

LAWS AND RULES 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 Office of the Lieutenant Governor, as required by Section 92-7(b), Hawaii Revised Statutes.

Date: Wednesday, May 11, 2011

Time: 9:00 a.m.

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

Present: Frances Gendrano, Chair, Broker/Honolulu Commissioner
Walt Harvey, Vice Chair, Broker/Honolulu Commissioner
Michele Sunahara Loudermilk, Public/Honolulu Commissioner
Scott Sherley, Broker/Hawaii Commissioner
Donna Apisa, Broker / Kauai Commissioner

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

Others: Randy L. Prothero, Century 21 Liberty Homes
Aron Espinueva, Hawaii Association of REALTORS®

Absent: Stanley Kuriyama, Broker/Honolulu Commissioner
Carol Ball, Broker/Maui Commissioner
Trudy Nishihara, Broker/Honolulu Commissioner
Mark Suiso, Public/Honolulu Commissioner

Call to Order: The Chair called the meeting to order at 9:00 a.m., at which time quorum was established.

Chair's Report: The Chair announced that the Commission 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/or to consult with the Commission's attorney on questions and issues pertaining to the Commission's powers, duties, privileges, immunities, and liabilities in accordance with Section 92-5(a)(4), HRS.

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

SEO's
Report:

Minutes of Previous Meetings

Upon a motion by Commissioner Apisa, seconded by Commissioner Sherley, it was voted on and unanimously carried to accept the minutes of the April 13, 2011, Laws and Rules Review Committee meeting as circulated.

Program of
Work, FY11:

Rule Making, Chapter 99, HAR Real Estate Brokers and Salespersons

Executive Officer Pangilinan reported that staff has been making stylistic changes to the current draft and is working with the Department's Administrative Services Office on the ramseyer draft. Staff is still on step one of 24 in the rulemaking process.

Commissioner Apisa questioned if the rules would be completed within the next couple of months.

EO Pangilinan replied in the negative and noted that the rulemaking process does take some time.

Legislative and Government Participation Report

Legislative Report No. 4 was distributed to the Commissioners for their information. The SEO reported that most bills that the Commission was tracking this session got stuck in conference and died.

He further reported the following: HR 47 and HCR 166 were adopted; HB Nos. 319, 320 and 1130 were sent to the Governor's; SB Nos. 181, 1213, and 1483 have been sent to the Governor's; Senate Bill 651 was signed as Act 48 and relates to mortgage foreclosures. Act 48 makes amendments to Chapters 514A and 514B.

Commissioner's Education Program

The April 2011 issue of the Hawaii State Ethics Commission publication "The High Road" was distributed for informational purposes.

ARELLO,
Other
Organizations
And
Jurisdictions:

Professional Licensing Report

The article entitled "Omission on application was 'willful' deception, court says" from the November/December 2010 issue of Professional Licensing Report, was distributed for informational purposes.

Special
Issues:

None.

Budget and
Finance Report:

None presented

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Next Meeting: Wednesday, June 8, 2011
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, the Chair adjourned the meeting at 9:08 a.m.

Reviewed and approved by:

Neil K. Fujitani

Neil K. Fujitani
Supervising Executive Officer

May 12, 2011

Date

Approved as is.
 Approved with amendments. See minutes of _____ meeting.

NF:tn110512