

**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: December 11, 2003

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: Mitchell Imanaka, Chair  
Peter Rice, Vice Chair  
Louis Abrams, Member  
Kathleen Kagawa, Member  
Iris Okawa, Member  
Vern Yamanaka, Member  
Trudy Nishihara, 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 Kimura, Real Estate Specialist  
Shari Wong, Deputy Attorney General  
Irene Kotaka, Recording Secretary

Others: Jungin Kim, Osaka City University  
Keiko Ichida, Osaka City University  
Satoko Toda, Osaka City University

Excused: Marshall Chinen, Member  
John Ohama, Member

Call to Order: Chair Imanaka called the meeting to order at 10:30 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 Abrams, it was voted on and unanimously carried to accept the minutes of the November 12, 2003 Condominium Review Committee meeting as circulated.

Condominium  
Governance and  
Management:

### **AOAO Registrations**

Specialist Grupen reported that there were no AOAOs registered during the month of November 2003.

### **Mediation and Arbitration**

Specialist Leong reported the following for the period ending September 30, 2003:

The Mediation Center of the Pacific mediated two cases. Mediation Services of Maui, Inc. mediated four cases. Kauai Economic Opportunity, Inc. has one case pending. Their outreach efforts included small claims training discussing mandatory mediation for condo disputes; mediation presentation for the Alcohol Drug Addiction Division (after school program) and introduced mediation to the east side community neighborhood centers. Ku'ikahi Mediation Center and West Hawaii Mediation Center did not report any cases mediated.

### **Condominium Seminars and Symposium**

Upon a motion by Commissioner Rice, seconded by Commissioner Kagawa, it was voted on and unanimously carried to recommend approval of the 2004 CAI Hawaii seminars proposal dated November 24, 2003 as CMEF subsidized seminars subject to the terms and conditions of the existing contract with the Commission.

### **Case Law Review Program**

The following articles from the *Community Association Management Insider* (September 2003) issue were distributed for informational purposes: "Association Didn't Abandon Ban on Modular Homes" and "Did Associations Discriminate Against Families with Children." The following was received from the November 2003 issue of *Ka Nu Hou*: "Common Interest Communities: The Appropriate Standards of Review."

### **Condominium Related Articles**

The articles entitled "Condo Court – Nay" "Condo Court - Yea" from the October 20, 2003 issue of *Hawaii Community Associations* were distributed for informational purposes.

Condominium  
Project  
Registration:

### **Condominium Project Registration - Public Reports Issued**

Upon a motion by Commissioner Okawa, seconded by Commissioner Yamanaka, it was voted on and unanimously carried to recommend approval to ratify issuance of effective dates for public reports for the month of November 2003 as follows:

Proj No	Project Name	Project Address	TMK #	Report	Date
5224	2026 NINTH AVENUE	2026 NINTH AVE HONOLULU HI 96816	(1)3-04-001:036	Final	11/21/03
5220	3848C ANUHEA STREET ESTATES	3848-C ANUHEA ST HONOLULU HI 96816	(1)3-03-017:011	Final	11/19/03
5223	55-155 AND 55-155A NAUPAKA ST	55-155 & 55-155A NAUPAKA ST LAIE HI 96762	(1)5-05-011:036	Final	11/19/03
5221	59-601 KE IKI ROAD	59-601 A,B,C,D & EKE IKI RD HALEIWA HI 96712	(1)5-09-003:024	Final	11/21/03

Condominium Review Committee Minutes  
 Meeting of December 11, 2003  
 Page 3

5070	BALI HAI VILLAS, PHASE VII	4970 PEPELANI LP PRINCEVILLE HI 96722	(4)5-04-005:036	Final	11/13/03
5058	COCONUT PLNTN@KO OLINA RESORT & MARINA 5	92-1070 OLANI ST KAPOLEI HI 96707	(1)9-01-056:004	Final	11/20/03
5230	HAVENS OF I'I VISTAS II - PHASE IV	KO'OLANI DRIVE MILILANI HI 9679	(1)9-05-049:056	Prelim	11/28/03
4968	HOKUA AT 1288 ALA MOANA	1288 ALA MOANA BLVD HONOLULU HI 96814	(1)2-03-005:001	Cont Final	11/17/03
5044	HU'ELANI PHASE 12	91-809 to 91-833 LAUNAEHELE ST EWA BEACH HI 96706	(1)9-01-110:001	Final	11/12/03
5151	HU'ELANI PHASE 9	91-802 LUANA'IKI ST & 91-715 LA EWA BEACH HI 96706	(1)9-01-116:005	Final	11/20/03
5167	KALALEA RIDGE	5-4951 L KUHIO HIGHWAY ALIOMANU HI	(4)4-09-002:019	Final	11/19/03
5216	KE NOHO KAI TOWNHOMES INCR 4	KAILEOLE'A DR & KAPOLEI PARKWY EWA BEACH HI 96706	(1)9-01-012:051	Final	11/19/03
5208	KO'OLANI	1189 WAIMANU ST HONOLULU HI 96814	(1)2-03-006:014	Con Final	11/05/03
4958	KOLEA CONDOMINIUM VILLAS BLDG 2	69-289 WAIKOLOA BEACH DR WAIKOLOA HI 96738	(3)6-09-011:019	Final	11/04/03
4959	KOLEA CONDOMINIUM VILLAS BLDG 3	69-289 WAIKOLOA BEACH DR WAIKOLOA HI 96738	(3)6-09-011:019	Final	11/04/03
4960	KOLEA CONDOMINIUM VILLAS BLDG 4	69-289 WAIKOLOA BEACH DR WAIKOLOA HI 96738	(3)6-09-011:019	Final	11/04/03
4961	KOLEA CONDOMINIUM VILLAS BLDG 5	69-289 WAIKOLOA BEACH DR WAIKOLOA HI 96738	(3)6-09-011:019	Final	11/04/03
4962	KOLEA CONDOMINIUM VILLAS BLDG 6	69-289 WAIKOLOA BEACH DR WAIKOLOA HI 96738	(3)6-09-011:019	Final	11/04/03
4963	KOLEA CONDOMINIUM VILLAS BLDG 7	69-289 WAIKOLOA BEACH DR WAIKOLOA HI 96738	(3)6-09-011:019	Final	11/04/03
5145	LAS BRISAS PHASE 11	91-456 TO 91-508 MAKALE'A ST EWA BEACH HI 96706	(1)9-01-010:082	Final	11/18/03
5202	LIHOLIHO CONDOMINIUM	256 LIHOLIHO ST WAILUKU HI 96793	(2)3-04-039:025	Final	11/10/03
5194	LINDSEY CONDOMINIUM	6670 PUUPILO PLACE KAPAA HI 96746	(4)4-02-022:054	Final	11/10/03
732	MAHINUI GARDEN	45-422 KAMEHAMEHA HWY KANEOME HI 96744	(1)4-05-036:023	Suppl 1	11/03/03
5103	MELE MAKANI ESTATES	LOT 4 SEACLIFF PLNTN@KILAUEA B KILAUEA HI	(4)5-02-003:077	Final	11/06/03
5213	PEDOS CONDOMINIUM	KAUHOLA ST KAILUA KONA HI	(3)7-03-051:082	Cont Final	11/19/03
5186	PUEO HOMESTEADS	74-5000 & 74-5002 MAMALAHOA HW HOLUOLOA HI 96725	(3)7-04-004:039	Final	11/19/03
5173	STARR CONDOMINIUM	160 HAWEA PLACE MAKAWAO HI 96768	(2)2-04-026:010	Final	11/10/03
5209	VALHALLA ESTATES	6655 PUU PILO PL WAILUA HI	(4)4-02-022:052	Final	11/20/03
1567	WAIAKEA VILLAS	400 HUALANI ST HILO HI 96720	(3)2-02-030:003	Suppl 2	11/18/03

Preliminary Reports: 1  
 Contingent Final Reports: 3  
 Final Reports: 23  
 Supplementary Reports: 3

Total: 29

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

The Recodification Attorney reported that the recodification bill will be introduced at the next legislative session. He also reported that the Speaker of the House and the Senate President would be sponsoring the legislation. The bill will be introduced to the respective consumer protection committees.

**Interactive Participation with Organization**

Specialist Grupen reported and discussed his participation at CAI's 30th Anniversary Conference and Exposition. He provided an overview of his report on pertinent issues especially legislative and regulatory issues and governance matters. The handout materials received will be placed into the REB reading file

with the pertinent items eventually part of the REB Library. The report will be forwarded to the Licensing Administrator per the Director's policy.

**Neighbor Island Outreach / Condominium Specialist Office for the Day**

The Commission will be holding its January committee meetings on January 6, 2004 on the island of Maui at the REALTORS Association of Maui offices located at 441 Ala Makani Place. The Commission will also be holding a Specialist's Office for the Day while the meetings are in progress and also by appointment.

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.

Open Forum: No discussion presented.

CMEF Budget & Finance Report: Upon a motion by Commissioner Kagawa, seconded by Commissioner Rice, it was voted on and unanimously carried to recommend acceptance of the pro forma Condominium Management Education Fund Report dated September 30, 2003.

Next Meeting: January 6, 2004  
Upon adjournment of the Education Review Committee meeting which follows the Laws and Rules Review Committee meeting scheduled to convene at 9:30 a.m.  
REALTORS Association of Maui Conference Rooms  
441 Ala Makani Place  
Kahului, Maui

Adjournment: With no further business to discuss, Chair Imanaka adjourned the meeting at 10:42 a.m.

Respectfully submitted:

/s/ Cynthia M. L. Yee

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Cynthia M. L. Yee  
Senior Condominium Specialist

January 6, 2004

\_\_\_\_\_  
Date

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