

CONDOMINIUM REVIEW COMMITTEE MEETING

REAL ESTATE COMMISSION

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AGENDA

Date: Wednesday, August 10, 2011

Time: Upon adjournment of the Laws and Rules Review Committee meeting scheduled to convene at 9:00 a.m.

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

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 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.

1. Call to Order, Public Notice, Quorum
2. Chair's Report
3. Senior Condominium Specialist's Report
 - a. Introductions, Announcements, Correspondence, and Additional Distribution
 - b. Minutes of Previous Meetings
4. Condominium Governance and Management
 - a. Mediation & Arbitration – *Hawaii Bar Journal* (June 2011)
 - 1) Mediation in Hawaii: A Brief History by Lou Chang
 - 2) Practitioners' Guide to Mediation by Gerald S. Clay and James K. Hoenig
 - 3) Perils of Mediation – By Charles S. Lotsof
 - b. AOUO Registrations
 - c. Ad Hoc Committee on Condominium Education and Research
 - d. Condominium Seminars and Symposium – "Legislative Update 2011" July 14, 2011 CAI Hawaii - Evaluation
 - e. Education Calendar
 - f. Start-up Kit for New AOUOs
 - g. Case Law Review – *Community Association Management Insider* (June 2011)
 - 1) "State Law Unconstitutionally Impaired Association's Governing Documents"
 - 2) "Determining Whether a Requested Accommodation Is Necessary"
 - h. Condominium Related Articles
 - 1) "Controlling Owner's Business Use of Their Units" *Community Association Management Insider* (July 2011)
 - 2) "New Foreclosure Procedures Under Hawaii Law - Act 48 (SLH 2011) by John Morris Esq. - *CAI Hawaii* (June 2011)
 - 3) "Common Interests, Uncommon Communities" - *Common Ground* (CAI July August 2011)
 - 4) "Plugged In" - *Common Ground* (CAI July August 2011)
 - i. CDR Pilot Program
5. CPR Registration and Developer's Public Reports
 - a. Condominium Projects and Developer's Public Reports
 - 1) July 2011
 - 2) Project Statistics
 - 3) CPR Project
 - 4) Owner-Occupant

- 5) Request for Informal Non Binding Interpretation, Subchapter 5, Title 16, Ch. 201, HAR from Raymond Iwamoto, Esq. Schlack Ito A Limited Liability Law Company, dated July 25, 2011 Relating to "Inapplicability Of Registration Requirement To Nonresidential Units Sold For \$1,000,000 And More; And Use Of Purchaser's Deposits To Pay Project Costs"; §514B-51, HRS, "Registration required; exceptions"; §514B-81, HRS, "Applicability; exceptions"; §514B-92, HRS, "Use of purchaser deposits to pay project costs"; §514B-93, HRS, "Early conveyance to pay project costs" and other related sections of HRS
 - b. CPR Workshops and Meetings
 - c. Consultants
 - d. Case Law
6. Program of Work, FY12
 - a. Condominium Laws and Education
 - b. Advice, Education, and Referral
 - c. Hawaii Condominium Bulletin
 - d. CMA Registrations
 - e. Rulemaking, Chapter 107
 - f. Meetings
 - g. Government and Legislative Participation & Report
 - h. Legislative Acts and Resolutions
 - i. Interactive Participation with Organizations
 - j. Neighbor Island Outreach
 - k. Consumer Education
 - l. Rulemaking, Chapter 53, Fees
 - m. Condominium Specialist Office for the Day
 - n. Condominium Speakership Program
 - o. Technology Program and Website
 - p. Records Management
 - q. Cooperative Education, Research, and Administrative Program
 - r. Division and Department Programs
 - s. Staff and Commissioners Development
 - t. Condominium Reference Library
7. Condominium Organizations Forum
 - a. Community Associations Institute Hawaii Chapter
 - b. Hawaii Council of Association of Apartment Owners
 - c. Hawaii Independent Condominium and Cooperative Owners
 - d. Condominium Council of Maui
 - e. Hawaii Association of REALTORS®
 - f. Institute of Real Estate Management Hawaii Chapter / Oahu ARM Committee
 - g. Hawaii State Bar Association / Real Property & Financial Services
 - h. Land Use Research Foundation
 - i. Others
8. Budget and Finance Report
9. Next Meeting: Wednesday, September 7, 2011
Upon adjournment of the Laws and Rules Review Committee meeting scheduled to convene at **9:30 am**
West Hawaii Association of REALTORS®
74-5620 Palani Court, Suite 106
Kailua-Kona
10. Adjournment
This meeting is funded in part by the Condominium Education Trust Fund. Individuals who require special needs accommodations are invited to call Cynthia Yee, Senior Condominium Specialist, at 586-2643, at least 4 **working days** in advance of the meeting.