

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: Wednesday, December 8, 2004

Time: Upon adjournment of the Condominium Review Committee meeting, which convened at 9:00 a.m.

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

Present: Vern Yamanaka, Chair
Trudy Nishihara, Vice Chair
Louis Abrams, Member
Carol Ball, Member
Mitchell Imanaka, Member
Kathleen Kagawa, Member
Michele Sunahara Loudermilk, Member
John Ohama, Member

Calvin Kimura, Supervising Executive Officer
Neil K. Fujitani, Executive Officer
Diane Choy Fujimura, Senior Real Estate Specialist
Lorene K. A. Kimura, Real Estate Specialist
Ryan Yamashiro, Real Estate Specialist
Cynthia Yee, Senior Condominium Specialist
Cheryl Leong, Condominium Specialist
David Grupen, Condominium Specialist
Shari Wong, Deputy Attorney General
Karyn Takahashi, Recording Secretary

Others: Marsha Shimizu, Hawaii Association of REALTORS
Tom Gill, Hawaii Association of REALTORS
John Stapleton, Hawaii Institute of Real Estate
Yuki Kajiwara, Hawaii Institute of Real Estate

Absent: Iris Okawa, Member

Call to Order: Chair Yamanaka called the meeting to order at 9:21 a.m., at which time quorum was established.

Chair's Report: No report presented.

Sr. Real Estate
Specialist's Report:

Announcements, Introduction, Correspondence and Additional Distribution

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

5. Prelicensing Education Administration, Curriculum, Schools, Instructors and Equivalency
 - b. Applications
 - 1) Prelicense Guest Lecturer – Scott Alan Bly, J.D.; Dower School of Real Estate; Principal: Elizabeth Dower

The following were distributed as additional distribution:

5. Prelicensing Education Administration, Curriculum, Schools, Instructors, and Equivalency
 - b. Applications
 - 3) Substitute Instructor – Judy M. Lee, Dower School of Real Estate
 - d. Salesperson's Curriculum – Proposals
8. Program of Work, FY05
 - q. Division and Department Programs – New salesperson licensees 2004

Minutes

Upon a motion by Commissioner Nishihara, seconded by Commissioner Imanaka, it was voted on and unanimously carried to accept the minutes of the November 10, 2004, Education Review Committee meeting as distributed.

Continuing Education: **Administrative Issues**

CE Completions

Senior Specialist Fujimura reported that as of Tuesday, November 30, 2004, 8,941 licensees completed their 10 hour continuing education requirement.

Applications

Course – "Landlord and Tenant Law in Hawaii;" Author/Owner/Provider: Lorman Business Center, Inc.; Course Category: Other (Landlord/Tenant); Clock Hours: 6.5

Upon a motion by Commissioner Ohama, seconded by Commissioner Kagawa, it was voted on and unanimously carried to defer decision making on this application.

Course – "Advanced Zoning and Land Use in Hawaii;" Author/Owner/Provider: Lorman Business Center, Inc.; Course Category: Real Estate Law; Clock Hours: 6

Upon a motion by Commissioner Abrams, seconded by Commissioner Imanaka, it was voted on and unanimously carried to recommend approval of "Advanced Zoning and Land Use in Hawaii" as a three credit hour continuing education elective course under the course category Real Estate Law.

Commissioner Abrams requested that the provider provide clarification on the difficulty level of this course. He also requested that the EETF review the definitions for the difficulty levels of courses and make the definitions more clear and definitive.

Continuing Education Core Course

Evaluations on file

Senior Specialist Fujimura reported that written evaluations of the Commissions' continuing education core course, on-line and live delivery, continue to stream in and are available for the Commissioners' review.

Education Evaluation Task Force

Report

A copy of the report of the EETF meeting held on Monday, November 22, 2004, was distributed to the Commissioners for their information. Commissioner Nishihara reported that there was good discussion among the attendees, who represented diverse areas of the real estate industry. Input was constructive and discussion was focused on tasks for 2005.

Request for credit for IDW – Michael Yesk

Mr. Michael Yesk, an instructor for the REALTORS' Association of Maui, is requesting IDW credit for the "Instructor Development Workshop, Effective Strategies and Techniques for Adult Learners" course he completed on October 16, 2004, in California.

Senior Specialist Fujimura reported that the course is within the realm of an IDW. Commissioner Ball stated that she took this course before and that the instructor was excellent. However, the Commission has discretion to approve a request as stated in Section 16-99-104(e), Hawaii Administrative Rules.

Commissioner Nishihara moved to deny the request, Commissioner Kagawa seconded the motion. The motion was voted on. Commissioners Yamanaka, Nishihara, Kagawa, Imanaka, Loudermilk, and Ohama voted in favor of the motion. Commissioners Abrams and Ball voted against the motion. The motion was carried.

Prelicense Education: **Administrative Issues**

Evaluation forms (8) – Seiler School of Real Estate

Copies of evaluations of Seiler School of Real Estate's independent study course were distributed to the Commissioners for their information.

Applications

Independent Study Course – Abe Lee Seminars, Abe Lee – Principal, Salesperson's Curriculum

Upon a motion by Commissioner Nishihara, seconded by Commissioner Kagawa, it was voted on and unanimously carried to recommend approval of Abe Lee Seminars' Salesperson's Curriculum Independent Study Course.

Independent Study Instructor – Abe Lee, Abe Lee Seminars

Upon a motion by Commissioner Kagawa, seconded by Commissioner Abrams, it was voted on and unanimously carried to recommend approval of Abe Lee as an Independent Study Instructor.

Substitute Instructor – Judy M. Lee, Dower School of Real Estate

Upon a motion by Commissioner Nishihara, seconded by Commissioner Imanaka, it was voted on and unanimously carried to recommend approval of Judy M. Lee as a substitute instructor for the salesperson and broker curricula.

Prelicense Guest Lecturer – Scott Alan Bly, J.D.; Dower School of Real Estate; Principal – Elizabeth Dower

Upon a motion by Commissioner Abrams, seconded by Commissioner Imanaka, it was voted on and unanimously carried to recommend approval of Scott Alan Bly, J.D., as a prelicense guest lecturer.

Salesperson's Curriculum

Proposals

Senior Specialist Fujimura reported that there were three proposals submitted; however, only two met the November 30th deadline. Hawaii Institute of Real Estate (HIRE) and the Hawaii Academy of Real Estate (HARE) proposals met the November 30th deadline; however, the proposal from the Dower School of Real Estate Windward was received after the deadline and cannot be considered for acceptance.

Commissioner Imanaka inquired if the HIRE proposal would include a PowerPoint presentation. Mr. Yuki Kajiwara, HIRE President, responded yes and that they will meet all the requirements in accordance with the RFP.

Executive Session: Upon a motion by Commissioner Kagawa, seconded by Commissioner Imanaka, it was voted on and unanimously carried to move 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 Kagawa, seconded by Commissioner Imanaka, it was voted on and unanimously carried to move out of executive session.

Prelicense Education: **Salesperson's Curriculum**

Proposals

Commissioner Imanaka asked Mr. Kajiwara how they intend to proceed with the project. Mr. Kajiwara stated that they have been offering a prelicense course for many years, and they intend to study their current course and Commission requirements then make recommendations and a presentation.

Commissioner Yamanaka inquired about their time frame for completion. Mr. Stapleton, HIRE senior instructor, responded that they could make their recommendations within a month. He added that they plan to add hours to cover new material—they will be drawing information from ten different textbooks.

Commissioner Nishihara inquired if they are planning to rewrite the current curriculum. Mr. Stapleton responded that they plan to come up with an entirely new curriculum. Mr. Kajiwara added that they plan to update the curriculum with new laws and new industry information such as time share.

Commissioner Nishihara inquired if they wrote a course before. Mr. Stapleton responded no; however, he has been teaching and arranging the prelicense course for 45 years and has come up with a new curriculum every two to three years. Mr. Kajiwara responded that he taught electronics for eight years and helped set-up the U.S. Army Technical Training School, which is now a fully accredited electronics school.

SEO Kimura asked about the difference between a curriculum and a course. Mr. Stapleton responded that a curriculum is an outline and guideline for students and nothing more than that. Mr. Kajiwara responded that a course is the detailed portion of the curriculum—it states the objectives of what you want to accomplish.

Commissioner Abrams inquired about the different phases of curriculum development and when the final product will be delivered. Mr. Stapleton replied that a couple of months is more than enough time—they will be able to follow the timeline provided in the RFP. Commissioner Abrams inquired if it could be completed by the end of May. Mr. Stapleton responded absolutely and Mr. Kajiwara added that they could provide a draft in early February.

At this time, Chair Yamanaka stated that the HIRE proposal came in as a one page, very general, proposal, while another proposal received appeared to address the concerns as expressed in the Commissioner's questions above. Mr. Stapleton responded that the proposal they provided was all that was requested at the time per the RFP.

Chair Yamanaka inquired if they already have something laid out. Mr. Stapleton responded that they will after the first of the year.

Upon a motion by Commissioner Ohama, seconded by Commissioner Ball, it was voted on and unanimously carried to take this matter under advisement.

Chair Yamanaka thanked Mr. Kajiwara and Mr. Stapleton for being present at the meeting.

Administration of
Examinations:

Promissor

Licensing Examination Statistics

Examination statistics for October 2004 was distributed to the Commissioners for their information.

October 2004 School Summary Reports

A copy of the performance summary report, by school, was distributed to the Commissioners for their information. The report is derived from statistics for first time test takers

2005 Holiday/Non-Testing Schedule

A copy of Promissor's 2005 holiday/non-testing schedule was 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: **Evaluation and Education System for CE and Prelicensing Instructors**

Copies of evaluations of various continuing education courses were distributed to the Commissioners for their information.

Division and Department Programs – New salesperson licensees 2004

A report on the number of new salesperson licensees for January – November 2004 was distributed to the Commissioners for their information. The total number of 1,798 new salesperson licensees reflects the number of licensees who are deemed as having completed the 10 hour continuing education requirement, pursuant to Section 16-99-89(c), Hawaii Administrative Rules.

Prelicense Education: **Other**

At this time, Chair Yamanaka voiced his concerns about prelicense instructors disseminating incorrect information regarding mineral rights issues in Hawaii, and the fact that Hawaii is a statutory State. The Commission should verify that correct information is being taught by the prelicense schools and that the correct information is used to formulate appropriate questions and answers in the licensing exam(s).

Upon a motion by Commissioner Imanaka, seconded by Commissioner Nishihara, it was voted on and unanimously carried to recommend that all prelicense schools and instructors be informed that mineral rights are not always reserved to the State by statute, and license exam questions regarding mineral right should be reviewed for accuracy.

Salesperson's Curriculum

Proposals

Commissioner Nishihara moved to accept the proposal submitted by the Hawaii Academy of Real Estate. The motion was seconded by Commissioner Kagawa. The motion was voted on. Commissioners Yamanaka, Nishihara, Kagawa, Imanaka, Loudermilk, Ball and Ohama voted in favor of the motion. Commissioner Abrams voted against the motion. The motion was carried.

Next Meeting: Wednesday, January 12, 2004
Upon adjournment of the Laws and Rules Review Committee Meeting, which convenes at 9:00 a.m.
King Kalakaua Building
Queen Liliuokalani Room
335 Merchant Street, First Floor
Honolulu, Hawaii

Adjournment: With no further business to discuss, Chair Yamanaka adjourned the meeting at 10:26 a.m.

Reviewed by:

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

January 12, 2005
Date

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