirements for a prelicensing instructor requires that they have one year experience in the previous three years. Ms. Egan does not quite have the one year experience. It was suggested that Ms. Egan become a substitute instructor. A substitute instructor can teach no more than 50% of the classes in the

presence of a preclicensing instructor. It was suggested that Ms. Egan do this and then reapply in one year as an instructor. Ms. Egan was reminded that §16-99-58(e), HAR, outlines the minimum qualifications of an instructor.

When the initial application was submitted, Ms. Egan answered that she met the qualifications to become an instructor based on a degree in law, licensed and practicing in the area of real estate law for at least two years in Hawaii (Item 7 on application). Ms. Egan has since indicated on her letter to the Commission, dated September 20, 2005, that she is changing her answer and claims that she meets the qualifications based on her holding a current Hawaii real estate broker's license; has a minimum of three years full-time experience in real estate in Hawaii; and meets the current experience requirements for a broker's license.

Ms. Egan was asked if her teaching experience in real estate consisted solely of the courses that she taught for Century 21. She answered, "Yes, although she did have extensive experience prior to that." Ms. Egan questioned how a person would meet the qualifications for being a teacher. She was informed that they could teach continuing education classes and be a substitute teacher.

Ms. Egan said that she started teaching a one month course in August 2005 and is teaching a second course online. The Commissioners offered her suggestions on how she could meet the experience requirement such as continuing to do what she is currently doing, being a substitute teacher, or teaching a law course at a business school or university.

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

### **Condominium Review Committee**

Upon a motion by Commissioner Kuriyama, seconded by Commissioner Abrams, it was voted on and carried to accept the report of the September 14, 2005 Condominium Review Committee meeting as follows:

1. Minutes of the August 11, 2005 meeting – **Accept**
2. Condominium Governance and Management -- AOA Registrations – **Recommend approval** to ratify effective dates for the AOA 2005-2007 biennium registrations received through August 31, 2005.
3. CPR Registration, Developer's Public Reports – CPR Registration, Developer's Public Report August 2005 – **Recommend approval** to ratify issuance of effective dates of the developer's public reports and extensions issued for the month of August 2005, with the exception of Project No. 4972, Na Hale at Pauoa and Project No. 5753, Kauai Beach Resort. **Recommend deferring** approval to ratify Project No. 4972, Na Hale at Pauoa and Project No. 5753, Kauai Beach Resort, to the September 23, 2005 Real Estate Commission Meeting.
4. Program of Work & Budget, FY06 – Recodification of Chapter 514A, HRS and Education – Letter from George Y. Chatani, dated August 12, 2005 – **Staff to respond** to Mr. Chatani that the Commission is anticipating additional comments and suggestions on the recodification of Chapter 514A, HRS; at this point in time, they will not be submitting a proposed bill to the Legislature; and it was suggested that Mr. Chatani contact his legislators to submit a bill on his behalf.

5. Next Meeting: Wednesday, October 12, 2005  
Upon adjournment of the Education Review Committee Meeting which follows the Laws and Rules Review Committee meeting scheduled to convene at 9:00 a.m.  
Queen Liliuokalani Conference Room  
King Kalakaua Building  
335 Merchant Street, First Floor  
Honolulu, Hawaii

Commissioner Loudermilk abstained from discussion and voting on the ratification of the effective dates of the developer's public reports and extensions issued for the month of August 2005, for Project No. 4972, Na Hale at Pauoa and Project No. 5753, Kauai Beach Resort.

### **Legislation Report and Bills**

The SEO reported that the supplemental budget request for the Condominium Management Education Fund of \$70,000 has been forwarded to the Director's Office.

The SEO also reported that administration is in the process of submitting legislation which will affect all boards and commissions relating to inactive licenses. This bill, if passed, may affect the trust funds under the Commission's jurisdiction and may seriously impact the Commission's program of work. The SEO will keep the Commission apprised of the status of the bill.

### Licensing and Registration – Ratification:

Upon a motion by Commissioner Abrams, seconded by Commissioner Kuriyama, it was voted on and unanimously carried to approve the ratification of the attached list

### Licensing – Applications:

#### **Jerome A. Edayan**

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

#### **Brad Hironaka**

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

#### **Marion L. Lindsey**

William Harrison, Marion L. Lindsey's attorney, was present at the meeting. Mr. Harrison was asked if he wished to have Ms. Lindsey's application considered in executive session. He declined the offer.

Mr. Harrison reported that he had submitted all of the requested documents to the Commission with the exception of the letter from Ms. Lindsey's current probation officer.

Vice Chair Okawa thanked Mr. Harrison for submitting all of the requested documents to the Commission.

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

**Donna I. Gutierrez**

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

Executive Officer's Report:

Ms. Thompson reported that HAR's Legislative Committee will be meeting on Monday, September 26, 2005 to discuss the coming year's legislative proposals. She also introduced Rochelle Gregson, the Chief Executive Officer for the Honolulu Board of REALTORS.

Chapter 91, HRS, Adjudicatory Matters:

The Vice Chair called for a recess from the meeting at 9:38 a.m., to discuss and deliberate on the following adjudicatory matters, pursuant to Chapter 91, HRS:

**In the Matter of the Real Estate Broker's Licenses of Presidential Real Estate, Inc., Jo Anne Walters and Robert L. Jackson, REC 2002-50-L**

Upon a motion by Commissioner Kagawa, seconded by Commissioner Kuriyama, it was voted on and unanimously carried to deny the Motion for Reinstatement or for Permission to Apply for Real Estate Salesperson's License.

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 Commission meeting at 9:43 a.m.

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)(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.

Licensing – Applications:

**Jerome A. Edayan**

After a review of the information submitted by the applicant, Commissioner Abrams moved to approve the real estate salesperson's license of Jerome A. Edayan. Commissioner Loudermilk seconded the motion. The motion was voted on and unanimously carried.

**Brad Hironaka**

After a review of the information submitted by the applicant, Commissioner Kagawa moved to approve the real estate broker's license application of Brad Hironaka. Commissioner Abrams seconded the motion. The motion was voted on and unanimously carried.

**Marion L. Lindsey**

After a review of the information submitted by the applicant, Commissioner Abrams moved to approve the restoration of Marion L. Lindsey's real estate salesperson's license and to refer the matter to RICO. Commissioner Kuriyama seconded the motion. The motion was voted on and unanimously carried.

**Donna I. Gutierrez**

Upon a motion by Commissioner Kuriyama, seconded by Commissioner Abrams, it was voted on and unanimously carried to approve the restoration of Donna I. Gutierrez's real estate salesperson's license and to refer the matter to RICO.

Upon a motion by Commissioner Abrams, seconded by Commissioner Loudermilk, it was voted on and unanimously carried to delegate to staff to continue processing to approvals of renewals and restoration applications in which the applicant answers "Yes" to the question concerning conviction of a crime where there has not been an order annulling or expunging a conviction and that the conviction was only one DUI, supported by documents submitted by the applicant verifying that all terms and conditions have been completed.

Committee Reports:      **Education Review Committee**

Instructor – Carol M. Egan, All Island Real Estate School, Salesperson and Broker curricula – Upon a motion by Commissioner Loudermilk, seconded by Commissioner Ball, it was voted on and unanimously carried to deny Carol M. Egan's instructor application, pursuant to HRS §§ 467-25.5(b)(f)(1) and 436B-19(1) and HAR § 16-99-58(e).

Next Meeting:      To be determined  
9:00 a.m.  
King Kalakaua Building  
335 Merchant Street, First Floor  
Honolulu, Hawaii

Adjournment: With no further business to discuss, the Chair adjourned the meeting at 10:32 a.m.

Reviewed and approved by:

/s/ Neil Fujitani  
Neil Fujitani  
Executive Officer

October 21, 2005  
Date

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

APPROVED APPLICATIONS FOR REAL ESTATE  
REAL ESTATE COMMISSION MEETING ON SEPTEMBER 23, 2005

<u>Brokers – Limited Liability Companies and Partnerships</u>	<u>Effective Date</u>
CAPstone Business Services, LLC, Cornerstone Realty Chizuru P. Valenzuela, PB	08/18/05
Kailua Beach Properties, LLC Angela Y. O. Reed, PB	08/22/05
Village Realty, LLC Hisako Chako Wada, PB	08/23/05
Island Trust Properties, LLC Gary Petrison, PB	09/02/05
Investors Realty Group, LLP James E. “Chip” Buchmiller, PB	09/07/05
<u>Brokers – Corporations and Partnerships</u>	<u>Effective Date</u>
I2C Realty, Ltd. Ronald Y. K. Lee, PB	08/23/05
<u>Brokers – Sole Proprietor</u>	<u>Effective Date</u>
Karen D. Olson, Karen D. Olson, Realtor, GRI	08/18/05
Cynthia Wahlin	08/26/05
Brett A. Adair, Adair Realty & Land Development Co.	08/29/05
Judy Barrett	08/10/05
Pamela S. Monahan	08/23/05
Sheryl L. Martin, DA KINE Properties	09/07/05
<u>Corporation Name</u>	<u>Effective Date</u>
Resortquest Hawaii Vacation Home Network (fka Maui Condominium and Home Realty, Inc.)	08/04/05
<u>Branch Office</u>	<u>Effective Date</u>
JTU Inc. Lou Ann Uyeda, PB	08/05/05
SVO Pacific Inc. Garrett O. Hall, PB	08/18/05
Cordero Corp., Pacific Century Realty David Cordero, Jr., PB	08/26/05
<u>Trade Name</u>	<u>Effective Date</u>
Megazar Medio Juntilla, Ewa Pointe Realty	08/05/05
Esterle Enterprises, LLC, Viewpoint Properties	08/08/05
Makalani Realty Inc., Maui Isle Realty	08/26/05
Robert A. Haskin, Haskin Realty	08/20/05

<u>Equivalency to Uniform Section of Examination Certificate</u>	<u>Expiration Date</u>
Heidi Elizabeth Mueller	08/17/07
Philip Bannan Isaksen	08/17/07
Elissa Gordon	08/18/07
Melinda Katharine Walsh	08/18/07
John Walter Ryan	08/18/07
Ignacio R. Diago	08/18/07
Janaka Serene Adams	08/18/07
Bryan Thomas Riley	08/22/07
Steve Sun Ching Guo	08/22/07
James Alan Schneider	08/22/07
Russell Edward Gross	08/22/07
Sherrill A. Watson	08/22/07
Stanley George Kazezski	08/24/07
John M. Bouchie	08/24/07
Aristotle Karas	08/24/07
Nancy J. McDaniel	08/24/07
David Mitchell Cox	08/24/07
Nobuko Sasamoto	08/24/07
William John Vroom	08/24/07
Murray Allan Thompson	08/24/07
Napoleon N. Zervas	08/26/07
Robert William Erich	08/26/07
Angela DeVargas	08/26/07
Steven John Myers	08/26/07
Collette Denise Dillon	08/29/07
Barry Edward Ewing	09/02/07
Daniel Stephen Klosterman	09/02/07
Robert Richardson Schick	09/02/07
Teresa A. Bryant	09/06/07
Jennifer Stone Downs	09/06/07
Ashley Hirsch Richmond	09/06/07
Lori Lynne Brewster	09/06/07
Naomi T. Corpening	09/06/07
Charlee Wecker	09/06/07
Michael Shawn Spencer	09/06/07
Carl Raymond Jensen	09/08/07
Michael Delaney	09/08/07
Elaine Yi Ling Lam	09/08/07
Young Hee Kim	09/09/07
Manuel D. Garcia	09/09/07
Stewart D. Tuttle	09/09/07
Christopher Robert Kane	09/12/07

<u>Equivalency to Uniform Section of Examination Certificate</u>	<u>Expiration Date</u>
Dean William Stevens	09/12/07
Patrick James Wolf	09/12/07
Edwin G. Santacruz	09/12/07
Debra Lorretta Lewis	09/13/07
Michael Ford	09/14/07
Connie Jean Bettino	09/14/07
Helen Cassandra Griffin	09/14/07
Kim Elizabeth Grogan	09/14/07

<u>Educational Equivalency Certificate</u>	<u>Expiration Date</u>
Heidi Elizabeth Mueller	08/17/07
Philip Bannan Isaksen	08/17/07
Elissa Gordon	08/18/07
Melinda Katharine Walsh	08/18/07
John Walter Ryan	08/18/07
Janaka Serene Adams	08/18/07
Sarah Marie Christie	08/18/07
Bryan Thomas Riley	08/22/07
Steve Sun Ching Guo	08/22/07
James Alan Schneider	08/22/07
Russell Edward Gross	08/22/07
Stanley George Kazezski	08/24/07
John M. Bouchie	08/24/07
Aristotle Karas	08/24/07
Nancy J. McDaniel	08/24/07
David Mitchell Cox	08/24/07
Louise Lo-wai Akamine	08/24/07
Fern Costales	08/24/07
Nobuko Sasamoto	08/24/07
William John Vroom	08/24/07
Murray Allan Thompson	08/24/07
James Mahlon Plane	08/24/07
Sarah Lee Morihara	08/24/07
Joseph Andrew Flash Dubiel	08/24/07
Napoleon N. Zervas	08/26/07
Robert William Erich	08/26/07
Angela DeVargas	08/26/07
Steven John Myers	08/26/07
Collette Denise Dillon	08/29/07
Cherryl S. Thornock	08/29/07
Barry Edward Ewing	09/02/07
Daniel Stephen Klosterman	09/02/07
Robert Richardson Schick	09/02/07

Educational Equivalency Certificate

	<u>Expiration Date</u>
Teresa A. Bryant	09/06/07
Teresa Ann Baskett	09/06/07
Brent Eric Storms	09/06/07
Jennifer Stone Downs	09/06/07
Ashley Hirsch Richmond	09/06/07
Lori Lynne Brewster	09/06/07
Naomi T. Corpening	09/06/07
Charlee Wecker	09/06/07
Michael Shawn Spencer	09/06/07
Micah Petteri Rutiz	09/06/07
Joshua W. Mason	09/06/07
Carol Philips	09/07/07
Hillary Jeanne Louise Bayless	09/07/07
Michael Delaney	09/08/07
Elaine Yi Ling Lam	09/08/07
Young Hee Kim	09/09/07
Manuel D. Garcia	09/09/07
Stewart D. Tuttle	09/09/07
Christopher Robert Kane	09/12/07
Dean William Stevens	09/12/07
Patrick James Wolf	09/12/07
Debra Lorretta Lewis	09/13/07
Michael Ford	09/14/07
Connie Jean Bettino	09/14/07
Helen Cassandra Griffin	09/14/07
Kim Elizabeth Grogan	09/14/07

Real Estate Broker Experience Certificate

	<u>Expiration Date</u>
Robin Lynn Vega	08/12/07
Heidi Elizabeth Mueller	08/17/07
Melinda Katharine Walsh	08/18/07
Erica Christine Franklin	08/18/07
Janaka Serene Adams	08/18/07
Tamotsu Ishihara	08/18/07
Bryan Thomas Riley	08/22/07
Todd Williams Barrett	08/22/07
Russell Edward Gross	08/22/07
Anita Louise White	08/24/07
Jane Takeko Noe	08/24/07
Stanley George Kazezski	08/24/07
Aristotle Karas	08/24/07
Kimberly Dawn Partyka	08/24/07
Lisa T. Ho	08/24/07

<u>Real Estate Broker Experience Certificate</u>	<u>Expiration Date</u>
Bradley David Salter	08/24/07
Nobuko Sasamoto	08/24/07
William John Vroom	08/24/07
Napoleon N. Zervas	08/26/07
Robert William Erich	08/26/07
Raymond Brian Boltz	08/26/07
Derek Firpo Debina	08/26/07
Steven John Myers	08/26/07
Michael Tsukasa Miyake	08/29/07
Alan R. Muniz	09/06/07
Teresa A. Bryant	09/06/07
Shirl Diane Gerschefski	09/06/07
Susan McGeachy	09/06/07
Jennifer Stone Downs	09/06/07
Brett Walter Schenk	09/06/07
Gerald N. Kim	09/06/07
Deborah Oakley-Melvin	09/07/07
Michael Delaney	09/08/07
Manuel D. Garcia	09/09/07
Stewart D. Tuttle	09/09/07
Frida R. Adams	09/09/07
Kimberly Ann Delmore	09/09/07
Christopher Robert Kane	09/12/07
Edwin G. Santacruz	09/12/07
Michael Ford	09/14/07
David Michael Jackson	09/14/07
Sugae Takino	09/14/07

<u>Real Estate Broker (upgrade)</u>	<u>Effective Date</u>
Donna J. Whitmyer	07/28/05
Thomas J. Popa	08/12/05
Brandon E. Kim	08/15/05
Lyniel N. Choy	08/15/05
Gretchen L. Lambeth	08/22/05
Linda J. Weatherholt	08/23/05
Deborah M. Raiter	08/23/05
Cynthia Wahlin	08/26/05
Don Broadston	08/29/05
John Petrella	09/02/05
Michael Wells	09/02/05
Sheryl L. Martin	09/07/05

Restoration – Real Estate Salesperson

Cynthia Marie Guillermo

Adam F. Sutton

Kenneth P. Mullinix

Irene Blamire

Effective Date

07/13/05

08/10/05

08/11/05

08/24/05