

**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: November 13, 2002

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  
Louis Abrams, Member  
Marshall Chinen, Member  
Kathleen Kagawa, Member  
John Ohama, Member  
Iris Okawa, Member

Calvin Kimura, Supervising Executive Officer  
Alan Taniguchi, Executive Officer  
Cynthia Yee, Senior Condominium Specialist  
Cheryl Leong, Condominium Specialist  
David Grupen, Condominium Specialist  
Gordon Arakaki, Condominium Recodification Attorney  
Diane Choy Fujimura, Senior Real Estate Specialist  
Lorene Arata, Real Estate Specialist  
Shari Wong, Deputy Attorney General  
Tammy Norton, Recording Secretary

Others: Brian Thomas

Excused: Patricia Choi, Member  
Vern Yamanaka, Member

Call to Order: Chair Imanaka called the meeting to order at 11:30 a.m., at which time quorum was established.

Chair's Report: No report was presented.

Condominium Specialist's Report: **Additional Distribution**  
The following materials were distributed prior to the start of the meeting:

- 4.e. Education Calendar
- 6.d. CHO Registrations

Minutes: Upon a motion by Commissioner Rice, seconded by Commissioner Abrams, it was voted on and unanimously carried to accept the minutes of the October 9, 2002 Condominium Review Committee meeting as circulated.

Condominium  
Governance and  
Management:

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

Specialist Grupen reported that no additional associations were registered during the month of October. The number of registered associations remains at 1,448.

#### **Mediation and Arbitration**

The mediation providers, pursuant to their respective contracts provided in their written quarterly reports the following statistics for the third quarter of 2002 (July 1 – September 30, 2002): Mediation Center of the Pacific – 19 cases; Mediation Services of Maui – 6 cases; Kauai Economic Opportunities – 0 cases; Ku'ikahi Mediation Center – 0 cases; and West Hawaii Mediation Center – 0 cases.

#### **Education Calendar**

The CAI Hawaii seminar "How the New Nonprofit Corporation Act Affects the Way Your Association Operates" flyer was distributed for informational purposes. The CEF subsidized seminar is to be held on November 19, 2002 and will be monitored by staff.

#### **Condominium Seminars – October 17, 2002 "Firing Line," CAI Hawaii – Evaluations**

Staff evaluations were distributed for informational purposes. Specialist Yee reported that the information was fairly presented in that the audience heard from a regulator and a practicing attorney on the subject of "discrimination."

#### **Case Law Review Program**

The following articles from the September/October 2002 issue of *Common Ground* were distributed for informational purposes: "Sunday in the Park" and "Friends in High Places."

#### **Condominium Related Articles**

The following articles from the September/October 2002 issue of *Common Ground* were distributed for informational purposes: "A Half-Dozen Ethical Dilemmas Suggest that the Right Thing To Do Isn't Always Obvious," and "Positively Charged."

The following articles from the October/November 2002 issue of *Building Management Hawaii* were distributed for informational purposes: "Toxic Mold...How Dangerous Is It?" and "Budgets: A Brief Summary of the Legal Requirements."

**National Board of Certification for Community Association Managers –  
 Computer Based Testing**

The National Board of Certification for Community Association Managers will offer a computer based test format for Certified Manager of Community Associations National Certification Examination beginning in late September 2002 through an agreement with LaserGrade Computer Testing. The CAI press release was distributed for informational purposes.

Condominium  
 Project  
 Registration:

**Condominium Project Registration - Public Reports Issued**

Chair Imanaka recused himself from discussion and voting on projects numbered 4938 and 4869, Vice Chair Rice recused himself from discussion and voting on project number 4547. Upon a motion by Commissioner Ohama, seconded by Commissioner Okawa, it was voted on and carried to recommend approval to ratify issuance of effective dates for public reports for the month of October 2002 as follows:

Proj No	Project Name	Project Address	TMK #	Report	Date
4933	1810 & 1810A 9TH AVENUE	1810 & 1810-A 9TH AVE HONOLULU HI 96816	(1)3-04-038:036	Final	10/01/02
4923	229 KAIA	229 KAIA ST HONOLULU HI 96813	(1)2-02-012:081	Final	10/08/02
4937	3602 SALT LAKE BLVD	3602 SALT LAKE BLVD HONOLULU HI 96818	(1)1-01-018:008	Final	10/10/02
4912	376 KAHOLALELE ROAD	LOT 39 MOUTAIN VIEW HALF ACRES KAWAIIHAU HI	(4)4-02-014:066	Final	10/14/02
4928	44-535 AND 44-535A KANEHOE BAY DRIVE	44-535 & 44-535A KANEHOE BAY DR KANEHOE HI 96744	(1)4-04-037:003	Final	10/31/02
4897	AHUIMANU PLACE CONDO	47-392 & 47-392 A AHUIMANU PL KANEHOE HI 96744	(1)4-07-003:009	Final	10/28/02
4862	AKANA 'OHANA O KALIHAIWAI	3144 KALIHAIWAI VALLEY RD KALIHAIWAI HI	(4)5-03-003:057	Final	10/01/02
4931	ALEWA MANOR	718 & 720 ALEWA DRIVE HONOLULU HI 96817	(1)1-08-023:053	Final	10/31/02
4856	DESTINY II AT MILILANI MAUKA PHASE II	KEKAHI ST, PU'UANU ST & PUUKA'A MILILANI HI 96789	(1)9-05-02:034	Final	10/28/02
4161	HALE IHILANI	LOT 8 KILAUA AG SUBDIV P7 HANALEI HI	(4)5-01-005:048	Suppl 1	10/25/02
4930	HALE ONEAWA II	401 & 403 ONEAWA ST KAILUA HI 96734	(1)4-03-032:105	Final	10/01/02
4324	HONOULIULI GARDENS	91-2056 & 91-2106 FT WEAVER RD EWA BEACH HI 96706	(1)9-01-021:001	Final	10/22/02
4615	HUALALAI VILLAGE	HUALALAI RD KAILUA-KONA HI 96740	(3)7-05-010:086	Suppl 1	10/01/02
4728	KAI LANI	ALIINUI DR KO OLINA HI	(1)9-01-056:002	Final	10/28/02
4901	KAILUA BAY RESORT	75-5669 KUAKINI HWY KAILUA-KONA HI 96740	(3)7-05-004:021	Suppl 2	10/01/02
4719	LOT 6 SLEEPING GIANT ACRES	LOT 6 SLEEPING GIANT ACRES SUB KAPAA HI	(4)4-04-011:001	Suppl 1	10/28/02
4890	MAKALANILE'A	STAR ROUTE 6 HANA HI 96713	(2)1-04-010:022	Final	10/10/02
4289	MAMALAHOA RANCH	LOT 11 KALOKO-MAUKA SUBDIV N KONA HI	(3)7-03-026:023	Suppl 1	10/21/02
4852	MARINERS PLACE TOWNHOMES INCR 3	91-1031 KAIMALIE ST EWA BEACH HI 96706	(1)9-01-115:017	Suppl 1	10/10/02
4938	PENINSULA AT HAWAII KAI- PROJ I (48UNIT)	520 LUNALILO HOME RD HONOLULU HI 96825	(1)3-09-008:016	Final	10/02/02
4869	PENINSULA AT HAWAII KAI- PROJ I (151UNIT)	520 LUNALILO HOME RD HONOLULU HI 96825	(1)3-09-008:016	Suppl 1	10/02/02

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4807	QUEEN EMMA GARDENS - PRINCE TOWER	1511 NUUANU AVE HONOLULU HI 96813	(1)2-01-005:004	Final	10/18/02
4891	TERRAZZA PHASE 16	MAKALE'A ST EWA BEACH HI 96706	(1)9-01-010:049	Final	10/31/02
4547	VILLAGES AT MAUNA LANI	68-1025 NORTH KANIKU DR KOHALA HI 96743	(3)6-08-022:004	Suppl 4	10/01/02
4934	WAIALUA OCEAN VILLAS	68-008 APUHIHI ST WAIALUA HI 96791	(1)6-08-011:062	Final	10/01/02
Preliminary Reports:		0			
Contingent Final Reports:		0			
Final Reports:		17			
Supplementary Reports:		8			
Total:		25			

### Consultants

Upon a motion by Commissioner Rice, seconded by Commissioner Abrams, it was voted on and unanimously carried to ratify the subcommittee's selection of Glenn Adachi and Michael Sakai as condominium consultants.

Program of Work: **Recodification of Chapter 514A**

Chair Imanaka reported that the blue ribbon panel members have been meeting weekly and are moving closer to finalizing a bill regarding the recodification project. Because of the timeframe, it may be more prudent to have a bill introduced in the 2004 legislature versus the 2003 legislature. The panel is hoping to finalize a bill by the end of the year and hold public hearings in early 2003 for early bill introduction in 2004.

Recodification Attorney Arakaki reported that this information will be explained in the report to the Legislature.

### Hawaii Condominium Bulletin

Chair Imanaka thanked Commissioner Okawa for her contribution to the October 2002 issue of the Condominium Bulletin with her article entitled "A Condo Unit Is Not a Single Family Dwelling."

### CHO Registrations

Specialist Grupen reported that the committee was provided with a copy of the minutes of the November 5, 1993 Laws and Rules Review Committee meeting where the committee recommended an informal opinion relating to Condominium Hotel Operators. The policy set forth in November 1993 is relative to a Commission deferred CHO applicant who is an out of state licensee.

SEO Kimura reported that the policy set in 1993 sets forth who can register as a CHO, etc. The deferred applicant has an active out of state license. The distributed information was provided for the members review and consideration.

### Neighbor Island Outreach

It was reported that the next neighbor island outreach meeting will be held on January 10, 2003 in Kahului, Maui.

**Condominium Specialist Office for the Day**

Condominium Specialist Offices for the Day are scheduled for November 14, 2002 in Maui, November 18, 2002 in Kona and November 19, 2002 in Hilo. The Specialist Office of the Day will also be held in conjunction with the Commission's renewal workshops.

**Condominium Speakership Program**

Chair Imanaka reported that he and Specialist Yee will be attending CAI Hawaii's Annual Meeting and will represent the Commission.

CMEF Budget &  
Finance Report:

No report presented.

Condominium  
Organizations Forum:

No comments, recommendations or concerns were received by 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:

December 12, 2002; 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 11:47 a.m.

Respectfully submitted:

/s/ Cynthia M. L. Yee

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Cynthia M. L. Yee  
Senior Condominium Specialist

December 12, 2002

\_\_\_\_\_  
Date

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