

EDUCATION REVIEW COMMITTEE
REAL ESTATE COMMISSION
Professional and Vocational Licensing Division
Department of Commerce and Consumer Affairs
State of Hawaii
www.state.hi.us/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: Friday, June 14, 2002

Time: 10:30 a.m.

Place: Conference Rooms A, B and C
State Office Building
3060 Eiwa Street, Second Floor
Lihue, Kauai

Present: Charles Aki, Chair
Patricia Choi, Vice Chair
Michael Ching, Member
Alfredo Evangelista, Member
Mitchell Imanaka, Member
John Ohama, Member
Iris Okawa, Member
Peter Rice, Member

Calvin Kimura, Supervising Executive Officer
Alan Taniguchi, Executive Officer
Diane Choy Fujimura, Senior Real Estate Specialist
Cynthia Yee, Senior Condominium Specialist
Gordon Arakaki, Recodification Attorney
Shari Wong, Deputy Attorney General
Karyn Takahashi, Recording Secretary

Marsha Shimizu, Hawaii Association of REALTORS®
Nicki Thompson, Hawaii Association of REALTORS®
Louis Abrams, Incoming Commissioner
Dimples Y. Kano, Broker and Past Commissioner
Jim O'Connor, President, Kauai Board of REALTORS®
Tito Castillo, Principal Broker, Blue Hawaii Properties

Call to Order: Vice Chair Choi called the meeting to order at 10:50 a.m., at which time quorum was established.

Chair's Report: No report presented.

Sr. Real Estate
Specialist's Report: Minutes of Meeting

Upon a motion by Commissioner Evangelista, seconded by Commissioner Rice, it was voted on and unanimously carried to accept the minutes of the May 8, 2002, Education Review Committee meeting as distributed.

Continuing Education: Administrative Issues

FY02 CE, Prelicense Education and Equivalency Statistics

Continuing education statistics for the first three quarters of fiscal year 2002 were distributed to the Commissioners for their information.

Applications

Course – “Practicing Safe Real Estate – Broker Duties to Clients and non-Clients Through Case Studies,” Author/Owner: How2educate LLC, Provider: How2educate LLC, Course Category: Real Estate Law, Course Clock Hours: 3

Commissioner Okawa stated that she had concerns with the course category of Real Estate law as it is a non-attorney teaching the course.

Commissioner Evangelista inquired why there was an Arizona component included in the course. Senior Specialist Fujimura responded that Ms. Howe is also interested in teaching in Arizona and/or offering this course in Hawaii to Arizona licensees.

Commissioner Evangelista stated that he believes students may get confused between Hawaii and Arizona law and stated that the Arizona component should be omitted.

SEO Kimura stated that the amount of Arizona content must also be considered.

Commissioner Imanaka stated that the subject matter may be appropriate across the board.

Commissioner Rice stated that Arizona law should not be included in the Hawaii course.

Commissioner Evangelista stated that he also has concerns with a non-attorney teaching the course and not knowing the difference between Hawaii and Arizona law.

Commissioner Rice moved to defer decision making on this matter to the Real Estate Commission meeting on June 28, 2002, and request Ms. Howe's appearance to answer concerns regarding content of the course and instructors for the course. Commissioner Evangelista seconded the motion.

Commissioner Ohama stated that Ms. Howe may not understand case law.

SEO Kimura stated that Ms. Howe should be given the opportunity to explain the course.

The motion was voted on and unanimously carried.

Course – “Discover, Disclosure, Damage, Defendants,” Author/Owner: Oliver E. Frasca, Esq., Provider: Maui Board of Realtors®, Inc., Course Category: Risk Management, Course Clock Hours: 3

Upon a motion by Commissioner Rice, seconded by Commissioner Ching, it was voted on and unanimously carried to recommend approval of "Discover, Disclosure, Damage, Defendants" as a three clock hour continuing education course under the course category Risk Management subject to consultation with an Hawaii attorney and inclusion of Hawaii disclosure and other relevant laws in course content. The Maui Board of REALTORS® should ensure this takes place for this and other courses dealing in legal subject matter taught by an out-of-state attorney.

Course – “Professional Standards Training - Ethics” Author/Owner: Oliver E. Frasca, Esq., Provider: Maui Board of REALTORS®, Inc., Course Category: Dispute Resolution and Risk Management, Course Clock Hours: 3

Upon a motion by Commissioner Ohama, seconded by Commissioner Evangelista, it was voted on and unanimously carried to recommend approval of "Professional Standards Training – Ethics" as a three clock hour continuing education course under the course category Dispute Resolution subject to consultation with an Hawaii attorney and inclusion of Hawaii laws in course content. The Maui Board of REALTORS® should ensure this takes place for this and other courses dealing in legal subject matter taught by an out-of-state attorney.

2001-2002 Continuing Education Providers and Courses Ratification List

Upon a motion by Commissioner Aki, seconded by Commissioner Evangelista, it was voted on and unanimously carried to recommend approval of the following registrations/certifications:

<u>Registration/Certification</u>	<u>Effective Date</u>
Course (s)	
“Introduction to Commercial Investment Real Estate Analysis” (Nationally Certified Course/Hawai’i CCIM Chapter)	05/07/02
“CI 102: Market Analysis for Commercial Investment Real Estate” (Nationally Certified Course/Hawai’i CCIM Chapter)	05/22/02
“Buyer Representation in Real Estate” (ARELLO Certified Course/Seiler School of Real Estate)	05/17/02
“Ethics and Real Estate” (ARELLO Certified Course/Seiler School of Real Estate)	05/17/02
“Introduction to Commercial Real Estate Sales” (ARELLO Certified Course/Seiler School of Real Estate)	05/17/02

“Property Management and Managing Risk” (ARELLO Certified Course/Seiler School of Real Estate)	05/17/02
“Real Estate & Taxes, What Every Agent Should Know” (ARELLO Certified Course/Seiler School of Real Estate)	05/17/02
“Real Estate Finance Today” (ARELLO Certified Course/Seiler School of Real Estate)	05/17/02
“Risk Management” (ARELLO Certified Course/Seiler School of Real Estate)	05/17/02
“The eeee-Buyer” (Nationally Certified Course/Hogan School of Real Estate, Inc.)	05/29/02

Prelicensing
Education:

Administrative Issues

FY02 CE, Prelicense Education and Equivalency Statistics

Prelicense and equivalency statistics for the first three quarters of fiscal year 2002 were distributed to the Commissioners for their information.

Seiler School of Real Estate – Independent Study Course Evaluations (9)

Nine evaluations were distributed to the Commissioners for their information.

Commissioner Evangelista questioned the evaluation item that reads: "Degree of problems with self paced instruction," and requested that Staff follow-up and get clarification from Mr. Seiler for possible rewording of that item.

Administration of
Examinations:

CAT*ASI

Waikoloa Test Site Problem

Senior Specialist Fujimura reported that recently there was a problem at the Waikoloa test site. She stated that the Waikoloa test site manager input the wrong test date for individuals who took the exam on April 27, 2002. The test site manager mistakenly input April 29, 2002.

Senior Specialist Fujimura reported that this was pure human error and the problem has been remedied.

On-line Real Estate Practice Exam

A report from Specialist Arata on her experience taking the CAT*ASI Real Estate Practice Exam was distributed to the Commissioners for their information.

Educator's Forum:

Hawaii Association of REALTORS® – No discussion presented.

Hawaii Chapter of Real Estate Educators Association – 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 – May 2002 School Files

It was reported that the May 2002 issue of *School Files* has been distributed.

Program of Work, FY03 – Request for Comments and Recommendations

No comments were received.

ARELLO, REEA & Other Organizations: Alabama Real Estate Commission

A copy of an article entitled "CE -WHAT'S UP?" taken from the State of Alabama Real Estate Commission *UPDATE* newsletter was distributed to the Commissioners for their information.

SEO Kimura noted that Alabama fines a licensee \$150 if continuing education is not completed on time.

Open Forum: At this time, Commissioner Ching recognized Jim O'Connor, President of the Kauai Board of REALTORS®, and former Commissioner Dimples Kano.

Next Meeting: Wednesday, July 10, 2002
10:00 a.m.
Kapuaiwa Room
HRH Princess Victoria Kamamalu Building
1010 Richards Street, Second Floor
Honolulu, Hawaii

Adjournment: With no further business to discuss, Vice Chair Choi adjourned the meeting at 11:07 a.m.

Respectfully submitted by:

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

July 10, 2002
Date

[X] Minutes approved as is.
[] Minutes approved with changes.