

**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: July 9, 2008

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  
Stanley Kuriyama, Broker / Honolulu Commissioner  
Michele Sunahara Loudermilk, Public / Honolulu Commissioner  
Annette Aiona, Broker / Hilo Commissioner  
Frances Gendrano, Broker / Honolulu Commissioner

Neil Fujitani, Supervising Executive Officer  
Cynthia Yee, Senior Condominium Specialist  
Cheryl Leong, Condominium Specialist  
Benedyne Stone, Condominium Specialist  
Diane Choy Fujimura, Senior Real Estate Specialist  
Amy Endo, Real Estate Specialist  
David Grupen, Real Estate Specialist  
Shari Wong, Deputy Attorney General  
Karyn Takahashi, Recording Secretary

Others: Marsha Shimizu, Hawaii Association of REALTORS®

Absent: Carol Ball, Broker / Maui Commissioner

Call to Order: Chair Chee called the meeting to order at 9:10 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 Ball was excused from the meeting. Prior notification of his/her non-attendance was received.

Condominium  
Specialist's  
Report:

#### **Additional Distribution**

The following material was distributed to the Commissioners prior to the start of the meeting:

4. Condominium Governance and Management
  - c. Ad Hoc Committee on Condominium Education and Research – HePS Procurement
  - d. Condominium Seminars and Symposium – Evaluation – CAI Hawaii Chapter June 28, 2008 “Disaster Preparedness, Health Disasters and Prohibiting Smoking in Condominiums”

#### **Minutes**

Upon a motion by Commissioner Nishihara, seconded by Commissioner Suiso, it was voted on and unanimously carried to accept the minutes of the June 10, 2008, Condominium Review Committee meeting as circulated.

Condominium  
Governance and  
Management:

#### **AOAO Registrations**

It was reported that as of June 30, 2008, 1,601 AOAOs have successfully registered.

#### **Ad Hoc Committee on Condominium Education and Research – HePS Procurement**

Commissioner Suiso provided an update on the brochures.

Senior Specialist Yee reported that the request for quotes for the revision of the Commission’s 1991 brochures entitled “Condominium Owner Rights and Responsibilities” and “Condominium Board Members Powers and Duties” and the delivery of up to two educational sessions was posted on the State’s Hawaii Electronic Procurement System (HePS) on July 8, 2008. The deadline for the submission of quotes is Wednesday, July 23, 2008, 4:30 p.m.

Executive Session:

Upon a motion by Commissioner Kuriyama, seconded by Commissioner Nishihara, it was voted on and unanimously carried to enter into executive session pursuant to section 92-5(a)(4), HRS, “To consult with the board’s attorney on questions and issues pertaining to the board’s powers, duties, privileges, immunities and liabilities.”

Upon a motion by Commissioner Abrams, seconded by Commissioner Nishihara, it was voted on and unanimously carried to move out of executive session.

#### **Condominium Seminars and Symposium**

The committee acknowledged receipt of Specialist Leong’s evaluation of CAI Hawaii Chapter’s “Disaster Preparedness, Health Disasters and Prohibiting Smoking in Condominiums” seminar held on June 28, 2008.

Specialist Leong stated that the seminar was well attended with 160 registrants and walk-ins.

**Condominium Related Articles**

The following articles from the June 2008 issue of *Hawaii Community Associations* were distributed for informational purposes: 1) "The Impact of the U.S. Economy on the Hawaii Homeowners Association Funds;" "Condo Board's Role In Fee Conversion;" and "Collection Procedures."

Condominium  
 Project  
 Registration:

**Condominium Project Registration - Public Reports Issued**

A list of those condominium projects issued effective dates during the month of June 2008 were distributed for informational purposes.

PROJ #	PROJECT NAME	PROJECT ADDRESS	TMK #	TOTAL	RPT	DATE
6617	2181 AND 2181A KAULULOA PL. CONDO	2181 & 2181A KAULULOA PL HONOLULU HI 96816	134009039	2	B REPT	6/4/2008
6619	2500 AHA AINA	2500 AHA AINA PL HONOLULU HI 96821	135064050	2	B REPT	6/16/2008
6605	293 AILANA CONDOMINIUM	293/295 AILANA PL KIHEI HI 96753	238074091	2	B REPT	6/27/2008
6599	3065 GULSTON STREET	3065 GULSTON ST HONOLULU HI 96822	133052063	2	B REPT	6/4/2008
6623	437 KOLOHALA CONDOMINIUM PROPERTY REGIME	437 KOLOHALA DR KULA HI 96790	222018031	2	B REPT	6/18/2008
6625	45-910 & 45-910A ANOI ROAD	45-910 ANOI RD KANEHOE HI 96744	145022011	2	B REPT	6/16/2008
6540	66-084 AND 66-084A WAIALUA BEACH RD	66-084 & 66-084A WAIALUA BEACH RD WAIALUA HI 96791	166003141	2	B REPT	6/4/2008
6610	84-885 HANA STREET	84-885 HANA ST WAIANAE HI 96792	184014018	2	B REPT	6/9/2008
6592	AINA O KANE	KANE ST KAHULUI HI	237005003	119	B REPT	6/4/2008
6568	BALI HAI VILLAS PHASE XII	4970 PEPELANI LP PRINCEVILLE HI 96722	454005036	32	B AMD	6/19/2008
6465	CASCADES THE	2843 ROUND TOP DR HONOLULU HI 96822	125005058	2	B REPT	6/9/2008
6598	HALE NALU	5830 WAIPOLI RD KAPAA HI 96746	444003159	2	FINAL	6/16/2008
6135	HOKULANI GOLF VILLAS	LIPOA PKWY KIHEI HI 96753	222024035	152	B AMD 2	6/4/2008
5582	KANEPOONUI CONDOMINIUM	1440 J KANEPOONUI RD KAPAA HI 96746	444013019	2	SUPPL	6/26/2008
6302	MANAKO PLACE CONDOMINIUM	4980 MANAKO PL KAPAA HI 96746	441016027	2	B AMD	6/9/2008
6607	NAPOOPOO VISTAS	82-5819 NAPOOPOO RD CAPTAIN COOK HI 96704	382008064	2	FINAL	6/26/2008
6594	NONOHE AINA CONDOMINIUM	7220 KAHUNA RD KAPAA HI 96746	446004033	2	B REPT	6/16/2008
6612	PUUOPAE ESTATES	751 PUUOPAE RD KAPAA HI 96746	444007028	2	B REPT	6/16/2008
6581	WAILUA NANI	575 C PUUOPAE RD KAPAA HI 96746	442021039	2	B REPT	6/16/2008
6305	WAIPIO BUSINESS CENTER	94-1363 MOANIANI ST WAIPAHU HI 96797	194128005	99	B AMD 3	6/17/2008
6586	WALUA PROFESSIONAL CENTER	75-5905 WALUA RD KAILUA KONA HI 96740	375018094	10	B REPT	6/9/2008
0	<b>Preliminary Reports</b>					
0	<b>Contingent Final Reports</b>					
2	<b>Final Reports</b>					
1	<b>Supplementary Reports</b>					
14	<b>B Reports</b>					
4	<b>B Amendment Reports</b>					
21	<b>TOTAL REPORTS</b>					

### **Consultants**

Senior Specialist Yee reported that the 12 consultant contracts are in different stages of being finalized, many are in the process of acquiring and submitting required clearances. She reported that the contracts for Terry Day, Nikki Senter and Galen Leong have been finalized.

Commissioner Kuriyama inquired who the 12 consultants are. Senior Specialist Yee reported the following:

Glenn Adachi  
Kenneth Chong  
Terry Day  
Matthew Jewell  
Richard Kiefer  
Calvin Kimura  
Galen Leong  
Anders Nervell  
Michael Sakai  
Nikki Senter  
Lloyd Sodetani  
Grant Tanimoto

### **CPR Project – Registration of Condominium Projects with Fractionalized Interest – Developer’s Public Report and Disclosures – Deferred from June 10, 2008 Condominium Review Committee Meeting**

Commissioner Loudermilk introduced her draft language.

Upon a motion by Commissioner Abrams, seconded by Commissioner Kuriyama, it was voted on and unanimously carried to approve the “Preliminary Proposed Disclosure Language for Fractionalized Interest Use” subject to non-substantive changes and any additional staff suggested language.

Program of Work:

### **Legislative Acts and Resolutions**

The following acts were distributed for informational purposes: Act 013 (Relating to Condominiums), Act 76 (Relating to Condominiums), Act 168 (Relating to amending or repealing various provisions of Chapter 281, HRS, intoxicating liquor, for the purpose of clarifying language, correcting errors, and deleting unnecessary and obsolete provisions), and Act 205 (Relating to Condominiums).

### **Interactive Participation with Organizations**

Senior Specialist Yee stated that the staff had been invited to attend a meeting with representatives of HCAAO, HICCO and CAI Hawaii next week to discuss proposed changes to the mediation and hearings process. Amongst other improvements to the hearings process, they would like the Commission to provide advisory opinions which they believe should weigh heavily on the Hearings Officer’s decisions on condominium disputes.

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

The August 2008 committee meetings are scheduled to be held on the island of Kauai. The meetings will be held on August 13, 2008 in the Conference Room of the Lihue Public Library from 9:30 a.m. to 11:30 a.m.

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.

CEF Budget & Finance Report: No report presented.

Next Meeting: August 13, 2008  
Upon adjournment of the Laws and Rules Review Committee meeting scheduled to convene at 9:30 a.m.  
Lihue Public Library – Conference Room  
4344 Hardy Street  
Lihue, Kauai

Adjournment: With no further business to discuss, Chair Chee adjourned the meeting at 9:32 a.m.

Respectfully submitted:

/s/ Cynthia M. L. Yee

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Cynthia M. L. Yee  
Senior Condominium Specialist

July 10, 2008

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Date

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