

**CONDOMINIUM REVIEW COMMITTEE**  
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: February 11, 2009

Time: 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.

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

Present: William Chee, Chair, Broker / Honolulu Commissioner  
Mark Suiso, Vice Chair, Public / Honolulu Commissioner  
Louis Abrams, Broker / Kauai Commissioner  
Trudy Nishihara, Broker / Honolulu Commissioner  
Carol Ball, Broker / Maui Commissioner  
Stanley Kuriyama, Broker / Honolulu Commissioner  
Michele Sunahara Loudermilk, Public / Honolulu Commissioner  
Frances Gendrano, Broker / Honolulu Commissioner

Neil Fujitani, Supervising Executive Officer  
Cynthia Yee, Senior Condominium Specialist  
Cheryl Leong, Condominium Specialist  
Diane Choy Fujimura, Senior Real Estate Specialist  
Shari Wong, Deputy Attorney General  
Tammy Norton, Recording Secretary  
Sonia Ines, Office Assistant

Others: Aron Espinueva, Hawaii Association of REALTORS®

Absent: Annette Aiona, Broker / Hilo Commissioner

Call to Order: Chair Chee called the meeting to order at 9:56 a.m., at which time quorum was established.

Chair's Report: No report was presented.

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.

Commissioner Aiona was excused from the meeting. Prior notification of her non-attendance was received.

Condominium  
Specialist's  
Report:

#### **Additional Distribution**

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

4. Condominium Governance and Management
  - j. Educational Brochures -- "Condominium Owner Rights and Responsibilities"; "Condominium Board Members Powers and Duties"

Minutes:

Upon a motion by Commissioner Abrams, seconded by Commissioner Nishihara, it was voted on and unanimously carried to accept the minutes of the January 7, 2009 Condominium Review Committee meeting as circulated.

Condominium  
Governance and  
Management:

#### **AOAO Registrations**

Specialist Yee reported that as of January 31, 2009, 1,626 AOAOs have successfully registered.

#### **Condominium Seminars and Symposium – Evaluation "Navigating through Turbulence to Successful Annual Meetings," CAI Hawaii Chapter January 22, 2009**

The Condominium Education Trust Fund subsidized seminar was monitored by Commissioner Ball and Specialist Yee. Both reported that the seminar was well attended, very informative and the information flowed well.

The option of these seminars being video taped was noted, Specialist Yee noted providing subsidies to video tape the seminars would require an amendment to the contract.

#### **Condominium Related Articles**

The following condominium related articles were distributed for informational purposes:

- 1) "How to Suspend Delinquent Member's Privileges" *Community Association Management Insider* (November 2008)
- 2) "Time for Self-Help" -- *Common Ground* (January February 2009)
- 3) "Below the Surface" -- *Common Ground* (January February 2009)
- 4) "Condominium Insurance for Owners-Avoiding the School of Hard Knocks" -- *Hawaii Community Associations* (December 2008)
- 5) "Occupancy Discrimination vs. The Federal Fair Housing Act" -- *Hawaii Community Associations* (December 2008)
- 6) "How Boards Get In Trouble" -- *Hawaii Community Associations* (December 2008)
- 7) "Hiring a Handyman?"-- *Hawaii Community Associations* (December 2008)

- 8) "CAI Hawaii and the Hawaii Real Estate Commission Received the Adopt a Library Award in December" - *Hawaii Community Associations* (December 2008)

**Educational Brochures -- "Condominium Owner Rights and Responsibilities"; "Condominium Board Members Powers and Duties"**

The contractor, Ekimoto & Morris, submitted draft 2 of the brochures. Commissioners were asked to review the drafts and provide Specialist Yee with any comments by next week. Staff will work with the contractor to place a draft of the brochures on the Commission's website by the end of the month. The contractor has informed staff that it will not format the brochures until the end of the legislative session at which time updates will be included.

Condominium  
 Project  
 Registration:

**Condominium Project Registration - Public Reports Issued**

A list of those condominium projects issued effective dates during the month of January 2009 were distributed for informational purposes.

PROJ #	PROJECT NAME	PROJECT ADDRESS	TMK #	UNITS	REPORT DATE
6519	1402 PIIKOI STREET HONOLULU	1402 PIIKOI ST HI	124019036 96822	20	B AMD 1/6/2009
6704	47-816 AND 47-820 KAMEHAMEHA HWY KANEHOE	47-816 & 47-820 KAMEHAMEHA HWY HI	147007001 96744	2	B REPT 1/6/2009
6748	66-587 & 66-615 KAMEHAMEHA HWY HALEIWA	66-587 & 66-615 KAMEHAMEHA HWY HI	166018022 96712	2	B REPT 1/30/2009
6727	931 COOLIDGE HONOLULU	931 COOLIDGE ST HI	127009025 96826	11	B REPT 1/21/2009
6460	DYNASTY ESTATES KAPAA	975 KAMALU RD HI	444015003 96746	3	B AMD 1/29/2009
5821	HALE HO`OKIPA CONDOS PAIA	749 AND 753 HANA HWY HI	226012012 96779	4	SUPPL 1/14/2009
6691	KAHU`AINA 8 KILAUEA	7480 KOOLAU RD HI	451003022 96754	2	B REPT 1/8/2009
6692	KAHU`AINA 9 KILAUEA	7480 KOOLAU RD HI	451003013 96754	2	B REPT 1/8/2009
6717	KALAMA RIDGE KAPAA	6524 KALAMA RD HI	444007016 96746	2	B REPT 1/9/2009
6609	KOKEANU ESTATES KAPAA	6929 KOKEANU PL HI	442014009 96746	2	B AMD 1/23/2009
6731	LOT 28 CONDOMINIUM LAHAINA	153 PUA NIU WAY HI	247009074 96761	2	B REPT 1/14/2009
6732	MAKAI 25 CONDOMINIUM LAHAINA	5 & 7 PUA NIU WAY HI	247001031 96761	2	B REPT 1/14/2009
6236	MALUAKA MAKENA	KEONEOIO RD HI	221006037 96753	14	B AMD 1/23/2009
6699	MAUI STORAGE SPACE WAILUKU	121 W AHULI`U WAY HI	238094012 96793	83	B REPT 1/14/2009
6669	MIRAGE CONDOMINIUM THE KOLOA	4311 & 4380 UPA RD HI	427008087 96756	2	B REPT 1/8/2009
6721	NAALAE VIEW CONDOMINIUM KULA	1119 & 1121 NAALAE RD HI	222015036 96790	2	B REPT 1/12/2009
6614	PUKALANI CONDOMINIUM PRINCEVILLE	3875 KAMEHAMEHA RD HI	454014032 96722	5	B REPT 1/14/2009
6384	SACRED FALLS HAUULA	53-834 D & E KAMEHAMEHA HWY HI	153013001 96717	2	B AMD 1/15/2009
6745	VICTORINO ESTATES CONDOMINIUM KAPAA	1706 BETTENCOURT LN HI	458009008 96746	2	B REPT 1/21/2009
6746	VILLAS OF HALEILIO KAPAA	4825 HALEILIO RD HI	441008003 96746	2	B REPT 1/20/2009
6372	WAIPOULI OHANA ESTATES KAPAA	6881 WAIPOULI RD HI	444014013 96746	2	B AMD 1/30/2009

0	Preliminary Reports
0	Contingent Final Reports
0	Final Reports
1	Supplementary Reports
14	B Reports
6	B Amendment Reports
21	TOTAL REPORTS

### **"Twelve buyers at Honua Kai sue for refund" *The Maui News* January 24, 2009**

Staff reported that a letter was sent to the developer requesting a response whether circumstances reported in the article require that the developer update the public report. Staff did not receive a response to its inquiry prior to this meeting.

#### **Program of Work: Hawaii Condominium Bulletin**

The February 2009 issue of the Hawaii Condominium Bulletin is currently at the printers and will be distributed shortly.

#### **Government and Legislative Participation & Report**

House Bill No. 956 and Senate Bill No. 1107 relate to the merging of the two condominium funds as one fund. The House Consumer Protection Committee heard the measure on Monday and it went well despite testimony in opposition from Richard Port. The bill was referred to the Finance Committee with an effective date. Although this measure is designed to eliminate the administrative burden of operating two funds, Mr. Port is concerned about the use of the owners and developer's contributions to the CETF. Staff will meet with Mr. Port on the use of the fund contributions. Hopefully, Mr. Port will understand the measure and not create any unintended consequences in changing the language of the measure.

#### **Rulemaking, Chapter 53, Fees**

Specialist Yee reported that this issue has been rescheduled for the next Real Estate Commission meeting.

#### **Condominium Reference Library**

Status report provided CAI Hawaii shipped the books yesterday and should arrive at the Real Estate Branch office shortly. Staff will affix labels to the publications. CAI Hawaii wants to do a public presentation of the publications to the library.

#### **Condominium Organizations Forum:**

No comments, recommendations or concerns were received from the following: Community Associations Institute Hawaii Chapter, Alakahi Foundation, Hawaii Council of Association of Apartment Owners, Hawaii Independent Condominium and Cooperative Owners, Hawaii State Bar Association/Real Property & Financial Services Section, Land Use Research Foundation, Condominium Council of Maui, Hawaii Association of Realtors/Institute of Real Estate Management Hawaii Chapter/ Oahu Arm Committee, others.

Condominium Review Committee  
Minutes of the February 11, 2009 Meeting  
Page 5

Open Forum: No discussion presented.

CEF Budget & Finance Report: Upon a motion by Commissioner Ball, seconded by Commissioner Suiso, it was voted on and unanimously carried to accept the Condominium Education Fund Financial Report for the period ending December 31, 2009.

Next Meeting: March 11, 2009  
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

Adjournment: With no further business to discuss, Chair Chee adjourned the meeting at 10:14 a.m.

Respectfully submitted:

/s/ Cynthia M. L. Yee

---

Cynthia M. L. Yee  
Senior Condominium Specialist

February 18, 2009

---

Date

Minutes approved as is.

Minutes approved with changes; see minutes of \_\_\_\_\_

CY/tn/090218