

EDUCATION REVIEW COMMITTEE
REAL ESTATE COMMISSION
Professional and Vocational Licensing Division
Department of Commerce and Consumer Affairs
State of Hawaii
www.hawaii.gov/hirec

MINUTES OF MEETING

The agenda for this meeting was filed with the Lieutenant Governor's Office as required by Section 92-7(b), Hawaii Revised Statutes.

Date: March 10, 2010

Time: Upon adjournment of the Condominium Review Committee meeting, which is upon adjournment of the Laws and Rules Review Committee meeting, which convened at 9:00 a.m.

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

Present: Carol Mae Ball, Chair / Broker / Maui Commissioner
Frances T. Gendrano, Broker / Honolulu Commissioner
Louis Abrams, Broker / Kauai Commissioner
Walter Harvey, Broker / Honolulu Commissioner
Michele Sunahara Loudermilk, Public / Honolulu Commissioner
Stanley Kuriyama, Broker / Honolulu Commissioner

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

Others: Philip H. Wilia, Dower School of Real Estate
Aron Espinueva, Hawaii Association of REALTORS®
Suzanne King, Honolulu Board of REALTORS®
Marsha Shimizu, Hawaii Association of REALTORS®

Absent: Annette Aiona, Vice Chair / Broker / Hawaii Island Commissioner
Trudy Nishihara, Broker / Honolulu Commissioner
Mark Suiso, Public / Honolulu Commissioner

Call to Order: The Chair called the meeting to order at 9:55 a.m., at which time quorum was established.

Chair's Report: The Chair stated the Committee 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 to consult with the Board's attorney on questions and issues pertaining to the Board's powers, duties, privileges, immunities, and liabilities in accordance with section 92-5(a)(4), HRS.

Commissioners Aiona and Nishihara were excused from the meeting. Prior notification of their non-attendance was received.

Real Estate
Specialist's Report:

Additions to Agenda

Upon a motion by Commissioner Loudermilk, seconded by Commissioner Gendrano, it was voted on and unanimously carried to add the following to the agenda:

4. Continuing Education Administration, Curriculum, Courses, Providers, and Instructors
 - b. Applications
 - 4) Course – “Residential & Commercial Lease Issues in a Down Economy”; Authors/Owners: Scott C. Arakaki, Esq. and Bryan P. Andaya, Esq.; Provider: Eddie Flores Real Estate Continuing Education; Course Categories: Contracts, Real Estate Law, and Property Management; Clock Hours: 3
 - 5) Course – “Closing the Sale of Lender Owned Real Property – 2010”; Author/Owner: Patsy Saiki; Provider: Hawaii Island Board of REALTORS®; Course Categories: Real Estate Law, Property Ownership and Development, and Other – Title and Escrow; Clock Hours: 3

Minutes of Meeting

Upon a motion by Commissioner Gendrano, seconded by Commissioner Abrams, it was voted on and unanimously carried to accept the minutes of the February 10, 2010, Education Review Committee meeting.

Continuing Education: Applications

2009-2010 Continuing Education Providers and Courses Ratification List

Upon a motion by Commissioner Kuriyama, seconded by Commissioner Abrams, it was voted on and unanimously carried to ratify the following registrations/certifications:

<u>Registration/Certification</u>	<u>Effective Date</u>
Course(s)	
“Short Sales & Foreclosures: Protecting Your Clients’ Interest (CRSIII)” (Nationally Certified Course/Hawaii Association of REALTORS®)	01/25/10
“NAR’S Short Sales and Foreclosure Certification” (Nationally Certified Course/Kona Board of REALTORS®)	01/26/10
“Short Sales and Foreclosure Resource Certification” (Nationally Certified Course/Hawaii Island Board of REALTORS®)	01/26/10
“Mortgage Fraud and Predatory Lending: What Every Agent Should Know” (ARELLO Certified Course/Akahi Real Estate Network LLC)	01/26/10

Registration/Certification

Effective Date

Course(s)

"Homes for All: Serving People with Disabilities" 01/26/10
(ARELLO Certified Course/Akahi Real Estate Network LLC)

Course – "Property Management & Fair Housing Discrimination: A Preventive Measures Guide;" Author/Owner: Philip Hale Wilia; Provider: Dower School of Real Estate; Course Category: Property Management; Clock Hours: 3

Mr. Wilia was present.

Mr. Wilia stated that when he did his research on fair housing complaints, he found that there is a perception that there are a lot of complaints, but in actuality complaints are very minimal in number. However, there are concerns about these complaints in general. Based on the annual report of the Civil Rights Commission, complaints are minimal, but there is a feeling that there are a large number of complaints not being reported. He stated that his approach to this course was to provide measures to avoid complaints.

Mr. Wilia stated that his sources of information include reports from HUD, the Civil Rights Commission, and the Department of Justice. He stated that he quotes straight from the applicable statutes.

When questioned about certain exemptions where discriminatory advertising is present or a real estate broker is involved in the transaction, Mr. Wilia responded that he was not aware that certain exemptions would not apply in the above situations, and the only exemption that does not apply is the one regarding race.

Mr. Wilia was asked about the housing vouchers referred to in the course curriculum. Mr. Wilia stated that there were two bills introduced last year that would prohibit discrimination in real property transactions based on viable sources income (e.g. Section 8) that were deferred to this year's legislative session. Property managers will have to come up with a policy on how they will handle this.

Upon a motion by Commissioner Abrams, seconded by Commissioner Gendrano, it was voted on and unanimously carried to approve "Property Management & Fair Housing Discrimination: A Preventive Measures Guide" as a three credit hour continuing education elective course under the course category Property Management, subject to clarification regarding the non-applicability of certain exemptions when there is discriminatory advertising and/or a real estate broker involved.

Course – "Escrow – the Good, the Bad & the Ugly;" Author/Owner: Suzette Nasser; Provider: Hawaii Island Board of REALTORS®; Course Categories: Real Estate Law, Other – Title and escrow, transaction management; Clock Hours: 3

Upon a motion by Commissioner Loudermilk, seconded by Commissioner Gendrano, it was voted on and unanimously carried to approve "Escrow – the Good, the Bad, and the Ugly" as a three credit-hour continuing education elective course under the course categories Real Estate Law, and Other – Title and Escrow, Transaction Management.

Course – “Residential & Commercial Lease Issues in a Down Economy”;
Authors/Owners: Scott C. Arakaki, Esq. and Bryan P. Andaya, Esq.;
Provider: Eddie Flores Real Estate Continuing Education; Course
Categories: Contracts, Real Estate Law, and Property Management; Clock
Hours: 3

Upon a motion by Commissioner Kuriyama, seconded by Commissioner Loudermilk, it was voted on and unanimously carried to approve “Residential & Commercial Lease Issues in a Down Economy” as a three credit-hour continuing education elective course under the course categories Contract, Real Estate Law, and Property Management.

Course – “Closing the Sale of Lender-Owned Real Property – 2010”;
Author/Owner: Patsy Saiki; Provider: Hawaii Island Board of REALTORS®;
Course Categories: Real Estate Law, Property Ownership and
Development, and Other – Title and Escrow; Clock Hours: 3

Upon a motion by Commissioner Harvey, seconded by Commissioner Kuriyama, it was voted on and unanimously carried to approve “Closing the Sale of Lender-Owned Real Property – 2010” as a three credit-hour continuing education course under the course categories Real Estate Law, Property Ownership and Development, and Other – Title Escrow.

Continuing Education Core Course

First Draft, Part B, 2009-2010 Core Course, “Federal and State Fair Housing”

The first draft of the 2009-2010 Core Course Part B – Federal and State Fair Housing was distributed to the Commissioners for their information.

Senior Specialist Fujimura reported that the Education Evaluation Task Force (EETF) reviewed and commented on the first draft and their recommended changes are being worked on. The EETF will be meeting on April 6, 2010, to finalize that portion of the course. The course is anticipated to be launched in June 2010, including the 2010 Legislative Update.

Prelicensure Education: Evaluation and Education Program

Copies of evaluations of independent study courses from the following prelicensure school was distributed to the Commissioners for their information:

- Abe Lee Seminars; Independent Study On-Line (5)

Administration of
Examinations:

PSI

Licensing Examination Statistics – February 2010

Examination statistics for February 2010 were distributed to the Commissioners for their information.

School Pass/Fail Rates – February 2010

School pass/fail rate statistics for February 2010 were distributed to the Commissioners for their information.

School Summary by Test Category – February 2010

Copies of the February 2010 test category summary reports, by school, were distributed to the Commissioners for their information.

Educator's Forum: **Hawaii Association of REALTORS®** – No discussion presented.

Hawaii Association of Real Estate Schools (HARES) – No discussion presented.

Public and Private Institutions of Higher Education – No discussion presented.

Program of Work: **Annual Report, Quarterly Bulletin, and School Files**

January-February 2010 Real Estate Bulletin

Senior Specialist Fujimura stated that she has the same issues and concerns with the Bulletin editor as expressed by Specialist Leong at today's Condominium Review Committee meeting. She reported that the January-February 2010 issue has not yet been distributed. She will work with Specialist Leong and they will meet with the editor about their issues and concerns in hopes of coming to amicable solutions.

School Files – March 2010

Senior Specialist Fujimura reported that she working on the March 2010 issue of *School Files* and anticipates distribution by the end of the month.

Interactive Participation with Organizations

"Real Perspective 2010 The State of Hawaii Real Estate" Report

A report of the "Real Perspective 2010 The State of Hawaii Real Estate" forum was distributed to the Commissioners for their information.

Instructors Development Workshop

"T3 – Training Trainers to Train" – Big Island Session Evaluation

The evaluation of the Big Island session of "T3 – Teaching Trainers to Train", was distributed to the Commissioners for their information.

Senior Specialist Fujimura reported that from all reports the IDW is very successful—it may be the best session sponsored by the Commission and HAR. Although this specific IDW cannot be deemed mandatory, the possibility of this IDW being offered on a regular basis will be explored.

Commissioner Gendrano commented that she attended the IDW and it was exceptionally good.

Education Evaluation Task Force

The next Education Evaluation Task Force meeting is scheduled for April 6, 2010.

Budget and Finance Real Estate Education Fund Report
Report:

Upon a motion by Commissioner Loudermilk, seconded by Commissioner Abrams, it was voted on and unanimously carried to accept the Real Estate Education Fund report for the period ending December 31, 2009.

Next Meeting: Wednesday, April 7, 2010
Upon adjournment of the Condominium Review Committee Meeting, which is upon adjournment of the Laws and Rules Review Committee meeting, which convenes 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 Ball adjourned the meeting at 10:21 a.m.

Reviewed and approved by:

/s/ Diane Choy Fujimura

Diane Choy Fujimura
Senior Real Estate Specialist

March 17, 2010
Date

[X] Minutes approved as is.
[] Minutes approved with changes, see minutes of _____