

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: Friday, October 21, 2005

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
Louis Abrams, Broker/Kauai Commissioner
Kathleen Kagawa, Broker/Honolulu Commissioner
Stanley Kuriyama, Broker/Honolulu Commissioner
Michele Sunahara Loudermilk, Public/Honolulu Commissioner

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

Sheryl Nagata, Office of Administrative Hearings
Myoung Oh, Hawaii Association of REALTORS
Bikram Sahdev

Absent: Iris Okawa, Vice Chair, Public/Honolulu Commissioner
Carol Ball, Broker/Maui Commissioner
Vern Yamanaka, Broker/Hawaii Island 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: No report was presented.

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 SEO reported that Commissioner Kuriyama will be leaving the meeting at 10:15 a.m. Commissioner Okawa will be arriving at approximately 10:15 a.m.

Minutes of Previous Meetings

Upon a motion by Commissioner Kagawa, seconded by Commissioner Kuriyama, it was voted on and unanimously carried to accept the minutes of the September 23, 2005 Real Estate Commission meeting.

Commission Roster

A copy of the revised Commission Roster was distributed to the Commissioners for their information.

Committee Reports:

Laws and Rules Review Committee

Upon a motion by Commissioner Abrams, seconded by Commissioner Loudermilk, it was voted on and unanimously carried to accept the report of the October 12, 2005 Laws and Rules Review Committee meeting as follows:

1. Minutes of September 14, 2005 – **Accept**
2. Program of Work, FY06
 - a. Neighbor Island Outreach – Next neighbor island outreach will be either on the island of Maui or Hawaii and may be scheduled for either November 2005 or January 2006.
 - b. Subcommittee on Applicants with Criminal/Financial/Legal Background Issues; Criminal History Record Checks – **Recommend** renaming the subcommittee to: Subcommittee on Applicants with Background Issues; Criminal History Records Checks.
3. ARELLO, Other Organizations and Jurisdictions – **Recommend** that the Commission send one Commissioner to the ARELLO Board of Directors Meetings, to be held on January 13 and 14, 2006, in St. Petersburg, Florida, subject to the Governor's fiscal policy and budgetary approval.
4. Next Meeting: Wednesday, November 9, 2005
9:00 a.m.
Queen Liliuokalani Conference Room
King Kalakaua Building
335 Merchant Street, First Floor
Honolulu, Hawaii

Education Review Committee

Upon a motion by Commissioner Nishihara, seconded by Commissioner Abrams, it was voted on and carried to accept the report of the October 12, 2005 Education Review Committee meeting as follows:

1. Minutes of September 14, 2005 – **Accept**
2. Continuing Education Administration, Curriculum, Courses, Providers, and Instructors - Applications
 - a) Course – “Caught on Camera – Antitrust in the 21st Century;” Author/Owner: Jim Hogan and Curtis Hall; Provider: Hogan School of Real Estate, Inc.; Course Category: Other - Antitrust; Clock Hours: 3 – **Recommend approval**
 - b) Course – “REALTOR REALITIES of RESPA, Appraisal and Loan Fraud;” Author/Owner: Jim Hogan and Curtis Hall; Provider:

- Hogan School of Real Estate, Inc.; Course Categories: Real Estate Law, Finance, and Risk Management; Clock Hours: 3 – **Recommend approval**
- c) Course – “Escrow A – Z;” Author/Owner/Provider: Kona Board of REALTORS; Course Category: Contracts, Other (Escrow); Clock Hours: 3 – **Recommend approval**
3. Prelicensing Education Administration, Curriculum, Schools, Instructors and Equivalency – Applications – Substitute Instructor – Carol M. Egan, All Island Real Estate School, Salesperson and Broker curricula – **Recommend approval**
4. Next meeting: Wednesday, November 9, 2005
Upon adjournment of the Laws and Rules Review Committee Meeting, which convenes at 9:00 a.m.
Queen Lili`uokalani Conference Room
King Kalakaua Building
335 Merchant Street, 1st Floor
Honolulu, HI 96813

Condominium Review Committee

Upon a motion by Commissioner Kuriyama, seconded by Commissioner Loudermilk, it was voted on and carried to accept the report of the October 12, 2005 Condominium Review Committee meeting as follows:

1. Minutes of September 14, 2005 Meeting – **Accept** with typographical corrections.
2. Condominium Governance and Management
 - a) Mediation & Arbitration – Informal Quotes Received – **Recommend approval** to accept the respective dated informal quotes received from the following vendors/contractors and to execute a small purchase contract with the following entities to provide mediation services for the resolution of condominium-related disputes on one or more of the islands as requested by State through the Commission as follows:
 - 1) Kauai Economic Opportunity, Incorporated, September 14, 2005;
 - 2) West Hawaii Mediation Center, September 1, 2005
 - 3) The Mediation Center of the Pacific, Inc., September 8, 2005
 - 4) Ku`ikahi Mediation Center, September 12, 2005**Further recommend approval** to have staff conduct additional further negotiations with the Mediation Services of Maui to clarify the amount of the proposed compensation and to align the compensation amount with that proposed by the other vendors/contractors.
 - b) AOA Registrations – September 2005 – **Recommend approval** to ratify effective dates for the AOA 2005-2007 biennium registrations received through September 30, 2005. **Further recommend** that staff research whether the CRC is required to review and recommend ratification of staff’s monthly registration of AOAs.
 - c) Condominium Seminars and Symposium – “ABC Basic Course” CAI Hawaii – **No action necessary.**

3. CPR Registration, Developer's Public Reports – September 2005 – **Recommend approval** to ratify issuance of effective dates of the developer's public reports and extensions issued for the month of September 2005. **Further recommend** that staff research whether the CRC is required to review and recommend ratification of staff's monthly registration of CPR registrations and effective dates for developer's public reports.
4. Next Meeting: Wednesday, November 9, 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 96813

Licensing and
Registration –
Ratification:

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

Licensing –
Applications:

Delegation to Staff

Discussion on the delegation to staff was deferred to later in the meeting.

Nancy K. Roland

After a review of the information submitted by the applicant, Commissioner Kuriyama moved to approve the real estate salesperson's license application of Nancy K. Roland. Commissioner Abrams seconded the motion. The motion was voted on and unanimously carried.

Sahdev Bikram

Discussion on Sahdev Bikram's application for a real estate broker's license was deferred to later in the meeting.

Yolanda M. Sorenson

After a review of the information submitted by the applicant for a non-binding preliminary decision, Commissioner Kuriyama moved for a non-binding preliminary decision of most likely approving the real estate broker's license application of Yolanda M. Sorenson. Commissioner Kagawa seconded the motion. The motion was voted on and unanimously carried.

Real Estate Source, LLC

After a review of the information submitted by the applicant, Commissioner Kagawa moved to approve the real estate limited liability company license of Real Estate Source, LLC. Commissioner Loudermilk seconded the motion. The motion was voted on and unanimously carried.

Chapter 91, HRS,
Adjudicatory Matters:

The Vice Chair called for a recess from the meeting at 9:10 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 and Salesperson's Licenses of Asset Property Management, Inc., Deanna K. Hough, and James Stephen Morgan, REC 2003-320-L

Upon a motion by Commissioner Kuriyama, seconded by Commissioner Abrams, it was voted on and unanimously carried to approve the Hearings Officer's Findings of Fact, Conclusions of Law, and Recommended Order as to Deanna K. Hough.

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 9:20 a.m.

Licensing – Applications:

Delegation to Staff

Upon a motion by Commissioner Loudermilk, seconded by Commissioner Kagawa, it was voted on and unanimously carried to delegate to staff to approve licensing applications in which the applicant previously disclosed on an application charges of unlicensed activity, criminal conviction, disciplinary action, pending lawsuit, unpaid judgment, or involuntary lien, in which the only issue concerns a "yes" response to a question in which the applicant's response/record is identical (circumstances/situation has not changed) to a previous response/record that the REC has previously reviewed in a prior approved application with the exception of the applicant that is upgrading his/her license from a real estate salesperson's license to a real estate broker's license.

Sahdev Bikram

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

Next Meeting:

Thursday, November 23, 2005

9:00 a.m.
King Kalakaua Building
335 Merchant Street, First Floor
Honolulu, Hawaii

Chair Nishihara thanked the Commissioners for being efficient in carrying out their duties and for attending the meeting.

Adjournment: With no further business to discuss, the Chair adjourned the meeting at 9:23 a.m.

Reviewed and approved by:

/s/ Calvin Kimura
Calvin Kimura
Supervising Executive Officer

November 23, 2005
Date

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

APPROVED APPLICATIONS FOR REAL ESTATE
REAL ESTATE COMMISSION MEETING ON OCTOBER 21, 2005

<u>Brokers – Limited Liability Companies and Partnerships</u>	<u>Effective Date</u>
Hawaii Realty Consultants LLC Mary Lou Page, PB	09/06/05
Dunlop Realty L.L.C. Colin W. Dunlop, PB	09/09/05
Splintered Paddle Realty, LLC Ed Torrison, PB	09/12/05
Shuto Sales & Mgmt., LLC Suzanne A. Shuto, PB	09/23/05
Hawaii Real Estate Services, LLC David Silverman, PB	09/20/05
Moku La Properties, LLC, Island Rentals & Real Estate Lisa R. Arin, PB	10/03/05
Ohana Fund LLC David Wecker, PB	10/06/05
<u>Brokers – Corporations and Partnerships</u>	<u>Effective Date</u>
96761 Realty Corporation John J. Cote, PB	09/09/05
Paradise Living Properties, Inc. Miranda C. DeSoto, PB	09/26/05
James M. Harris, Inc. James M. Harris, PB	09/28/05
<u>Brokers – Sole Proprietor</u>	<u>Effective Date</u>
Kristin C. Moreland	09/01/05
Meredith Stuart Murphy	09/14/05
Kenneth R. Sikes	09/21/05
Robert L. Vieira	09/26/05
Sylvia M. Cabral	09/29/05
Diane Cenicola, Cathedral Properties	10/05/05
<u>Trade Name</u>	<u>Effective Date</u>
Linda A. Lawhead-Stirn, Aloha Hawaii Real Estate	09/08/05
Mitos T. Calica, Mitos Calica Realty	09/21/05
Capstone Business Services, LLC, Capstone Associated Properties	09/27/05
Ewert & Company LLC, InTerra Investments	10/03/05

<u>Equivalency to Uniform Section of Examination Certificate</u>	<u>Expiration Date</u>
Sandra M. Storm	09/15/07
Lance Jeffrey Croix	09/15/07
Teresa Ann Swagerty	09/15/07
James Arthur Swagerty	09/15/07
Michael Escobar	09/16/07
Jean Elaine Grossman	09/19/07
Charles W. Bishop	09/21/07
Karin Maj Haskell	09/21/07
Hans Robert Harder	09/21/07
John Smile	09/21/07
Yelena Tkach	09/21/07
Fred James Arnett	09/21/07
Christel Gabriele Stauber	09/21/07
Kevin Paul Rodick	09/22/07
Kathy R. Barnett	09/22/07
Stephanie Cherin	09/22/07
Steven Douglas Walters	09/22/07
Mark Vencint Jones	09/26/07
Michael Harry Butson	09/26/07
Teresita Yu	09/27/07
John J. O'Neill	09/27/07
Kelli Lynn Vitale-Carson	09/27/07
Greg Brian Spiegel	09/28/07
Alysia Alcon Carlisle	09/28/07
Kurtis Gordon Peterson	09/29/07
John P. Panozzo	09/29/07
Nancy E Benavides	09/29/07
Lois Jean Meyers	09/29/07
Marcia Kay Marks	09/29/07
Lynn Marie Skallerud	09/30/07
Sandy Borcom	10/03/07
Tracy Vaughn Petersen	10/03/07
John Randal Ratkay	10/03/07
Sherry Annette Molling	10/03/07
Roy Hartman Keene	10/03/07
Thomas Joseph Nickerson	10/04/07
Hardin E. Embry	10/04/07
Dawn Taylor Knowles	10/04/07
Thomas Leo Mullooly	10/05/07
Kristy Jayne Anderson	10/05/07
Lovette Rosales Llantos	10/06/07
Gregory Louis Burns	10/07/07
Marian Lavern Michlig	10/07/07
Gary Hatch	10/11/07

Equivalency to Uniform Section of Examination Certificate

Suzette Raelyn Knock
Eric Robert Anderson

Expiration Date

10/11/07
10/11/07

Educational Equivalency Certificate

Sandra M. Storm
Lance Jeffrey Croix
Teresa Ann Swagerty
James Arthur Swagerty
Michael Escobar
Richard Kent Marsh
Jean Elaine Grossman
Charles W. Bishop
Hans Robert Harder
John Smile
Yelena Tkach
Fred James Arnett
Christel Gabriele Stauber
Matthew G. Talarico
Kevin Paul Rodick
Kathy R. Barnett
Stephanie Cherin
Eric Christopher Herzenberg
Steven Douglas Walters
Mark Vencint Jones
Michael Harry Butson
Teresita Yu
John J. O'Neill
Kelli Lynn Vitale-Carson
Kyle Kaku Ginoza
Rachel Ellen Sanders
Greg Brian Spiegel
Alysia Alcon Carlisle
Kurtis G. Peterson
Yuriy Michalovich Skripchenko
John P. Panozzo
Nancy E Benavides
Lois Jean Meyers
Marcia Kay Marks
Lynn Marie Skallerud
Sandy Borcom
Tracy Vaughn Petersen
Sherry Annette Molling
Roy Hartman Keene
Thomas Joseph Nickerson

Expiration Date

09/15/07
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10/04/07

Educational Equivalency Certificate

	<u>Expiration Date</u>
Hardin E. Embry	10/04/07
Dawn Taylor Knowles	10/04/07
Thomas Leo Mullooly	10/05/07
Lovette Rosales Llantos	10/06/07
Lien Hoang Nguyen	10/06/07
Gregory Louis Burns	10/07/07
Marian Lavern Michlig	10/07/07
Gary Hatch	10/11/07
Suzette Raelyn Knock	10/11/07
Eric Robert Anderson	10/11/07
Sharon V. Matutino	10/11/07

Real Estate Broker Experience Certificate

	<u>Expiration Date</u>
Sandra M. Storm	09/15/07
Gordon Bernard Lett	09/16/07
Cynthia S. Lewis	09/16/07
Hans Robert Harder	09/21/07
Tim C. Taylor	09/21/07
Penny Marie Dumont	09/21/07
Karin Maj Haskell	09/21/07
Fred James Arnett	09/21/07
Yelena Tkach	09/21/07
Kathy R. Barnett	09/22/07
Steven Douglas Walters	09/22/07
Mark Vencint Jones	09/26/07
John J. O'Neill	09/27/07
Renate Goetzendorfer	09/27/07
Greg Brian Spiegel	09/28/07
Kurtis G. Peterson	09/29/07
John P. Panozzo	09/29/07
Tracy Vaughn Petersen	10/03/07
John Randal Ratkay	10/03/07
Catherine Minga Hawkins	10/03/07
Sherry Annette Molling	10/03/07
Richard Alan McMahon Jr.	10/03/07
Thomas Leo Mullooly	10/05/07
Joanne A. Matsuoka	10/05/07
Marian Lavern Michlig	10/07/07
Matthew G. Bittick	10/10/07
Gary Hatch	10/11/07
Eric Robert Anderson	10/11/07

<u>Real Estate Broker (upgrade)</u>	<u>Effective Date</u>
Kathy Jensen	09/12/05
Paul Jensen	09/12/05
Michael Y. M. Loo	09/12/05
Liz Randol	09/13/05
Ken Van Bergen	09/13/05
Cindy Cary	09/15/05
Dave Wecker	09/15/05
Sean La Vau	09/19/05
Christian J. Halladay	09/20/05
Karen Esquibel	09/21/05
Kimberly Delmore	09/22/05
Brad K. Hironaka	09/23/05
Suzanne A. Shuto	09/23/05
Nance S. Donaldson	09/27/05
Christopher A. Prendergast	09/27/05
George Keoki Nunes	09/29/05
Paul A. Katsikos	09/30/05
Erica c. Franklin	10/03/05
Lee J. Leslie	10/03/05