

LAWS AND RULES REVIEW COMMITTEE
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: Monday, September 10, 2007

Time: 9:30 a.m.

Place: Naupaka III Ballroom
Waikoloa Beach Marriott Resort
69-275 Waikoloa Beach Road
Waikoloa, Hawaii

Present: Louis Abrams, Chair, Broker/Kauai Commissioner
Michele Sunahara Loudermilk, Vice Chair, Public/Honolulu Commissioner
Annette Aiona, Broker/Hawaii Commissioner
Carol Ball, Broker/Maui Commissioner
Frances Gendrano, Broker/Honolulu Commissioner
Mark Suiso, Public/Honolulu Commissioner

Calvin Kimura, Supervising Executive Officer
Diane Choy Fujimura, Senior 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: David Catanzaro, REMI School of Real Estate
Richard T. Denison
Judi Johnson, Kona Board of REALTORS®
Nancy Barleben
Susan Gand
Kunzang Yuthok
R. T. Doc Halliday
Kass Neal

Absent: William Chee, Broker/Honolulu Commissioner
Stanley Kuriyama, Broker/Honolulu Commissioner
Trudy Nishihara, Broker/Honolulu Commissioner

Call to Order: The Chair called the meeting to order at 9:36 a.m., at which time quorum was established.

Chair's Report: No report was presented.

The Chair announced that the Committee may move into executive session 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.

The Chair announced that Commissioners Chee, Kuriyama and Nishihara were excused from today's meeting. Prior notification of their non-attendance was received.

SEO's
Report:

The SEO reported that there will be three meetings held today, the Laws and Rules Review Committee meeting, followed by the Education Review Committee meeting and ending with the Condominium Review Committee meeting. He also gave a brief explanation of what each Committee covers.

The SEO reported that there will be a Condominium Seminar at 1:30 this afternoon in this location and a Condominium Seminar in Hilo tomorrow beginning at 9:30 a.m. He invited everyone present to return and attend the seminar.

Minutes of Previous Meetings

Upon a motion by Commissioner Ball, seconded by Commissioner Aiona, it was voted on and unanimously carried to accept the minutes of the August 8, 2007, Laws and Rules Review Committee meeting.

Commission Roster

A copy of the latest Commission Roster was distributed to the Commissioners for their information.

Program of
Work, FY08:

Ad Hoc Committee on Consumer-Broker Relationships

The Chair reported on the status of the Ad Hoc Committee. He reported that the committee met at the end of August and discussed agency standards and duties.

Budget &
Finance
Report:

Upon a motion by Commissioner Loudermilk, seconded by Commissioner Ball, it was voted on and unanimously carried to accept the report of the Real Estate Recovery Fund, for the fiscal year ending June 30, 2007.

The SEO reported that Attorney Gary Lee will be leaving the firm of Matsubara, Lee and Kotake, which is the back-up recovery fund firm contracted by the Commission to handle recovery fund cases. SEO Kimura reported that he is trying to get a better status.

At this time, the SEO stated that the condominium project using fractional ownership concept is looming and is waiting to see what the first filing will look like. The concern would be any issues with the securities law and the representations and disclosures to consumers. Violations of the securities law is harsher than violations of Chapter 467, HRS.

Open Forum:

Ms. Jeudi Johnson, Kona Board of REALTORS[®], stated that she is glad the Commission will be investigating the fractional condominium issue and noted that licensees should take additional education as they don't know the pitfalls of it.

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Next Meeting: Wednesday, October 10, 2007
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 9:50 a.m.

Reviewed and approved by:

/s/ Calvin Kimura
Calvin Kimura
Supervising Executive Officer

September 20, 2007
Date

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