

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, April 20, 2007

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
Stanley Kuriyama, Vice Chair, Broker/Honolulu Commissioner (Early Departure)
Louis Abrams, Broker/Kauai Commissioner
Annette Aiona, Broker/Hawaii Island Commissioner
Carol Ball, Broker/Maui Commissioner
Frances Gendrano, Salesperson/Honolulu Commissioner
Michele Sunahara Loudermilk, Public/Honolulu Commissioner
Mark Suiso, Public/Honolulu Commissioner (Late Arrival)

Calvin Kimura, Supervising Executive Officer
Neil Fujitani, Executive Officer
Diane Choy Fujimura, Senior Real Estate Specialist
Lorene Kimura, Real Estate Specialist
Shari Wong, Deputy Attorney General
Lei Fukumura, Special Deputy Attorney General
Irene Kotaka, Secretary

Sheryl Nagata, Office of Administrative Hearings
Patrick Kelly, Regulated Industries Complaints Office
Mark R. Chambers

Absent: William Chee, Broker/Honolulu Commissioner

Call to Order: The Chair called the meeting to order at 9:05 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.

Executive Officer's Report: The Executive Officer informed the Commissioners that the original applications with any original associated documents to be considered at the meeting were available for review.

Addition to the Agenda

Upon a motion by Commissioner Kuriyama, seconded by Commissioner Loudermilk, it was voted on and unanimously carried to add the following item to the agenda:

6. Licensing – Applications
 - c. Thomas Edward Calkins

Additional Distribution

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

4. Committee Reports and Program of Work
 - c. Legislative Bills and Report – Report on Legislative Bills
 - Legislative Report No. 7
 - Senate Bill No. 1704, SD1, HD1
6. Licensing – Applications
 - b. Jamie Lawrence Koechner

Executive Session:

Upon a motion by Commissioner Kuriyama, 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 Kuriyama, it was voted on and unanimously carried to move out of executive session.

Minutes of Previous Meeting

Upon a motion by Commissioner Abrams, seconded by Commissioner Loudermilk, it was voted on and unanimously carried to accept the regular minutes and the amended executive minutes of the March 30, 2007 meeting.

Committee Reports and Program of Work:

Laws and Rules Review Committee – Request for Informal Opinion Rent.com

Commissioner Abrams moved to reaffirm the Commission's previous decision that Rent.com requests a petition for declaratory relief. Commissioner Suiso seconded the motion.

Some felt that based on the previous telephone conversation with Rent.com's counsel and the material presented, it was not necessary for Rent.com to be licensed as they appeared to be similar to a newspaper. They appeared to be acting like an electronic bulletin board. It did not appear that they were involved in real estate activity. There are other means of advertising which are not required to be licensed, such as the MLS. It is based upon limited circumstances and representations made to the Commission.

Other Commissioners felt that there were other questions that were raised which should be addressed as they affect the "big picture." They recommended that a petition for declaratory relief be filed

Concerns were also raised that the consumer might be left with no recourse because non-licensees may not be involved in the transactions.

Commissioners Abrams, Suiso, Ball, Aiona, and Nishihara voted in favor of the motion. Commissioners Loudermilk, Kuriyama and Gendrano voted against the motion. The motion was voted on and carried.

Legislative Bills and Report

Legislative Report No. 7 – A copy of Legislative Report No. 7 was distributed to the Commissioners for their information. The SEO highlighted the status of the bills that may impact the Commission.

A copy of the letter that was sent to Senator Taniguchi and Representative Herkes regarding Senate Bill No. 1704, SD1, HD1, was distributed to the Commissioners for their information.

Commissioner Nishihara was confirmed by the Senate to the Real Estate Commission.

Licensing – Ratification:

Upon a motion by Commissioner Abrams, 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.

Mark R. Chambers

Mark R. Chambers was present to answer any questions may have regarding his application for a real estate salesperson's license. Mr. Chambers was asked if he wished to have his application considered in executive session. He declined the offer.

Mr. Chambers informed the Commissioners that he has his own handyman business. He does minor repairs on homes. He has had his business since 2004. He said that he has come a long way since his conviction.

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

Jamie Lawrence Koechner

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

Thomas Edward Calkins

Upon a motion by Commissioner Kuriyama, seconded by Commissioner Loudermilk, 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 9:52 a.m., to discuss and deliberate on the following adjudicatory matters, pursuant to Chapter 91, HRS:

In the Matter of the Real Estate Salesperson's License of Joyce M. White, REC-2003-274-L

Discussion on this matter was deferred to later in the meeting.

In the Matter of the Real Estate Broker's and Salesperson's Licenses of Harold Meltzer dba Real Estate Consultants of Kona, Principal Broker and Burt Anderson; REC 2004-51-L

Upon a motion by Commissioner Kuriyama, seconded by Commissioner Ball, it was voted on and unanimously carried to accept the Settlement Agreement After Filing of Petition for Disciplinary Action and Commission's 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 10:10 a.m.

Executive Session:

Upon a motion by Commissioner Abrams, seconded by Commissioner Suiso, 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."

Upon a motion by Commissioner Kuriyama, seconded by Commissioner Abrams, 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 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 Salesperson's License of Joyce M. White,
REC-2003-274-L**

Patrick Kelly, Esq., of the Regulated Industries Complaints Office was present to provide oral arguments. Sheryl Nagata, Hearings Officer, was also present.

Commissioner Kuriyama was excused from the meeting.

Upon a motion by Commissioner Aiona, seconded by Commissioner Suiso, it was voted on and unanimously carried to defer this matter to the May 25, 2007 Real Estate Commission meeting.

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 10:45 a.m.

Licensing –
Applications:

Mark R. Chambers

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

Jamie Lawrence Koechner

After a review of the information submitted by the applicant, Commissioner Suiso moved to most likely approve the real estate salesperson's license application of Jamie Lawrence Koechner. Commissioner Aiona seconded the motion. The motion was voted on and unanimously carried.

Thomas Edward Calkins

After a review of the information submitted by the applicant, Commissioner Ball moved to approve the real estate salesperson's license application of Thomas Edward Calkins. Commissioner Suiso seconded the motion. The motion was voted on and unanimously carried.

Recovery Fund
Report:

No report was presented.

Next Meeting:

Friday, May 25, 2007
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, Chair Nishihara adjourned the meeting at 10:47 a.m.

Reviewed and approved by:

/s/ Neil Fujitani
Neil Fujitani, Executive Officer

May 25, 2007
Date

[X] Approved as circulated.
[] Approved with corrections; see minutes of _____ meeting.
NKF/isk 070424

APPROVED APPLICATIONS FOR REAL ESTATE
 REAL ESTATE COMMISSION MEETING ON APRIL 20, 2007

<u>Brokers – Limited Liability Companies and Partnerships</u>	<u>Effective Date</u>
Tumbleweed, LLC, Tumbleweed Realty Angela G. Ward, PB	03/05/07
Hawaii Home Sales and Management, LLC Ruth Y. Higa, PB	03/16/07
Griffin Real Estate Consultants, LLC, Griffin Real Estate Consultants Marilyn S. Griffin, PB	03/16/07
Discovery Kohanaiki Properties, LLC Joni J. Metzler, PB	03/16/07
Prestige World Properties, LLC Robert T. Cheesebrough, PB	03/19/07
Mattland Real Estate Services, LLC Matthew Sumstine, PB	03/28/07
Investors Realty Group, LLC Layne J. Boyer, PB	03/30/07
Equity Realty Group, LLC Mary S. Takasane, PB	03/20/07
Diamond Real Estate Professionals, LLC, Diamond Real Estate Professionals Dionne M.C. Phillips, PB	03/19/07
<u>Brokers – Corporations and Partnerships</u>	<u>Effective Date</u>
Island Brokers, Inc. Randy Brown, PB	03/27/07
Mili Group of Hawaii, Inc., Mili Realty of Hawaii Teresita T. Garcia, PB	04/02/07
<u>Brokers – Sole Proprietor</u>	<u>Effective Date</u>
Elena Valencia	03/07/07
Gregory Bondy	03/13/07
Curtiss Bacon	03/15/07
Edwin E. Britton	03/16/07
John Petrella, Local Hawaii Real Estate	03/21/07
Lester Eugene Tompkins	03/28/07
Marc Dalisay, Dalmar Homes	04/12/07
<u>Trade Name</u>	<u>Effective Date</u>
Mordecai Melamed, Statewide Properties	01/29/07
Sun Pacific Group, LLC, HLR Hawaii Pacific	03/29/07
Real Estate Management & Investment, LLC, REMI Realty	04/01/07
Landmark Brokers Realty , LLC, Islevest Realty	03/22/07
Kauai Tropical Properties, Inc., Sustain Kauai	03/23/07
<u>Branch Office</u>	<u>Effective Date</u>
All Islands Inc, Century 21 All Islands Ken Kubiak	03/08/07
Consolidated Resorts Inc Marcus Baricuatro	03/13/07

Equivalency to Uniform Section of Examination Certificate

Norman M. Nishizaki	03/23/09
Carol Mary Lau	03/23/09
Leonore Stansfield Becker	03/23/09
Catherine Medina	03/23/09
Dayna Layne Wengeler	03/23/09
Becky Marie Halliday	03/28/09
Gina Marie Piper	03/29/09
Cindy Ellen Duffy	03/29/09
Myriam Haynal	03/29/09
Russell Wayne Obana	03/29/09
Jeffrey C. McBeth	03/29/09
Royal M. Kay	03/29/09
Nathan A. McClintock	03/29/09
Mark Daniel Stein	03/30/09
Richard Peter Norman	03/30/09
Carla Sue Kelly	03/30/09
Thomas Joseph Hogan	04/02/09
Deborah Bernadette Billips	04/03/09
Michael Todd Miller	04/05/09
Ross Kenji Morishige	04/05/09
Sidney Merlyn Thompson	04/05/09
Kesaia Young	04/09/09
E. Greg Cimino	04/09/09
Jason Jon Oswald	04/09/09
Leslie M. Pappas	04/09/09
Cletus Jerome Zink	04/10/09
Sergey Fednov	04/10/09
Teresa Marie Marden	04/12/09

Expiration Date

Educational Equivalency Certificate

Carol Mary Lau	03/23/09
Catherine Medina	03/23/09
Stephanie Anne Lau	03/23/09
Dayna Layne Wengeler	03/23/09
Joseph Patrick Donahue	03/27/09
Becky Marie Halliday	03/28/09
James Arthur Quintana Giroux	03/29/09
Gina Marie Piper	03/29/09
Cindy Ellen Duffy	03/29/09
Myriam Haynal	03/29/09
Russell Wayne Obana	03/29/09
Royal M. Kay	03/29/09
Nathan A. McClintock	03/29/09
Michael David Formby	03/29/09
Mark Daniel Stein	03/30/09
Thomas Joseph Hogan	04/02/09
Lisa Buse Miller	04/03/09
Deborah Bernadette Billips	04/03/09
Michael Todd Miller	04/05/09
Ross Kenji Morishige	04/05/09
Sidney Merlyn Thompson	04/05/09

Expiration Date

Educational Equivalency Certificate

	<u>Expiration Date</u>
Francis Michael Hecomovich	04/05/09
Kesaia Young	04/09/09
E. Greg Cimino	04/09/09
Jason Jon Oswalt	04/09/09
Leslie M. Pappas	04/09/09
Cletus Jerome Zink	04/10/09
Sergey Fednov	04/10/09
Teresa Marie Marden	04/12/09

Real Estate Broker Experience Certificate

	<u>Expiration Date</u>
Bailey Frazier Wharton	03/22/09
Sarah Quevedo	03/23/09
Carl B. Heglund	03/23/09
Carole Ann Kwiat	03/23/09
Catherine Medina	03/23/09
Dayna Layne Wengeler	03/23/09
Chuck Ashley Allen	03/28/09
Angelina Lautan Arevalo	03/29/09
Russell Wayne Obana	03/29/09
Grant Kaponno Kanoho	03/29/09
Edla Charyll Chory	03/29/09
Mark Daniel Stein	03/30/09
Nicole Chung	04/03/09
James Alan Shizuo Ogawa	04/03/09
Michael Todd Miller	04/05/09
Sidney Merlyn Thompson	04/05/09
Tomas J. Yi	04/05/09
Susan Joan Halas	04/09/09
Hans J. Schlegel	04/09/09
Cletus Jerome Zink	04/10/09
Teresa Marie Marden	04/12/09

Real Estate Broker (upgrade)

	<u>Effective Date</u>
Angela G. Ward	03/05/07
Gregory Bondy	03/13/07
Danna Lark Christensen	03/19/07
Chester D. Haberle, Jr.	03/19/07
David J. Kim	03/20/07
Ricky T. Tawata	03/20/07
Michael S. Owen	03/23/07
Anthony J. Hunt	03/23/07
Juliann R. Major	03/22/07
Robert F. Vafaie	03/22/07
John Dirgo	03/27/07
Lori L. Ferrell	03/27/07
Scott Carvill	03/27/07
Lester Eugene Tompkins	03/28/07
Rollie J. Litteral	03/28/07
Marc Dalisay	04/12/07

Real Estate Commission
Minutes of the April 20, 2007 Meeting
Page 10

Condominium Hotel Operator
Kamaole Nalu Resort Owners, LLC
ALM Management Services, LLC

Effective Date
04/03/2007
04/11/2007