

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 6, 2009

Time: 9:00 a.m.

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

Present: Louis Abrams, Chair, Broker/Kauai Commissioner
Frances Gendrano, Broker/Honolulu Commissioner
Stanley Kuriyama, Broker/Honolulu Commissioner
Carol Ball, Broker/Maui Commissioner
Trudy Nishihara, Broker/Honolulu Commissioner
Annette Aiona, Broker/Hawaii Commissioner
William Chee, Broker/Honolulu Commissioner
Mark Suiso, Public/Honolulu Commissioner

Neil Fujitani, Supervising 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: Aron Espinueva, Hawaii Association of REALTORS®
Myoung Oh, Hawaii Association of REALTORS®
John Morris, Community Associations Institute Hawaii Chapter
Phil Nerney, Community Associations Institute Hawaii Chapter
Tracey Wiltgen, Mediation Center of the Pacific, Inc.
Steve Glanstein
Jane Sugimura, HCAAO

Absent: Michele Sunahara Loudermilk, Vice Chair, Public/Honolulu Commissioner

Call to Order: The Chair called the meeting to order at 9:03 a.m., at which time quorum was established.

Chair's Report: 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.

Commissioner Loudermilk was excused from today's meeting. Prior notice of her non-attendance was received.

SEO's
Report:

Additional Distribution

The following materials were distributed to the Commissioners prior to the start of the meeting:

4. Program of Work, FY09
 - f. Legislative and Government Participation Report
8. Budget and Finance Report
 - a. Real Estate Recovery Fund

Minutes of Previous Meetings

Upon a motion by Commissioner Nishihara, seconded by Commissioner Ball, it was voted on and unanimously carried to accept the minutes of the April 8, 2009, Laws and Rules Review Committee meeting as circulated.

Program of
Work, FY09:

Legislative and Government Participation Report

Legislative Report No. 4 was distributed to the Commissioners for their information. SEO Fujitani reported that the Legislative Session has been extended to Friday, May 8, 2009.

HB 520 – Signed into Act. Repeals the amendments made by Act 228 (SLH 2008) which required the taking of photographs of actual or potential historic buildings before demolition, construction or alteration of the building.

SB 34 – Relating to the Mortgage Rescue Fraud Prevention Act. Will go to a floor vote on Thursday, May 7, 2009.

SB 884 – Relating to non-general funds. Transfers excess balances from certain special funds to the general funds to address the budget shortfall. On June 1, 2009, the director of finance is authorized to transfer from the DCCA compliance resolution fund to the general fund the sum of \$3,300,000 or so much thereof as may be necessary for the fiscal year 2008-2009. Will go to a floor vote on Thursday, May 7, 2009.

Status of the concurrent resolutions encouraging the Commission to modify and adopt rules to reflect changes in the condominium law was questioned.

SEO Fujitani responded that the concurrent resolutions did not pass. Due to the push by Condominium Consultant Lloyd Sodetani, staff is moving forward to start the rulemaking process and have scheduled a meeting with Mr. Sodetani on June 4, 2009.

Neighbor Island Outreach

The next neighbor island outreach meetings are tentatively scheduled for July 8, 2009 in Lihue, Kauai. Staff has reserved the State Office conference room.

Licensing Renewal

Specialist Grupen reported that of the 21,984 real estate licensees licensed in 2008, 17,325 licensees renewed their licenses. Of the 17,325 that renewed their licenses, 96% renewed online.

Chair Abrams reported that Hawaii is leading the country in online renewals.

As of today, there are 18,244 current real estate licensees.

ARELLO,
Other
Organizations
And
Jurisdictions:

No report presented.

Special
Issues:

None presented.

Open Forum:

None.

Budget and
Finance
Report:

Upon a motion by Commissioner Ball, seconded by Commissioner Suiso it was voted on and unanimously carried to accept the Real Estate Recovery Fund Financial Report for the period ending March 31, 2009.

Next
Meeting:

Wednesday, June 10, 2009
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 9:09 a.m.

Reviewed and approved by:

/s/ Neil K. Fujitani

Neil K. Fujitani
Supervising Executive Officer

May 6, 2009

Date

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Approved as is.

Approved with amendments. See minutes of _____ meeting.