

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: April 13, 2011

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
Scott A. Sherley, Vice Chair / Broker / Hawaii Island Commissioner
Donna Apisa, Broker / Kauai Commissioner
Frances T. Gendrano, Broker / Honolulu Commissioner
Walter Harvey, Broker / Honolulu Commissioner
Stanley Kuriyama, Broker / Honolulu Commissioner
Trudy Nishihara, Broker / Honolulu Commissioner (early departure)
Michele Sunahara Loudermilk, Public / 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 Grupen, Real Estate Specialist
Cheryl Leong, Condominium Specialist
Benedyne Stone, Condominium Specialist
Shari Wong, Deputy Attorney General
Karyn Takahashi, Recording Secretary

Others: Aron Espinueva, Hawaii Association of REALTORS®
John Connelley, Hawaii Institute of Real Estate
Patsy Saiki, Esq., First American Title

Absent: Mark Suiso, Public / Honolulu Commissioner

Call to Order: The Chair called the meeting to order at 9:39 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.

Commissioner Suiso was excused from the meeting. Prior notification of his non-attendance was received.

Real Estate
Specialist's Report: Minutes of Previous Meeting

Upon a motion by Commissioner Apisa, seconded by Commissioner Sherley, it was voted on and unanimously carried to accept the minutes of the March 9, 2011, Education Review Committee meeting.

Continuing Education: Applications

2011-2012 Continuing Education Providers and Courses Ratification List

Upon a motion by Commissioner Loudermilk, seconded by Commissioner Gendrano, it was voted on and unanimously carried to ratify the attached list.

Course – "Investing Trends in Real Estate, 2011-2012;" Author/Owner: Eddie Flores, Jr. and Bryan P. Andaya, Esq.; Provider: Eddie Flores Real Estate Continuing Education; Course Categories: Investment, Risk Management; Clock Hours: 3

The Commissioners had concerns that the statistical data supporting the general narrative of the course is lacking and the course includes assertions of a general nature which are not attributable to specific resources and cites.

The Commissioners were also concerned that the course content speaks about investments which may fall in the area of securities, which is considered beyond a real estate licensee's field of expertise.

Commissioner Apisa moved to deny "Investing Trends in Real Estate, 2011-2012" as a continuing education course based on Hawaii Administrative Rules section 16-99-101(7). Commissioner Harvey seconded the motion. The motion was voted on and unanimously carried.

Course – "Legal Landmines to Avoid: Civil Rights Violations;" Author/Owner: Bryan P. Andaya, Esq.; Provider: Eddie Flores Real Estate Continuing Education; Course Categories: Real Estate Law, Risk Management; Clock Hours: 3

Upon a motion by Commissioner Apisa, seconded by Commissioner Sherley, it was voted on and unanimously carried to approve "Legal Landmines to Avoid: Civil Rights Violations" as a three credit hour continuing education elective course, under the course categories Real Estate Law and Risk Management.

Course – “Legal Issues;” Author/Owner/Provider: Hawaii Association of REALTORS®; Course Categories: Real Estate Law, Risk Management; Clock Hours: 6

Senior Specialist Fujimura stated that this course was previously approved for three credit hours.

Upon a motion by Commissioner Apisa, seconded by Commissioner Nishihara, it was voted on and unanimously carried to approve “Legal Issues” as a six credit hour continuing education elective course, under the course categories Real Estate Law and Risk Management.

Course – “Agency, Ethics and Fair Housing;” Author/Owner/Provider: Hawaii Association of REALTORS®; Course Category: Real Estate Law; Clock Hours: 6

Senior Specialist Fujimura stated that this course was previously approved for three credit hours.

Upon a motion by Commissioner Gendrano, seconded by Commissioner Nishihara, it was voted on and unanimously carried to approve “Agency, Ethics and Fair Housing” as a six credit hour continuing education elective course, under the course category Real Estate Law.

Course – “Preparing for Success – Seller;” Author/Owner: Patsy Saiki; Provider: Hawaii Island Board of REALTORS®; Course Category: Other – Escrow and Title – Seller Challenges in Closing Escrow (Advanced issues); Clock Hours: 3

Ms. Patsy Saiki of First American Title and author of the course was present.

Ms. Saiki stated that she previously created a course on REO's, which was a success. The course information assisted real estate licensees when working with First American Title, and helped transactions go more smoothly.

She stated that this course addresses problems with closings, in hopes that agents understand underwriting requirements. She added that she is currently writing a buyer's course.

Chair Ball stated that the Committee strives to make courses education-based rather than sponsored and stated she had concerns about including the First American Title logos in the course materials. She inquired if the course information is universal. Ms. Saiki replied that some documents may differ from title company to title company.

Commissioner Apisa stated that the course should be generic and also opined that the course title should be changed. Ms. Saiki stated that she would be happy to change the title.

Specialist Endo stated that she read through the course materials and after being in the business for many years in the past, stated that a licensee should understand what could happen to a seller. All licensees can benefit from this knowledge.

Commissioner Apisa moved to approve the course as a three credit hour continuing education elective course subject to:

1. Amending the title to "Preparing for a Successful Closing – Seller;" and
2. Removal of any reference to First American Title – Hawaii in the course materials (student handouts, PowerPoint slides, if used, and syllabus) including logos.

Commissioner Gendrano seconded the motion. The motion was voted on and unanimously carried.

Prelicensure Education: Evaluation and Education Program

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

- Seiler School of Real Estate (8)

Administration of Examinations:

PSI

Licensing Examination Statistics – March 2011

Examination statistics for March 2011 were distributed to the Commissioners for their information.

School Pass/Fail Rates – March 2011

School pass/fail rate statistics for March 2011 were distributed to the Commissioners for their information.

School Summary by Test Category – March 2011

Copies of the March 2011 test category summary reports, by school, were distributed to the Commissioners for their information.

Exam Monitoring

Kauai Test Site

The report of the Kauai test site monitoring conducted on March 5, 2011, was distributed to the Commissioners for their information.

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

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

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

Senior Specialist Fujimura reported that she is currently working on the April issue of *School Files* and the May issue of the Real Estate *Bulletin*.

Education Evaluation Task Force

Chair Ball reported that the EETF met on April 7, 2011, and discussed draft 1 of Part A of the core course.

Senior Specialist Fujimura reported that the target date for the offering of the core course Part A is mid-June.

Next Meeting: Wednesday, May 11, 2011
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 10:10 a.m.

Reviewed and approved by:

/s/ Diane Choy Fujimura
Diane Choy Fujimura
Senior Real Estate Specialist

April 25, 2011
Date

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

**2011-2012 CONTINUING EDUCATION PROVIDERS AND COURSES
RATIFICATION LIST**

EDUCATION REVIEW COMMITTEE

April 13, 2011

<u>Registration/Certification</u>	<u>Effective Date</u>
Provider(s)	
Lorman Business Center, Inc. dba Lorman Education Services	2/23/11
Course(s)	
“Basics of Green Building for Real Estate” (ARELLO/McKissock, LP)	2/25/11
“Fractional Ownership of Vacation Home Real Estate” (ARELLO/McKissock, LP)	2/25/11
“Tenancy” (National Course/Hawaii Association of Realtors)	3/2/11
“An Introduction to Fair Housing 2011” (County of Hawaii, Office of Housing and Community Development)	3/8/11
“HAFA Short Sales, US Treasury, Fannie & Freddie Mac Programs” (National Course/Kauai Board of Realtors)	3/14/11
“Understanding Condominium Ownership” (Scott A. Sherley)	3/15/11
“Basic Concepts and Advanced Topics in IRC §1031 Exchanges” (Marna E. Mignone, Esq.)	3/22/11
“At Home with Diversity” (National Course/Hawaii Association of Realtors)	3/30/11