

**EDUCATION 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 Lieutenant Governor's Office as required by Section 92-7(b), Hawaii Revised Statutes.

Date: December 10, 2008

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, Vice Chair / Broker / Honolulu Commissioner  
Louis Abrams, Broker / Kauai Commissioner  
William S. Chee, Broker / Honolulu Commissioner  
Michele Sunahara Loudermilk, Public / Honolulu Commissioner  
Trudy Nishihara, Broker / Honolulu Commissioner

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

Others: Marsha Shimizu, Hawaii Association of REALTORS®  
Shari Motooka-Higa

Absent: Annette Aiona, Broker / Hawaii Island Commissioner  
Stanley Kuriyama, Broker / Honolulu Commissioner  
Mark Suiso, Public / Honolulu Commissioner

Call to Order: The Chair called the meeting to order at 9:47 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.

Commissioners Aiona, Kuriyama, and Suiso were excused from today's meeting. Prior notice of their non-attendance was received.

Real Estate  
Specialist's Report:

Additions to the Agenda

Upon a motion by Commissioner Abrams, seconded by Commissioner Nishihara, it was voted on and unanimously carried to recommend accepting the additions to the agenda as follows:

4. Continuing Education Administration, Curriculum, Courses, Providers, and Instructors
  - b. Applications
    - 1) Guest Lecturer – Andrew Stuber; School: Coldwell Banker Pacific Properties Real Estate School, Principal: Tom Gill; Subject Matter – Residential Real Estate Financing
    - 2) Guest Lecturer – Nancy D. Metcalf; School: Coldwell Banker Pacific Properties Real Estate School, Principal: Tom Gill; Subject Matter – Code of Ethics, Agency, Listing and Purchase Contract

Additional Distribution

The following was distributed as additional distribution:

4. Continuing Education Administration, Curriculum, Courses, Providers, and Instructors
  - b. Applications
    - 2) Course – “New HUD HECM for Purchase Program for Hawaii’s Baby Boomers & Seniors”; Provider/Author/Owner – Shari Motooka-Higa; Course Categories: Contracts, Finance, Risk Management; Clock Hours: 3
8. Program of Work, FY09
  - d. Neighbor Island Outreach – 2008 Renewal Workshops on Oahu, Kauai, Maui, Hilo, and Kona – Report
  - i. Real Estate Specialists’ Office for the Day – Report

Minutes of Meeting

Upon a motion by Commissioner Loudermilk, seconded by Commissioner Gendrano, it was voted on and unanimously carried to accept the minutes of the November 12, 2008, Education Review Committee meeting as distributed.

Continuing Education: Administrative Issues

**New Salesperson Licensees - 2008**

Senior Specialist Fujimura reported that to date, there are 1,130 new salesperson licensees in 2008. The total number of 1,130 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.

### **2007 – 2008 Continuing Education Providers and Courses Ratification List**

Upon a motion by Commissioner Abrams, seconded by Commissioner Nishihara, it was voted on and unanimously carried to ratify the following registration/certification:

<b>Course</b>	<b>Effective Date</b>
“Financing and Tax Advantages for Agents and Their Clients” (Author/Owner Nationally Certified Course/Hawaii Association of REALTORS®)	October 30, 2008

#### **Course – “New HUD HECM for Purchase Program for Hawaii’s Baby Boomers & Seniors”; Provider/Author/Owner – Shari Motooka-Higa; Course Categories: Contracts, Finance, Risk Management; Clock Hours: 3**

Ms. Motooka-Higa was present. She stated that the long awaited Housing and Economic Recovery Act was recently signed. This Act helps the senior consumer population purchase new residences by aiding them in qualifying for mortgages. The program allows the borrower to use government loan programs tailored to seniors. The program has guidelines that will be strictly enforced.

The Chair inquired if she will be selling these products. Ms. Motooka-Higa replied, “Yes,” as she is currently with Central Pacific Home Loans. She added that she anticipates this program being very popular; however, the course is not intended as a promotion, in fact, they will not be charging a fee to attendees.

The Chair noted that she was not comfortable with this being offered as a continuing education course and Ms. Motooka-Higa carrying the product. Ms. Motooka-Higa responded that there are advantages, as she adds credibility to the course because she has the experience. She believes that an individual needs experience in the industry to best educate licensees. She added that she is knowledgeable of the guidelines, safety measures and provisions of the program.

The Chair also noted several other areas of concern regarding the content of the course. She did not feel the course was complete and the content was questionable as far as it qualifying as a continuing education course.

Ms. Motooka-Higa stated that the program is very detailed and she is not using the course as a sales tool, but is passionate to educate. She felt that without offering continuing education credit, few people will attend the presentation and licensees deserve to get credited for time spent on education. Ms. Motooka-Higa stated that she can offer the course without the credit, and will, but believes in giving back—educating the licensee and making it worth their while.

Commissioner Chee moved to take this matter under advisement. Commissioner Loudermilk seconded the motion. The motion was voted on and unanimously carried.

#### **Course – “Zoning and Building Considerations in Real Estate – Oahu”; Provider: Dower School of Real Estate; Author/Owner: Philip Hale Wilia; Course Category: Other – Land Use; Clock Hours: 3**

The Commissioners felt that the course seemed to reproduce the ordinances and information included in the prelicense course, but more importantly, the course materials are not presented at a level beyond professional entry.

Upon a motion by Commissioner Nishihara, seconded by Commissioner Loudermilk, it was voted on and unanimously carried to deny certification of "Zoning and Building Considerations in Real Estate – Oahu" as a continuing education elective course based on sections 16-99-100(a)(3) and 16-99-101(7), Hawaii Administrative Rules.

**Course – "Understanding Settlement and the Settlement Statement"; Provider: Dower School of Real Estate; Author/Owner: Scott Alan Bly, Esq.; Course Categories: Real Estate Law, Finance; Clock Hours: 3**

The Commissioners felt that the information in this course, while covered in the prelicense course, is not presented at a level beyond professional entry.

Upon a motion by Commissioner Loudermilk, seconded by Commissioner Nishihara, it was voted on and unanimously carried to deny certification of "Understanding Settlement and the Settlement Statement" as a continuing education elective course based on sections 16-99-100(a)(3) and 16-99-101(7), Hawaii Administrative Rules.

#### Evaluation and Education Program

The following evaluations were distributed for informational purposes:

“Core Course –Part A”, Eddie Flores Real Estate School, Scott Arakaki - Instructor

“Core Course – Part B”, Eddie Flores Real Estate School, Bryan Andaya - Instructor

“Property Management in Hawaii” – Dower School of Real Estate, Philip Wilia - Instructor

“Understanding Contracts, Part III” – Abe Lee Seminars, Abe Lee - Instructor

Senior Specialist Fujimura encouraged the Commissioners to monitor courses.

Prelicense Education: Applications

**Guest Lecturer – Andrew Stuber; School: Coldwell Banker Pacific Properties Real Estate School, Principal: Tom Gill; Subject Matter – Residential Real Estate Financing**

Upon a motion by Commissioner Abrams, seconded by Commissioner Nishihara, it was voted on and unanimously carried to approve Andrew Stuber as a prelicense guest lecturer for the subject matter Residential Real Estate Financing.

**Guest Lecturer – Nancy D. Metcalf; School: Coldwell Banker Pacific Properties Real Estate School, Principal: Tom Gill; Subject Matter – Code of Ethics, Agency, Listing and Purchase Contract**

Upon a motion by Commissioner Abrams, seconded by Commissioner Nishihara, it was voted on and unanimously carried to approve Andrew Stuber as a prelicense guest lecturer for the subject matters of Code of Ethics, Agency, Listing and Purchase Contract.

Evaluation and Education Program

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

1. Abe Lee Seminars; Independent Study On-Line (2)
2. Vitousek Real Estate School (1)

Administration of  
Examinations:

Pearson VUE

**Licensing Examination Statistics – October 2008**

Examination statistics for October 2008 were distributed to the Commissioners for their information.

**School Pass/Fail Rates – October 2008**

School pass/fail rate statistics for October 2008 were distributed to the Commissioners for their information.

**School Summary Reports – October 2008**

Copies of the October 2008 performance summary reports, by school, were distributed to the Commissioners for their information. The report is derived from statistics for first time test takers.

Test Development

**New Content Outline for Pearson VUE's Real Estate Salesperson and Broker Examinations**

A copy of the announcement of the new content outline for Pearson Vue's real estate salesperson and broker examinations was distributed to the Commissioners for their information.

**General Exam Content Outline for Salespersons and Brokers, Effective January 1, 2009**

Upon a motion by Commissioner Abrams, seconded by Commissioner Gendrano, it was voted on and unanimously carried to accept Pearson Vue's General Exam Content Outline for Salespersons and Brokers effective January 1, 2009.

**Illustrated Revisions to the Pearson VUE National Real Estate Content Outline for Salesperson and Broker**

A copy of the illustrated revisions to the Pearson VUE national real estate content outline for salesperson and broker was distributed to the Commissioners for their information.

### **Comparison of Pearson VUE 2005 and 2009 National Real Estate Content Outlines**

A copy of the comparison chart of Pearson VUE 2005 and 2009 national real estate content outlines was distributed to the Commissioners for their information.

### **Hawaii Real Estate Examination Content Outline, Updated September 2008**

Upon a motion by Commissioner Abrams, seconded by Commissioner Nishihara, it was voted on and unanimously carried to approve the Hawaii real estate examination content outline, updated September 2008.

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: Neighbor Island Outreach

A report on the Neighbor Island Outreach / Specialist for the Day held in Hilo on Wednesday, November 12, 2008 was distributed to the Commissioners for their information.

The next neighbor island outreach will be held in Maui on January 7, 2009, at the REALTORS® Association of Maui, Inc.

#### Real Estate Specialists Office for the Day - Report

A report on the Neighbor Island Outreach / Specialist for the Day held in Hilo on Wednesday, November 12, 2008 was distributed to the Commissioners for their information.

A report on the Specialist Offices for the Day held in conjunction with the 2008 renewal workshops was distributed to the Commissioners for their information.

Open Forum: None.

Budget and Finance Report: Budget and Finance Report – Real Estate Education Fund

Upon a motion by Commissioner Chee, seconded by Commissioner Loudermilk, it was voted on and unanimously carried to accept the Real Estate Education Fund report for period ending September 30, 2008.

Executive Session: Upon a motion by Commissioner Abrams, seconded by Commissioner Chee, it was voted on and unanimously carried to enter into executive session pursuant to Section 92-5(a)(1), HRS, "To consider and evaluate personal information, relating to individuals applying for professional or vocational licenses cited in section 26-9 or both."

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

Continuing Education: **Course – “New HUD HECM for Purchase Program for Hawaii’s Baby Boomers & Seniors”; Provider/Author/Owner – Shari Motooka-Higa; Course Categories: Contracts, Finance, Risk Management; Clock Hours: 3**

Commissioner Chee moved to approve "New HUD HECM for Purchase Program for Hawaii's Baby Boomers & Seniors" as a three clock hour continuing education course. Commissioner Abrams seconded the motion. Commissioners Abrams, Loudermilk and Chee voted aye. Commissioner Ball voted nay. Commissioners Nishihara and Gendrano abstained from voting. The motion failed.

Upon a motion by Commissioner Chee, seconded by Commissioner Nishihara, it was voted on and unanimously carried to defer decision making on this application to the next Education Review Committee meeting.

Next Meeting: Wednesday, January 7, 2009  
Upon adjournment of the Condominium Review Committee Meeting, which is upon adjournment of the Laws and Rules Review Committee meeting, which convenes at 9:30 a.m.  
REALTORS' Association of Maui, Inc.  
441 Ala Makani Place  
Kahului, HI 96732

Adjournment: With no further business to discuss, Chair Ball adjourned the meeting at 10:31 a.m.

Reviewed and approved by:

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

December 19, 2008  
Date

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