

**LAWS AND RULES REVIEW COMMITTEE**  
Professional and Vocational Licensing Division  
Department of Commerce and Consumer Affairs  
State of Hawaii  
[www.hawaii.gov/hirec](http://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: Tuesday, June 10, 2008

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  
Michele Sunahara Loudermilk, Vice Chair, Public/Honolulu Commissioner  
Carol Ball, Broker/Maui Commissioner  
Frances Gendrano, Broker/Honolulu Commissioner  
Stanley Kuriyama, Broker/Honolulu Commissioner  
Trudy Nishihara, Broker/Honolulu Commissioner  
Mark Suiso, Public/Honolulu Commissioner

Neil Fujitani, Acting 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  
Irene Kotaka, Secretary

Others: None

Absent: Annette Aiona, Broker/Hawaii Commissioner  
William Chee, Broker/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: 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.

Commissioners Chee and Aiona were excused from today's meeting. Prior notice of their non-attendance was received.

A Certificate of Appreciation and lei was presented to Irene Kotaka by the Commission. The Commission thanked her for her hard work over the years and wished her well in her new job.

Acting SEO's  
Report:

**Additional Distribution**

The following material was distributed to the Commissioners prior to the start of the meeting:

4. Program of Work, FY08
  - u. Program of Work and Budget, FY09

**Minutes of Previous Meetings**

Upon a motion by Commissioner Nishihara, seconded by Commissioner Suiso, it was voted on and unanimously carried to accept the minutes of the May 7, 2008, Laws and Rules Review Committee meeting.

**Travel Report**

A sample of PVL's travel report was distributed to the Commissioners for their information and reference. The Commissioners were advised to submit their reports on out-of-state conferences and meetings that they attended in that format.

Program of  
Work, FY08:

**Neighbor Island Outreach**

The Acting Supervising Executive Officer reported that the next neighbor island outreach is being planned for August 13, 2008, on the island of Kauai.

**Commissioner's Education Program**

The following newsletters were distributed to the Commissioners for their information:

- a. OpenLine, May 2008
- b. The High Road, May 2008

**Ad Hoc Committee on Consumer-Broker Relationships**

The Chair announced that they would be meeting today at 1 p.m. to discuss the agency rules and licensee's conduct. The intent is to draft rules that will help to clarify how licensees will handle themselves in the various agency situations.

**Program of Work and Budget, FY09**

The Program of Work and Budget, FY09, was distributed to the Commissioners for their information and reference.

ARELLO,  
Other  
Organizations  
And  
Jurisdictions:

**Meetings, Workshops, and Reports**

Upon a motion by Commissioner Nishihara, seconded by Commissioner Ball, it was voted on and unanimously carried to send up to three Commissioners and one staff member to the ARELLO Annual Conference, to be held on October 18 to 20, 2008, in Indianapolis, Indiana, subject to budget and DCCA approval; and to provide more information on ARELLO's Commissioners' College to the Commissioners for consideration.

**National Association of REALTORS**

Upon a motion by Commissioner Ball, seconded by Commissioner Kuriyama, it was voted on and unanimously carried to send one Commissioner and one staff to the National Association of REALTORS Annual Conference and Expo, to be held on November 7 to 10, 2008, in Orlando, Florida, subject to budget and DCCA approval.

**Federal Trade Commission and Department of Justice**

A copy of a news release from the U.S. Department of Justice, dated May 27, 2008, was distributed to the Commissioners for their information. The news release was entitled, "Justice Department Announces Settlement with the National Association of REALTORS."

Special  
Issues:

**Hawaii Supreme Court Rule Amendments**

Copies of the following were distributed to the Commissioners for their information:

1. Pacific Business News, May 30, 2008, article entitled: "Defining 'practice of law' moves forward slowly; and
2. ALQ Real Estate Intelligence Report, May 2008, article entitled: "Justice Department, NAR, settle anti-trust lawsuit."

Open Forum: None.

Budget and  
Finance  
Report:

**Real Estate Recovery Fund**

Upon a motion by Commissioner Kuriyama, seconded by Commissioner Nishihara, it was voted on and unanimously carried to accept the Real Estate Recovery Fund Report, for the month of April 30, 2008.

Next  
Meeting:

Wednesday, July 9, 2008  
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 9:30 a.m.

Reviewed and approved by:

/s/ Neil K. Fujitani

\_\_\_\_\_  
Neil K. Fujitani  
Acting Supervising Executive Officer

June 12, 2008

\_\_\_\_\_  
Date

[xxxxxxx] Approved as is.  
[ ] Approved with amendments. See minutes of \_\_\_\_\_ meeting.