

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, June 8, 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
Carol Ball, Broker/Maui Commissioner
Trudy Nishihara, Broker/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
Cynthia Yee, Senior Condominium Specialist
Cheryl Leong, Condominium Specialist
Benedyne Stone, Condominium Specialist
Shari Wong, Deputy Attorney General
Tammy Norton, Recording Secretary
Amy Fujioka, Office Assistant

Others: David Catanzaro, Digital Learning Centers
Jean Catanzaro, Digital Learning Centers
Chris Catanzaro, Digital Learning Centers
Lisa Andrews, Esq., Case Lombardi & Petit
Bryan Andaya, Eddie Flores Real Estate School

Absent: Stanley Kuriyama, Broker/Honolulu Commissioner
Mark Suiso, Public/Honolulu Commissioner

Call to Order: The Chair called the meeting to order at 9:10 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 Kuriyama 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 Harvey, it was voted on and unanimously carried to accept the minutes of the May 11, 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 on May 26, 2011 staff transmitted the proposed rules to the Office of the Attorney General (AG) and the Legislative Reference Bureau (LRB) for their review and comment. A courtesy copy was also provided to the Regulated Industries Complaints Office. Upon receipt of comments by the AG and LRB, a copy will be provided to the Small Business Regulatory Review Board for their review to be taken into consideration.

Commissioners Education Program

SEO Fujitani reported that staff and Commissioner Ball participated in a CLEAR Board Member training webinar entitled Roles and Responsibilities of a Board Member. This was the first of a 5 module series offered. It was reported that it was a good general overview of the roles and responsibilities of a board member.

Commissioner Ball noted that the webinar was professionally done, convenient, simple to login and a good review. She also noted that it is a good review for all board members.

Staff was questioned whether the incoming commissioners would be able to view the webinar. SEO Fujitani responded that he had inquired with CLEAR, but was informed that currently CLEAR does not have the capability of allowing viewing of past webinars. SEO Fujitani noted that he will distribute a copy of the power point presentation at the Commission meeting. Those Commissioners interested in participating in future webinar sessions should inform staff.

Deputy Attorney General Wong noted that the incoming commissioners can be invited to sit in to review the webinars also.

ARELLO,
Other
Organizations
And
Jurisdictions:

The following ArelloGram articles were distributed for informational purposes: "ARELLO Welcomes New CEO, William J. M. (Bill) Wald," "FTC Action Highlights Ongoing Timeshare Scams," "U.S. State BPO Bills Move Forward," and "'Skin in the Game' Risk Retention Rules Rile Industry, Consumer Groups."

It was reported that Hawaii's BPO bill is still awaiting the Governor's signature.

Professional Licensing Report

The article entitled "In discipline for sexual misconduct, criminal acquittal no defense" from the January/February 2011 issue of Professional Licensing *Report* was distributed for informational purposes.

Special
Issues:

None reported.

Budget and
Finance Report:

Upon a motion by Commissioner Loudermilk, seconded by Commissioner Apisa, it was voted on and unanimously carried to accept the Real Estate Recovery Fund Financial Report for the period ending March 31, 2011.

Next
Meeting:

Wednesday, July 11, 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 9:19 a.m.

Reviewed and approved by:

/s/ Neil K. Fujitani

Neil K. Fujitani
Supervising Executive Officer

June 9, 2011

Date

Approved as is.

Approved with amendments. See minutes of _____ meeting.