

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, October 10, 2012

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
Rowena Cobb, Vice Chair, Broker/Kauai Commissioner
Walt Harvey, Broker/Honolulu Commissioner
Scott Sherley, Broker/Hawaii Commissioner
Nikki Senter, Public/Honolulu Commissioner
Aileen Wada, Broker/Honolulu Commissioner
Bruce Faulkner, Broker/Maui Commissioner
Scott Arakaki, Public/Honolulu Commissioner
Stanley Kuriyama, Broker/Honolulu Commissioner

Miles Ino, 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
Lesley Matsumoto, Recording Secretary

Others: Aron Espinueva, Hawaii Association of REALTORS®
Myoung Oh, Hawaii Association of REALTORS®

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.

SEO's
Report:

Minutes of Previous Meetings

Upon a motion by Commissioner Harvey, seconded by Commissioner Sherley, it was voted on and unanimously carried to accept the minutes of the September 12, 2012, Laws and Rules Review Committee meeting.

Program of Work:

Advice, Education, and Referral

Real Estate Specialist Endo reported that at the Maui Broker's Forum, it was brought to their attention that at the June 13, 2012 Laws and Rules Review Committee meeting, the Commission issued an informal non-binding interpretation on §467-14(14)(A), HRS. An inquiry was made as to whether §467-14(14)(B), HRS, would also fall under the Commission's informal non-binding interpretation.

Discussion followed about the scope of the June 13, 2012 informal non-binding interpretation.

Upon a motion by Commissioner Sherley, seconded by Commissioner Kuriyama, it was voted on and unanimously carried to similarly, informally, and non-bindingly interpret §467-14(14)(B), HRS, in accordance with its June 13, 2012 informal non-binding interpretation.

Neighbor Island Outreach

Real Estate Specialist Endo reported that staff visited the neighbor islands in conjunction with their quarterly broker meetings to go over Cases". the online CE/Renewal system and opened it up to a question and answer session answering various licensing questions.

Staff received positive feedback from the attendees and it was recommended that these outreach sessions be offered throughout the year rather than just during the renewal period.

Licensing Renewal

Real Estate Specialist Endo reported that the Condominium Hotel Operator's renewal registration forms and the real estate post cards will be mailed out on Friday, October 12, 2012.

ARELLO,
Other
Organizations
And
Jurisdictions:

ArellloGram and Other Informational Reports

The following articles were distributed for informational purposes: "Hawaii Legislation Requires Consideration of 'Reasonable Reliance' in Misrepresentation, Material Disclosure Cases".

Professional Licensing Report

The following articles were distributed for informational purposes: "South Dakota Supreme Court Upholds Discipline for Dishonesty Toward Licensee's Company", "California DRE Interprets 'Within This State' License Law Provision", and "What Constitutes Engaging in Real Estate Licensed Activities 'Within this State' Requiring a Real Estate Broker or Salesperson License?".

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Special Issues: None.

Budget and Finance Report: No report presented.

Next Meeting: Wednesday, November 7, 2012
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:

/s/ Cynthia M.L. Yee

Cynthia M.L. Yee
Senior Condominium Specialist

October 25, 2012

Date

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