

**CONDOMINIUM REVIEW COMMITTEE**  
Real Estate Commission  
Professional and Vocational Licensing Division  
Department of Commerce and Consumer Affairs  
State of Hawaii  
[www.state.hi.us/hirec](http://www.state.hi.us/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: October 10, 2001

Time: 11:00 a.m.

Place: Kapuaiwa Room  
HRH Princess Victoria Kamamalu Building  
1010 Richards Street, Second Floor  
Honolulu, Hawaii

Present: Mitchell Imanaka, Chair  
Peter Rice, Vice Chair  
Charles Aki, Member  
Michael Ching, Member  
Iris Okawa, Member

Calvin Kimura, Supervising Executive Officer  
Alan Taniguchi, Executive Officer  
Cynthia Yee, Senior Condominium Specialist  
Cheryl Leong, Condominium Specialist  
Gina Watumull, Condominium Specialist  
Gordon Arakaki, Condominium Recodification Attorney  
Lorene Arata, Real Estate Specialist  
Tammy Norton, Recording Secretary

Excused: Alfredo Evangelista, Member  
Patricia Choi, Member  
John Ohama, Member  
Casey Choi, Member

Call to Order: Chair Imanaka called the meeting to order at 11:15 a.m., at which time quorum was established.

Chair's Report: No report was presented.

Condominium  
Specialist's  
Report:

**Minutes**

Upon a motion by Commissioner Rice, seconded by Commissioner Aki, it was voted on and unanimously carried to accept the minutes of the August 6, 2001 Condominium Review Committee meeting with correction to a typographical error on page 5. The September 12, 2001 meeting was cancelled due to lack of quorum, therefore, there are no minutes for the month of September.

Condominium  
Governance and  
Management:

**Mediation and Arbitration**

A memo from the Hawaii Association of Realtors relating to Alternative Dispute Resolution was distributed for informational purposes.

“PEACE Talk” newsletter, Summer 2001 issue, from the Mediation Services of Maui was distributed for informational purposes.

### **AOAO / CMA / CHO Registrations**

Specialist Leong reported that as of September 30, 2001, 1,394 AOAOs have successfully registered. She further reported that 105 CMAs are currently registered.

Upon a motion by Commissioner Rice, seconded by Commissioner Ching, it was voted on and unanimously carried to recommend approval to ratify issuance of effective registration dates for Association of Apartment Owners through August 31, 2001 and September 30, 2001 for the 2001-2003 registration. The associations are as follows:

Auhana Kuleana	8/1/01	Country Club Village	8/9/01
Emerson Court	8/1/01	Expressions at Royal Kunia	8/29/01
Hale Maili	8/16/01	Hidden Valley Estates	8/9/01
Hoaloha Ike II	8/01/01	Hanalo Plaza	8/20/01
International Colony Club	8/1/01	Kalama Townhouses	8/10/01
Kalolini Estates	8/16/01	Kihei Villa	8/23/01
Laule'a	8/6/01	Luana-Paleka Cottages	8/8/01
Mahinahina Beach	8/6/01	Malanai Iki	8/9/01
Moanalua View Estates	8/10/01	Mokuleia Country Homes	8/9/01
Pine Knoll Villas	8/9/01	Pono Kai	8/2/01
Pukalani Fairway Estates	8/10/01	Pulua	8/9/01
Puueo Villa	8/3/01	Pu'uiki Hale	8/1/01
Terraces Manele Bay The	8/16/01	Royal Palm at Waipio Ph II	8/10/01
Valley View Terrace	8/16/01	Vintage at Kaanapali	8/28/01
Waikiki Beachside	8/2/01	804 Green	9/27/01
Aiea Medical Building	9/18/01	Central/Halawa Bldg	9/04/01
Crown Thurston	9/3/01	Financial Plaza of the Pacific	9/25/01
Sunset Beach Vista	9/3/01	Wahiawa Medical Bldg	9/4/01

**Condominium Seminars – CEF Subsidy “Covenant Enforcement” (CAI Hawaii) – Evaluations** – Staff evaluations distributed for informational purposes.

### **Case Law Review Program**

Excerpts from “Current Happenings in Covenant Enforcement” a CAI Hawaii Presentation, August 16, 2001 was distributed for informational purposes.

### **Condominium Related Articles**

The article entitled “Evaluating Engineering Services for Replacement Fund Studies” from the Summer 2001 issue of *Ledger Quarterly* was distributed for informational purposes to keep the committee abreast of reserve studies

### **Proposed Legislation – Representative Willie Espero**

Representative Espero will be introducing legislation in 2002 relating to amending the new section on mediation and amending §514A-82(b)(2) and desires feedback from the Commission.

The Committee encourages Representative Espero to meet with the Condominium Review Committee with any proposed condominium legislation; including mediation, managing agent fees, attorney's fees, and approval of bylaw amendments.

Condominium  
 Project  
 Registration:

**Condominium Project Registration - Public Reports Issued**

Upon a motion by Commissioner Okawa, seconded by Commissioner Ching, it was voted on and unanimously carried to recommend approval to ratify issuance of effective dates for public reports for the months of August and September 2001 as follows:

Proj No	Project Name	Project Address	TMK #	Report	Date
4704	1111/1111-A 10TH AVENUE	1111/1111-A 10TH AVE HONOLULU HI 96816	(1)3-02-001:110	Final	08/22/01
4694	349-A & 349-B KENOLIO ROAD	349-A & 349-B KENOLIO RD KIHEI HI 96752	(2)3-09-015:011	Final	08/31/01
4677	44-602 & 44-608 KANEOHE BAY DR	44-602 & 44-608 KANEOHE BAY DR KANEOHE HI 96744	(1)4-04-016:025	Final	08/14/01
4605	6405 KAWAIHAU CONDOMINIUM	6405 KAWAIHAU RD KAPAA HI 96746	(4)4-06-007:023	Suppl 1	08/27/01
4641	91A/91B HUI ROAD F	91A/91B HUI RD F LAHAINA HI 96761	(2)4-03-016:059	Final	08/15/01
2890	ALIOMANU ESTATES X CONDO	LOT 10 ALIOMANU ESTS SUBD KAPAA HI 96746	(4)4-09-005:025	Suppl 1	08/22/01
4698	ALIOMANU ESTATES XIV CONDO	LOT 14 ALIOMANU ESTATES ALIOMANU HI	(4)4-09-003:004	Final	08/15/01
4700	AVALON, PHASE I	91-1030 HUILAU ST BLDG 1 EWA BEACH HI 96706	(1)9-01-102:047	Final	08/14/01
4710	CORTEBELLA, PHASE 10	91-1052 KOMOAINA ST EWA BEACH HI 96706	(1)9-01-010:048	Prelim	08/30/01
4691	CORTEBELLA, PHASE 9	91-1052 KOMOAINA ST EWA BEACH HI 96706	(1)9-01-010:048	Prelim	08/03/01
4656	EKAHA CONDOMINIUM	LOT 6 NAMAHANA FARMS SUBDIV HANAIEI HI	(4)5-02-024:006	Final	08/07/01
4639	FIUME PARDISO	WAINIHA HUI LANDS HANAIEI HI	(4)5-08-006:012	Final	08/03/01
4678	HALE ONEAWA I	405 ONEAWA ST KAILUA HI 96734	(1)4-03-062:045	Final	08/06/01
4657	HAPU'U CONDOMINIUM	LOT 15 NAMAHANA FARMS SUBDIV HANAIEI HI	(4)5-02-024:015	Final	08/09/01
4679	HUALANI GROVE	411 B-E HUALANI ST KAILUA HI 96734	(1)4-03-047:059	Final	08/14/01
4628	KALAMAKU'U	MOKUHANO ST HONOLULU HI 96825	(1)3-09-082:062	Final	08/31/01
4660	KAMOLE CONDOMINIUM	LOT 13 NAMAHANA FARMS SUBDIV HANAIEI HI	(4)5-02-024:015	Final	08/03/01
2490	KOLO KAI	1980 A C E G & J KOLO RD KILAUEA HI 96754	(4)5-02-012:001	Suppl 2	08/01/01
4696	KOLO PUA HALE ESTATES	6107 KOLO PUA ST KAPAA HI 96746	(4)4-02-010:015	Final	08/24/01
4644	KUKIO BEACH CLUB & COTTAGES PH 1	MILE MARKER 87 QUEEN KAAHUMANU KAILUA-KONA HI	(3)7-02-004:005	Suppl 1	08/24/01
4661	KUKUI CONDOMINIUM	LOT NAMAHANA FARMS SUBDIV HANAIEI HI	(4)5-02-024:00	Final	08/09/01
4701	LUAKINI CONDOMINIUM	1440 KUALAPA PL KAPAA HI 96746	(4)4-04-014:010	Final	08/28/01
4618	MAKANUI CONDOMINIUM	LOT B WELIWELI HGTS WELIWELI HI	(4)2-08-020:069	Final	08/24/01
4685	MARINERS PLACE TOWNHOMES INCR 4	91-1031 KAIMALIE ST EWA BEACH HI 96706	(1)9-01-115:007	Prelim	08/06/01
4468	NA HALE O MAKENA	MAKENA KEONEOIO RD MAKENA HI 96753	(2)2-01-007:101	Final	08/16/01
4675	NOHONA KA MOE'UNHANE	LOT 122-C HAINIHA HI	(4)5-08-011:008	Final	08/14/01
4687	OMAO IKENA CONDOMINIUM	LOT 50-B OMAO HMSTDS OMAO HI	(4)2-07-004:099	Final	08/06/01
4665	PAKAHAKAHA CONDOMINIUM	LOT NAMAHANA FARMS SUBDIV HANAIEI HI	(4)5-02-024:00	Final	08/03/01
4667	PAMOHO CONDOMINIUM	LOT NAMAHANA FARMS SUBDIV	(4)5-02-024:00	Final	08/03/01

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4702	PARADISE LIMITED CONDOMINIUM	HANAIEI HI 6381 MAKANA RD WAILUA HI 96746	(4)4-02-022:033	Final	08/14/01
3190	STREAMSIDE AT LAUNANI VALLEY PH I	95-781 WIKAO ST MILILANI HI 96789	(1)9-05-002:023	Suppl 1	08/27/01
4627	TERRAZZA PHASE 7	91-180 MAKALE'A ST EWA BEACH HI 96706	(1)9-01-010:049	Final	08/14/01
4692	TERRAZZA, PHASE 10	91-1042 KOMO'AINA ST EWA BEACH HI 96706	(1)9-01-010:049	Prelim	08/03/01
4669	ULUHE CONDOMINIUM	LOT NAMAHAHA FARMS SUBDIV HANAIEI HI	(4)5-02-024:00	Final	08/07/01
Preliminary Reports:		4			
Contingent Final Reports:		0			
Final Reports:		25			
Supplementary Reports:		5			
August Total:		34			
4726	1242 MATLOCK	1242 MATLOCK AVE HONOLULU HI 96814	(1)2-04-011:066	Final	09/19/01
4682	1874 KAIKUNANE LOOP	1874 KAIKUNANA LP HONOLULU HI 96817	(1)1-06-028:011	Final	09/07/01
4611	2786 BOOTH ROAD	2786 BOOTH RD HONOLULU HI 96813	(1)2-02-027:029	Final	09/06/01
4402	616 MALUNIU	616C, D & E MALUNIU AVE KAILUA HI 96734	(1)4-03-036:005	Suppl 1	09/17/01
2464	ALIOMANU KAI CONDOMINIUM	ALIOMANU RD KAPAA HI 96746	(4)4-09-004:024	Suppl 1	09/24/01
4730	ALOHA NONI	5733 NONI ST KAPAA HI 96746	(4)4-02-013:135	Final	09/25/01
4707	COCONUT PLANTATION AT KO OLINA RESORT	92-1070 OLANI ST KAPOLEI HI 96707	(1)9-01-056:004	Prelim	09/12/01
4650	DELMONTE PLACE VI	1557 & 1559 ALEWA DR HONOLULU HI 96817	(1)1-08-030:109	Final	09/06/01
4705	EBY CONDOMINIUM PROJECT	AINAKEA KOHALA HI	(3)5-03-011:100	Final	09/04/01
4708	HIGHLANDS CONDOMINIUM THE	247 KAWEO PL KULA HI 96790	(2)2-02-020:066	Final	09/04/01
4616	KA'APAHU HOMESTEAD LOT 44A	44-3645 KUKUIPAPA RD PA'AUILO HI 96776	(3)4-04-012:007	Final	09/06/01
4703	KUKUI ESTATES	6240 HELENA LANE KAPAA HI 96746	(4)4-06-007:083	Final	09/07/01
4714	LOT 1 SLEEPING GIANT ACRES	LOT 1 SLEEPING GIANT ACRES SUB KAPAA HI	(4)4-04-011:001	Final	09/07/01
4716	LOT 3 SLEEPING GIANT ACRES	LOT 3 SLEEPING GIANT ACRES SUB KAPAA HI	(4)4-04-011:001	Final	09/17/01
4729	LOT 9 SLEEPING GIANT ACRES	LOT 9 SLEEPING GIANT ACRES SUB KAPAA HI	(4)4-04-011:001	Final	09/28/01
4731	MAHINA ALA	LOT 3 GOLDEN POND ESTATES KAPAA HI	(4)4-04-003:016	Final	09/25/01
4519	MANGO HILLS	2506 N SCHOOL ST HONOLULU HI 96819	(1)1-03-011:078	Final	09/20/01
4706	MARINERS PLACE TOWNHOMES INCR 1	91-1031 KAIMALIE ST EWA BEACH HI 96706	(1)9-01-115:007	Final	09/06/01
4709	MARINERS PLACE TOWNHOMES, INCR 2	91-1031 KAIMALIE ST EWA BEACH HI 96706	(1)9-01-115:007	Prelim	09/20/01
4684	MARTINS CONDOMINIUM	4625 OLOHENA RD KAPAA HI 96746	(4)4-03-004:003	Final	09/26/01
4646	MELE 'O KE KAI CONDOMINIUM	LOT 12 KALIHAIWAI BAY ESTATES KALIHAIWAI HI	(4)5-03-003:052	Final	09/10/01
4652	OCEAN RESORT VILLAS	SIX KAI ALA DR LAHAINA HI 96791	(2)4-04-014:003	Cont Fin	09/21/01
4671	POIPU COUNTRY ESTATES	KOLOA POIPU BY PASS RD KOLOA HI 96756	(4)2-08-022:018	Final	09/05/01
4736	TERRAZZA, PHASE 11	91-1042 KOMOAINA ST EWA BEACH HI 96706	(1)9-01-010:049	Prelim	09/26/01
4737	TERRAZZA, PHASE 12	91-1042 KOMOAINA ST EWA BEACH HI 96706	(1)9-01-010:049	Prelim	09/26/01
4693	TOLENTINO ESTATE	99-950 & 99-950 A HALAWA DR AIEA HI 96701	(1)9-09-033:029	Final	09/21/01
4547	VILLAGES AT MAUNA LANI THE	LOT 4 N KANIKU DR KOHALA HI	(3)6-08-022:004	Suppl 1	09/10/01
4547	VILLAGES AT MAUNA LANI THE	LOT 4 N KANIKU DR KOHALA HI	(3)6-08-022:004	Final	09/11/01
4723	VILLAS OF KAMALI'I	4171 LEI O PAPA RD PRINCEVILLE HI 96722	(4)5-04-006:001	Prelim	09/12/01

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Preliminary Reports: 5  
Contingent Final Reports: 1  
Final Reports: 20  
Supplementary Reports: 3  
  
September Total: 29

Further recommend to defer to the October 30, 2001 Real Estate Commission meeting, ratification of effective dates of developer's public reports and extension for CPR #4670, 2100 Kalakaua Avenue, and CPR # 4722, The Peninsula at Hawaii Kai as listed below:

4670	2100 KALAKAUA AVENUE	2100 KALAKAUA AVE HONOLULU HI 96815	(1)2-06-018:010	Prelim	09/04/01
4722	PENINSULA AT HAWAII KAI THE - PROJECT	7105 WAILUA ST HONOLULU HI 96825	(1)3-09-008:016	Cont Fin	09/25/01

**"AFDA's and CPR's" – hibr news (July 2001)** – article distributed for informational purposes.

**August 24, 2001 Letter to Christopher J. Yuen, Planning Director, County of Hawaii** – response letter to Mr. Yuen distributed for informational purposes.

**Request for Informal Non-Binding Opinion §514A-107(b), HRS – Rosalinda Carter**

Specialist Yee reported that Ms. Rosalinda Carter purchased a condominium apartment on approximately June 25, 2001. Ms. Carter executed an affidavit stating that she would reside in the condominium as an owner-occupant for at least 365 days. Due to a serious illness, Ms. Carter is unable to fulfill her owner-occupant requirement and is requesting a "no action" letter from the Commission indicating that the Commission, because of her serious illness, will not enjoin her from selling the condominium prior to the expiration of the 365 days. Ms. Carter states in her August 9, 2001 letter to the Commission that Gentry Homes, Ltd. has agreed not to exercise its right to repurchase the home.

Upon a motion by Commissioner Ching, seconded by Commissioner Rice, it was voted on and unanimously carried to recommend approval to issue an informal non-binding opinion that the circumstances described by Ms. Carter in her letter of August 9, 2001 appear to fall within §514A-107(b)(1), HRS; and further recommend approval to issue a no action letter subject to Ms. Carter's submission to the Commission of the following:

- 1) Verification of serious illness/medical condition from a licensed medical doctor; and
- 2) Supporting documentation from Gentry Hawaii indicating agreement to allowing the resale of the condominium before the expiration of 365 days.

Program of Work: **Hawaii Condominium Bulletin**

An index file of the Hawaii Condominium Bulletin from Fall 1991 through June 2001 has been compiled and distributed for informational purposes. The index will also be made available on the Commission's website and as part of the upcoming Condominium Bulletin

**Interactive Participation with Organizations – CAI May 2001 Meeting Report**

The committee acknowledged receipt of the report compiled by Commissioner Rice, Recodification Attorney Arakaki, and Specialist Yee.

**Recodification of Chapter 514A**

Chair Imanaka reported that he along with Recodification Attorney Arakaki has made several speaking engagements presenting the recodification project. The next envisioned step is to create an ad hoc advisory group to go over the draft. A final product will need to be submitted to the Legislature in October 2002.

CMEF Budget & Upon a motion by Commissioner Rice, seconded by Commissioner Ching, it was Finance Report: voted on and unanimously carried to recommend acceptance of the Condominium Management Education Fund unaudited Financial Summary report dated June 28, 2001 (rev 7/29/01, 7/31/01).

Condominium Organizations Forum: There were no comments, recommendations or concerns 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.

Open Forum: No discussion presented.

Next Meeting: November 14, 2001; 11:00 a.m.  
Kapuaiwa Room  
HRH Princess Victoria Kamamalu Bldg.  
1010 Richards Street, Second Floor  
Honolulu, Hawaii 96813

Adjournment: With no further business to discuss, Chair Imanaka adjourned the meeting at 11:32 a.m.

Respectfully submitted:

/s/ Cynthia M. L. Yee  
Cynthia M. L. Yee  
Senior Condominium Specialist

November 14, 2001  
Date

Minutes approved as is.  
 Minutes approved with changes; see minutes of \_\_\_\_\_