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June 2006

## Be Ready when that Renewal Deadline Arrives

Here is some information that may assist you through yet another renewal year. Remember the renewal deadline is **November 30, 2006**.

All real estate licenses, course certifications, prelicense school registrations, and continuing education provider registrations must be renewed by the stated deadline to be assured that there is no break in the validity of your license or registration.

- Have you forgotten how many continuing education courses you took to fulfill the 10-hour Continuing Education (CE) requirement for renewal of your real estate license on active status?

Usually, about July or August, the Licensing Branch will send out a listing to all principal brokers of all affiliated agents and if they have completed their CE requirement.

If you would like to find out how many CE hours you have before the mailout, you may contact the Real Estate Branch and request the information. Telephone 808-586-2643.

Based on Hawaii Revised Statutes, §467-1.6, "Principal brokers. (a) The principal broker shall have direct management and supervision of the brokerage firm and its real estate licensees. (b) The principal broker shall be responsible for: . . . (6) Setting a policy on continuing education requirements for all associated real estate licensees in compliance with the statutory requirement;". . . This means that all principal brokers may include in their policies and procedures manual procedures regarding keeping track of CE courses affiliated agents have taken during the biennium.

For instance, a principal broker may require that copies of CE course completion certificates be submitted to the principal

broker or broker-in-charge.

- Core courses – The Commission has its own core course available in both a live seminar presentation and an **online version**. "Real Estate Law Review and Update 2005-2006" was developed for the Commission by ProSchools, Inc.

Check the continuing education course schedule in the Bulletin or go to the Commission's website: [www.hawaii.gov/hirec](http://www.hawaii.gov/hirec).

As long as you take a core course (four credit hours) and elective courses that total a minimum of 10 hours, then you will have satisfied the continuing education requirement for this biennium and may renew your license on active status.

- The Commission will be sponsoring renewal work-shops on each major island as the renewal deadline nears. Commission staff and Licensing Branch staff will assist licensees in the renewal process.

Also, this is a good opportunity for principal brokers to submit "batch renewals" for their affiliated agents as well as their own renewal application. Specific information will be available at a later date.

## Here are some helpful tips for licensees as the renewal deadline draws near

- **On-line renewal** will be offered again! For the 2004 renewal period, less than 35% of eligible real estate licensees chose the on-line route. For an industry that uses electronic technology in its day-to-day business, the on-line renewal option should be every licensee's first choice. Ninety-eight percent of Hawaii's licensed architects, engineers, and landscape architects renewed on-line in 2006.

- Check the Commission's website, [www.hawaii.gov/hirec](http://www.hawaii.gov/hirec) for updated information.

## ***Increase in ‘yes’ answers prompts emphasis on Request for Preliminary Decision Applications***

Over the last six months or so, there has been a noticeable increase in the submission of license applications with one or more “yes” answers.

The Real Estate Commission requests that all prelicense instructors alert their students prior to the beginning of the prelicense course to the existence of the Request for Preliminary Decision Application if the student answers “yes” to any of the application questions.

The Commission also requests that principal brokers, brokers-in-charge, or any licensee who is aware of or knows someone who may be interested in becoming a real estate agent, inform the individual regarding the Preliminary Decision Application if that individual answers “yes” to any of the following questions included in the license application (salespersons and brokers):

1. a. Have you ever applied for, been granted, or held a real estate license in Hawaii or any other state? If yes, what state, license type, and license number?

b. Has an application for license or a real estate license ever been denied, suspended, fined, involuntarily terminated, revoked, or otherwise subject to disciplinary action?

c. Have any complaints or charges ever been filed against you, regardless of outcome, with the licensing agency of any state?

d. Have any charges of unlicensed activity ever been filed against you, regardless of outcome, with the licensing agency of any state?

e. Are there any pending disciplinary actions against you?

2. During the past 20 years have you ever been convicted of a crime where there has not been an order annulling or expunging the conviction?

3. Are there any pending lawsuits, unpaid judgments, outstanding tax obligations, or any other type of involuntary liens against you?

4. Are you LESS than 18 years of age?

5. Are you an alien without authorization to work in the United States?

6. Did you receive a preliminary decision from the Hawaii Real Estate Commission regarding this application for license? If yes, please provide the date of the Commission’s decision.

Applications with a “yes” answer(s) are reviewed on a case by case basis by the Commission at its monthly meeting. Prior to inclusion on the Commission’s meeting agenda, the Real Estate Branch staff gathers all pertinent documentation from the applicant to support and explain the “yes” answer(s).

The applicant is invited to appear before the Commission to answer questions the Commissioners may have and/or to make a statement. The Commission then votes to approve,

deny, or defer the application.

In order to save the applicant money and time invested in taking a prelicensing course, taking the licensing exam (in some cases, multiple times before passing the exam), and in addition, to save processing time on the part of the Real Estate Branch staff, and deliberation time on the part of the Commission, the licensing candidate with a “yes” answer to questions 1b, 1c, 1d, 1e, 2, and/or 3 on the licensing application may first submit the Preliminary Decision Application to get an idea whether or not the Commission will approve his or her application. There is a \$25 non-refundable application fee.

Hawaii Revised Statutes (HRS), Section 467-8(b), states, “Prior to submitting to prelicensing education or examination requirements, an individual candidate may request that the commission consider a preliminary decision as to whether the individual candidate for a real estate license will be denied a real estate license pursuant to section 467-8(a)(3). The individual candidate shall submit a completed application, all information requested by the commission, and the non-refundable application fee . . . . The preliminary decision shall provide advisory guidance, shall not be construed as binding, and shall not be subject to appeal. The individual candidate seeking a preliminary decision shall not be considered an applicant for licensure. A preliminary decision that is unfavorable to the individual shall not prevent the individual from submitting a complete license application and fees after successful completion of the prelicensing requirements.”

A person filing the Request for Preliminary Decision application will need to provide copies of all pertinent documentation regarding the “yes” answer.

This includes, but is not limited to, copies of any and all court documents regarding the incident, a written explanation of the incident in the applicant’s own words, a resume of activities, work, etc. since the incident, and letters of support, letters of reference, that speak to the applicant’s “. . . reputation for or record of competency, honesty, truthfulness, financial integrity, and fair dealing; . . .” (See §467-8(a)(3), HRS).

The Commission is going through the rulemaking process. Please submit any recommendations, with justification, to the Real Estate Branch via email at [hirec@dcca.hawaii.gov](mailto:hirec@dcca.hawaii.gov) or mail to 335 Merchant Street, Room 333, Honolulu, HI 96813.

# The Chair's Message

Aloha!

In July, we will welcome four new commissioners, the largest number of new commissioners the Commission will welcome at one time.

The new commissioners include: Ms. Annette Aiona, REALTOR, ABR, Hilo, Big Island, who will replace Vern Yamanaka; Frances Gendrano, REALTOR Associate, KFG Properties, Inc., who will replace Kathleen Kagawa; Mark Suiso, public member, First Hawaiian Bank, First Investment Center, who will replace Iris Okawa; and William Chee, REALTOR, President and CEO of Prudential Locations, LLC and RESCO Inc., who will fill the existing vacancy on the Commission.



Trudy Nishihara

We will miss Iris, Vern, and Kathie, as they have dedicated themselves to maintain a high level of standards in our rapidly evolving industry. Their work has been invaluable— Iris's participation as a Director for ARELLO and her efforts in promoting consumer advocacy, Vern in raising the bar in salesperson and broker education, and Kathie for her work in initiating new licensee's criminal background checks. We wish them the very best and appreciate their voluntary service to our real estate community.

In a concerted effort to minimize time, effort, and expense, the Commission requests that pre-license schools, as well as any licensee, alert students, friends and acquaintances with questionable background issue(s), such as felony, misdemeanor, court martial, DUI, drug/alcohol issues, abuse situations, tax liens, judgments, disciplinary actions, parole, probation, violations of administrative laws/court orders, etc. to first consider submitting an application of Preliminary Decision to the Commission for review.

The Commission will review each application on a case-by-case basis and will decide whether the applicant would most likely be approved or most likely be denied a real estate license. Although this is a non-binding decision, this provides the candidate with a fair indication as to how the Commission may vote on the actual license application.

Consumer protection is always a top priority for the Commission. Many state regulators are now focused on implementing an electronic fingerprinting system for background checks on all new real estate license applicants. California has recently decided to do away with conditional license approvals for real estate license applicants with questionable background issues. Kentucky has also adopted a similar procedure for applicants who are still on parole, probation, or any type of state supervision.

The Commission will be determining its program of work for fiscal year 2007. We welcome any written suggestions for the program of work of each of the three Commission standing committees, the Laws and Rules Review Committee, the Education Review Committee, and the Condominium Review Committee. You may submit your suggestions to the Commission at [hirec@dcca.hawaii.gov](mailto:hirec@dcca.hawaii.gov), or Real Estate Commission, 335 Merchant Street, Room 333, Honolulu, HI 96813.

Mahalo,

Trudy Nishihara, Chair

## Specialists' Office for the Day was held in Hilo on May 10

The Real Estate Commission's Real Estate and Condominium Specialists set up offices for the day in Hilo on May 10 to discuss real estate licensing and condominium concerns with interested parties. The event was held in conjunction with an educational session on the new condominium law, now known as Chapter 514B, Hawaii Revised Statutes.

The Specialists are prepared to discuss questions about licensing laws and rules, license applications, broker experience certificate applications, examination administration, continuing education, new legislation, Commission procedures, educational programs, and related topics.

The next Specialists' Office for the Day will be held on Maui, at a date and time to be announced. If you have any questions, contact a Real Estate Specialist or a Condominium Specialist at (808) 586-2643. You may also write to: Real Estate Commission, 335 Merchant Street, Room 333, Honolulu, HI 96813.

The Specialists' Office for the Day program is funded by the Condominium Education and the Real Estate Education Fund.

### State of Hawaii Real Estate Commission

Telephone 586-2643

Website: [www.hawaii.gov/hirec](http://www.hawaii.gov/hirec)

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This material can be made available to individuals with special needs. Please call the Senior Real Estate Specialist at 586-2643 to submit your request.

## Administrative Actions

### **Capital Research Group, Inc., and Frederick H. Overstreet—REC 2003-267-L**

On September 27, 2005, RICO filed a Petition for Disciplinary Action against Respondents, alleging they violated HRS §§467-14(7) (failure to account for funds by failing to deposit monies into a client trust account), (20) (failure to maintain a reputation for competency, honesty, truthfulness, financial integrity, and fair dealing), and HAR §16-99-3(b) (licensee shall protect the public against fraud, misrepresentation, or unethical practices), and other rules. Respondents entered into a Settlement Agreement after Filing of Petition for Disciplinary Action as a compromise of the claims and to conserve on the expenses of proceeding with an administrative hearing. Under terms of the agreement, Respondents agreed to pay a \$1,000 fine. Respondent Overstreet also agreed to complete an educational course to be determined by the Commission. The Commission accepted the Settlement Agreement on January 27, 2006.

### **Brad K. Hironaka—REC 2005-260-L**

RICO received a request for investigation from the Commission alleging that Respondent had failed to disclose a 1986 petty misdemeanor conviction on a 1992 application for real estate salesperson licensure filed with the Commission. In 1986, Respondent pleaded guilty to criminal trespass, a petty misdemeanor, and was fined \$25. RICO alleged that Respondent violated HRS §467-20 (filing a document that contains any material misstatement of fact). Respondent admitted to the truth of the allegation and entered into a Settlement Agreement Prior to Filing of Petition for Disciplinary Action as a compromise of the claims and to conserve on the expenses of proceeding with an administrative hearing. Respondent agreed to pay a \$500 fine. The Commission accepted the Settlement Agreement on February 24, 2006.

### **Remax Kauai.Com LLC and James G. Pycha—REC 2005-106-L**

RICO received a complaint alleging that Respondents allowed an unlicensed agent to conduct real estate business without a license and aided and abetted said person in an activity for which a license is required. RICO alleged that Respondents failed to properly supervise a salesperson in violation of HRS §467-1.6(b)(7) (failure to ensure that associated real estate licensees are current and active). Respondents admitted to the veracity of the allegations. They entered into a Settlement Agreement Prior to Filing of Petition for Disciplinary Action as a compromise of the claims and to conserve on the expenses of proceeding with an administrative hearing. Respondents agreed to pay a \$1,000 fine. The Commission accepted the Settlement Agreement on March 24, 2006.

### **James E. McKellar and Certified Management, Inc.—REC 2003-342-L**

On November 14, 2005, RICO filed a Petition for Disciplinary Action against Respondents, alleging that they

violated HRS §§436B-19(17) (violation of statutes and rules), 467-1.6(b) (failure to properly supervise), and 14(13) (violation of statutes and rules), and HAR §16-99-3(f) (real estate management without a written agreement.) In December 2000, Respondent Certified Management, Inc. purchased the assets of Fidelity Management, Inc. pursuant to an asset purchase agreement. The agreement purportedly included the property management account for the Association of Apartment Owners (AOAO) of Ewa Colony Estates. However, Fidelity Management, Inc. did not have a written management contract with the AOAO of Ewa Colony Estates. Respondents conducted property management activities and charged the AOAO of Ewa Colony Estates management fees from January 2001 through March 2002 without having a written management contract. Respondents did not admit they violated any law or rule but entered into a Settlement Agreement after Filing of Petition for Disciplinary Action as a compromise of the claims and to conserve on the expenses of proceeding with an administrative hearing. Respondents agreed to pay a \$1,000 fine. The Commission accepted the Settlement Agreement on March 24, 2006.

### **James E. McKellar and Certified Management, Inc.—REC 2004-120-L**

RICO petitioned the Real Estate Commission for disciplinary action against Respondents. In November 2003, Respondents were informed that their property management agreement with the West Loch Estates Homeowners Association would be terminated effective December 31, 2003.

On or about January 20, 2004, Respondents withdrew \$604.22 from the Association's bank account, claiming the withdrawal was for reimbursement of management fees and services performed prior to termination of the management agreement.

Respondents did not submit an invoice for the alleged services and were not authorized to withdraw the funds. Despite repeated requests, Respondents were unable to provide a satisfactory explanation of the alleged services and expenses for which they withdrew the funds.

RICO alleged that this conduct violated the following statutes and rules: HAR §16-99-3(v) (conversion of funds), HRS §436B-19(17) (violation of statutes and rules), (12) (failure to comply with law), (8) (failure to maintain a record of competency, trustworthiness, fair dealing, and financial integrity), 467-14(8) (conduct constituting fraudulent or dishonest dealings), (13) (violation of statutes and rules), (16) (conversion of funds), and (20) (failure to maintain a record of competency, trustworthiness, fair dealing, and financial integrity).

Under terms of a Settlement Agreement after Filing of Petition for Disciplinary Action, Respondents did not admit that they violated any law or rule, but they entered into the Settlement Agreement as a compromise of the claims and to

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conserve on the expenses of proceeding with an administrative hearing. Respondents agreed to pay a \$1,000 fine. The Commission accepted the Settlement Agreement on March 24, 2006.

### **Certified Management, Inc. and James E. McKellar—REC 2003-220-L and REC 2004-211-L**

RICO petitioned the Commission for disciplinary action against Respondents, asserting that Respondent Certified Management was serving as property manager for the Association of Apartment Owners of Sun Rise at the time of the alleged violations.

The four counts of the Statement of Facts which support alleged violations of statutes and rules are as follows:

Count I: In September 2002, Respondents mailed a letter encouraging members of the Ewa Senatorial District to vote for candidate Tesha Malama. The letter was sent to property owners of Sun Rise AOA. In October 2002, the State of Hawaii's Campaign Spending Commission issued a Decision and Order which found Respondent Certified failed to submit reports disclosing that a non-monetary contribution (e.g., the mailing) had been provided to candidate Tesha Malama.

Count II: In September 2001, Certified Management received a notarized affidavit from the owner of a property unit at the Sun Rise requesting a copy of the property management agreement between Sun Rise AOA and Certified Management. Despite repeated demands, Respondents did not provide the owner with a copy of the management agreement, stating that the contract was proprietary and confidential in nature.

Count III: In June 2000, Certified Management wrote to the property manager at Sun Rise AOA requesting that he refund \$85.75 for bills for a telephone line he was alleged to have transferred from the resident manager's unit to his personal unit. Soon afterward, the billing was corrected and the telephone company mailed a check for \$69.66 to the Sun Rise AOA. Certified Management deposited the check about June 20, 2000, but did not advise the property manager about having received the refund check until January 2001.

Count IV: In August 2004, Certified Management entered into contracts on behalf of the board president of the AOA of Hidden Valley Estates with A-1 Extraction, Inc. to perform mold remediation of two Hidden Valley Estates units. The contracts totaled \$19,430.89 and included demolition and installation of drywall. At the time the contracts were entered into, neither A-1 Extraction nor its president was licensed as contractors in Hawaii.

RICO alleged that the conduct described in the four counts violated the following provisions of the Hawaii Revised Statutes and Hawaii Administrative Rules: HRS §436B-19(9) (conduct contrary to recognized standards of ethics), 514A-83.5 (failing to make available copies of contracts to apartment owner), 467-14(7) (failing to account for monies belonging to others), (13) (violating chapter 514A and rules adopted pursuant Chapter 467, and 436B-19(6) (aiding or abetting an unlicensed

person to perform activities requiring a license).

Under terms of a Partial Settlement Agreement after Filing of Petition for Disciplinary Action, Respondents admitted to the veracity of the allegations set forth in Counts II through IV and entered into the agreement to resolve those counts, with Count I to proceed through an administrative hearing. Respondents agreed to pay a \$5,000 fine. The Commission accepted the Settlement Agreement on March 24, 2006.

### **Sean K.H. Nakamoto—REC 2005-26-L**

On September 21, 2005, RICO filed a petition for disciplinary action against Respondent, a licensed real estate salesperson. Neither Respondent nor his attorney appeared at the hearing, held January 11, 2006. Through a letter from his attorney, Respondent informed the Commission that in November, 2003, Respondent was convicted of first degree theft, second degree forgery, and money laundering. Respondent was sentenced to five years probation, the terms of which included imprisonment for 12 consecutive weekends, performing 200 hours of community service, working full time or attending educational/vocational training, paying \$531,173 restitution minus restitution already paid, and paying \$5,000 into the crime victim compensation fund. In other letters, Respondent described the events underlying his convictions and requested that his license not be revoked or suspended.

The Hearings Officer concluded that Respondent's conduct constituted fraudulent and dishonest dealings in violation of HRS §§467-8 (failure to maintain a record of competency, honesty, truthfulness, financial integrity and fair dealing, in violation of HRS 467-14(20), and making untruthful or improbable statements in violation of 436B-19(2). The Hearings Officer also concluded that Respondent's conduct constituted a failure to comply, observe, or adhere to any law in a manner such that the licensing authority would deem the licensee to be an unfit or improper person to hold a license in violation of 436B-19(12). Lastly, the Hearings Officer found that Respondent's conviction was a criminal conviction of a penal crime directly related to the qualifications, functions, or duties of the real estate profession in violation of HRS 436B-19(14). For the violations found, the Hearings Officer concluded that Respondent violated 467-14(13). The Hearings Officer recommended that Respondent's real estate salesperson's license be revoked and that he pay a \$1,000 fine.

The Commission approved the findings of the Hearings Officer on April 28, 2006.

### **James S. Kometani, James Kometani, Inc., and Geraldine B. Digmon—REC 2005-83-L**

RICO received information from the Commission that Respondent Digmon's salesperson's license had lapsed on January 1, 2003. The license was subsequently renewed effective August 12, 2004. Respondent Digmon stated she was unaware that her license had lapsed, and she remedied the lapse as soon as she became aware of it. RICO alleged that

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Respondent Digmon failed to comply with the law by engaging in real estate activity without the required license in violation of HRS §467-7 (license required). RICO further alleged that Respondent Kometani and Respondent Kometani, Inc. failed to properly supervise Respondent Digmon in violation of 467-1.6(b)(7) (failure to ensure that associated real estate licensees are current and active).

Respondents admitted to the veracity of the allegations and entered into a Settlement Agreement Prior to Filing of Petition for Disciplinary Action as a compromise of the claims and to conserve on the expenses of proceeding with an administrative hearing.

Under terms of the agreement, Respondents Kometani and Kometani, Inc., agreed to pay a \$1,000 fine. Respondent Digmon agreed to pay a \$2,000 fine. The Commission accepted the Settlement Agreement on April 28, 2006.

### **Yoshie A. Feaster, dba Queen's Realty—REC 2004-163-L, REC 2005-14-L, and REC 2005-15-L.**

Respondent and RICO entered into a Settlement Agreement after Filing of Petition for Disciplinary Action. The agreement cited these uncontested facts:

Respondent is a licensed real estate broker. During April, May, and June 2004, Respondent withheld portions of the security deposits of three complainants.

In each case, Respondent used her own cleaning company to charge the former tenants for cleaning services she claimed were necessary.

One complainant received a small claims judgment for

\$333.32 against Respondent for withholding a portion of her security deposit after utilizing Respondent's cleaning company although the inspection report indicated the apartment was clean except for the carpets.

Respondent failed to notify the Commission of the conviction within 30 days. In October 2004, the Honolulu Board of Realtors found Respondent to have violated Articles 5 and 12 of the National Association of Realtors Code of Ethics by failing to disclose Respondent's ownership in the cleaning company she recommended to tenants and utilized.

She was required to attend the Property Management and Landlord/Tenant program within one year or risk having to pay a \$250 fine in addition to attending the course.

On December 30, 2005, RICO filed a Petition for Disciplinary Action against Respondent, alleging she violated HRS §§436B-16(9) (written notice must be given the licensing authority regarding any judgment which adjudges the licensee is liable for any personal injury, property damage, or loss caused by the licensee's conduct), 19(9) (conduct contrary to recognized standards of ethics for the licensed profession or vocation), §467-14(8) (any other conduct constituting fraudulent or dishonest dealings), and HAR §16-99-3(b) (licensee shall protect the public against fraud, misrepresentation, or unethical practices). Respondent did not admit she violated any law or rule but acknowledged that RICO had sufficient cause to file a Petition for Disciplinary Action against her real estate broker's license. Under terms of the settlement agreement, Respondent agreed to pay a \$3,000 fine. Respondent further agreed to successful complete educational courses to be determined by the Commission. The Commission accepted the Settlement Agreement on April 28, 2006.

## Four New Members Join Commission as of July 1

On July 1, 2006, the Real Estate Commission will welcome four new commissioners. This is the largest number of new commissioners who will be introduced to the Commission at one time.

Replacing Big Island commissioner Vern Yamanaka, will be Ms. Annette M. Aiona. Ms. Aiona is a graduate of the University of Hawaii, Hilo, and is the principal broker and owner of Aiona Island Realty, LLC, in Hilo, Hawaii. She is a current member of the Hawaii Island Board of REALTORS and a member of its Professional Standards Committee. She is also a member of the Hawaii Association of REALTORS, as well as the National Association of REALTORS. Ms. Aiona will serve as a commissioner through June 30, 2010.

Filling the vacant position will be William S. Chee. Mr. Chee is a graduate of the University of Hawaii—Manoa, and is the President and CEO of Prudential Locations, LLC and RESCO Inc. He is the founder of the former Locations, Inc. in 1969. He is past president of the Hawaii Association of REALTORS

(1976), Honolulu Board of REALTORS (1976), and the National Association of REALTORS (1993). Mr. Chee will serve as a commissioner through June 30, 2009.

Replacing Commissioner Kathleen Kagawa will be Frances Allison Torre Gendrano. Ms. Gendrano is a graduate of Boston College, and is a REALTOR-Associate with KFG Properties, Inc. and focuses on property management. Ms. Gendrano will serve as a commissioner through June 30, 2010.

Replacing Commissioner Iris Okawa as a public member of the Commission will be Mark Suiso. He is a graduate of the University of Hawaii—Manoa, and is a financial consultant with First Hawaiian Bank at its First Investment Center. Mr. Suiso will serve as a commissioner through June 30, 2010.

Commissioner Louie Abrams, Kauai, is reappointed and will serve a second term of four years. He is the current chair of the Commission's Laws and Rules Review Committee and heads the Commission's Ad Hoc Committee on Consumer-Broker Relationships.

## Legislation Would Impact Condo Owners, Licensees

Come July 1, 2006 a new Condominium Property Act takes effect. The Act has been assigned the Chapter number of 514B in Hawaii Revised Statutes (a publication of all state laws).

After July 1, 2006 the old Condominium Property Act may be continued as Chapter 514A, Hawaii Revised Statutes (HRS). However, the fate of that continuation along with the amendments to the new Condominium Property Act passed in the 2006 Legislature as HB 3225 HD1, SD1, CD1 is awaiting the Governor's decision. She has until July 11, 2006 to veto the legislation or allow HB 3225 HD1, SD1, CD1 to become law with or without her signature.

Proponents of HB 3225 HD1, SD1, CD1 report that the bill was designed to fine-tune and improve the new recodified condominium law enacted in Act 164, Session Laws of Hawaii 2004, and Act 93, Session Laws of Hawaii 2005.

Should the Governor allow HB 3225 HD1, SD1, CD1 to become law, the legislation will impact condominium owners, boards, managing agents, developers, real estate licensees and the public.

Specifically HB 3225 HD1, SD1, CD1 does the following:

(1) Clarifies that the existing condominium law, Chapter 514A, HRS, applies to existing condominiums created prior to July 1, 2006;

(2) Provides that certain sections of the new law apply to existing condominiums except to the extent necessary to preserve a developer's reserved rights and prevent unreasonable impairment of contracts;

(3) Makes it easier for existing condominiums to amend association documents to adopt and take advantage of the new law by allowing a majority of owners to approve these amendments;

(4) Specifies that amendments to the condominium declaration are not needed to:

(a) Change open or landscaped common elements to other uses except as specified in the declaration; and

(b) Make minor changes to the common elements for the benefit of one owner that do not substantially impact the interests of other owners;

(5) Exempts leases or other agreements related to installation of telecommunications equipment from requirements applicable to other common element leases;

(6) Provides that in the absence of bylaws authorizing fines, fines for violation of the declaration, bylaws, or rules, may be authorized by board resolution requiring notice, an opportunity to be heard, and an appeal process;

(7) Provides that the financing of insurance premiums by the association that spreads costs over the budget year is not a loan that requires a vote of the owners;

(8) Changes the procedures allowing associations with 100 or more units to reduce the number of directors on the board;

(9) Removes the prohibition against an owner acting both

as a director and an employee of the association's managing agent, and prohibiting an owner who is a director and managing agent employee from participating in board discussions of the association management contract;

(10) Specifies that the association, in exercising its right of access to a unit to maintain and repair the common elements, is not responsible for the costs of removing or replacing finished surfaces or barriers that impede the association from performing its repairs and maintenance;

(11) Allows the board, with the vote or consent of a majority of owners, to require all owners to obtain reasonable types and levels of insurance for risks not covered by the association's insurance;

(12) Allows the association to demand and receive delinquent common expenses from the rental agent renting the delinquent unit;

(13) Clarifies who constitutes a "lessee" for purposes of assessing the costs of the association's lease rent renegotiations;

(14) Amends the condominium and cooperative housing corporation lease-to-fee conversion law for consistency with Chapter 514B, HRS; and

(15) Makes technical, nonsubstantive amendments to Chapter 514B, HRS, for clarity, consistency, and style.

(16) Changes the effective date of the legislation to July 1, 2006; and

(17) Makes technical, non-substantive amendments to ensure that Chapter 514A, HRS, is not repealed, and for clarity, consistency, and style.

Summaries of what the new Condominium Property Act, Chapter 514B, HRS does will appear in the Real Estate Commission's June issue of the *Real Estate Bulletin* at its website [www.hawaii.gov/hirec](http://www.hawaii.gov/hirec). Please check the website from time to time.

**Please note that the summaries do not contain the changes made to the new Condominium Property Act by HB 3225 HD1, SD1, CD1 (2006), which is awaiting Governor's action.**

### DISCLAIMER

This article is intended to provide general information and is not a substitute for obtaining legal advice or other competent professional assistance to address specific circumstances. The information contained in this article is made pursuant to Hawaii Administrative Rules Section 16-201-92 and is not an official or binding interpretation, opinion or decision of the Hawaii Real Estate Commission or the Department of Commerce and Consumer Affairs.

# Most suits against brokers allege misrepresentation

*By Glenn Roberts Jr., Inman News*

WASHINGTON, D.C.—Misrepresentation claims continue to be the largest source of legal troubles for real estate brokers, accounting for about two-thirds of all litigation, said Laurie Janik, general counsel for the National Association of Realtors trade group. Real estate agency laws, antitrust laws, and the federal Fair Housing Act and Real Estate Settlement Procedures Act are also a potential source for lawsuits.

Janik, speaking during a risk management and license law session at an annual Realtor conference in Washington, D.C., also noted that most lawsuits against brokers are brought by buyers. Real estate brokers prevail in about two-thirds of the cases brought against them that go to trial, Janik said, according to association statistics for the past decade. And successful lawsuits against brokers relating to Fair Housing Act violations breach of fiduciary duties and antitrust violations typically rack up the largest damage amounts.

There are three types of misrepresentations: fraudulent, negligent, and innocent. While state laws can vary, brokers generally have less liability when they unknowingly mis-represent something about a property they are working to sell for their client. In Wisconsin and Washington, D.C., though, brokers can be held for innocent misrepresentation, Janik said.

A misrepresentation must involve a material fact, not just an opinion, Janik said. And failure to disclose facts about the condition of a property is a close cousin to misrepresentation, she said. “When in doubt, disclose.” Seller disclosure forms should be filled out completely by home sellers, she said, and should not be a guessing game.

It’s not always enough for listing agents and brokers to simply rely on information they receive from sellers, though. In California, for example, listing agents must perform a visual inspection of their clients’ properties themselves to help ensure their clients do not omit or misrepresent the condition.

Agents and brokers should not make any statements about future market conditions, Janik also said. “Don’t say anything like, ‘This well will never run dry.’ It’s a sure recipe for disaster,” she said.

Listing brokers can sometimes be dismissed from lawsuits brought by buyers in a transaction because they do not owe fiduciary duties to buyers, and brokers representing buyers should take note of their potential liability as it relates to the duties they owe their clients, she said. “This is the start of a trend . . . the buyer’s agent may see some increased liability.”

While real estate agents are supposed to describe real estate agency laws and explain the nature of their representation to clients, Janik said that the association’s own study shows that a high percentage of consumers don’t recall receiving any form of agency disclosure from their agents. “I’m not saying they weren’t made. Clearly they weren’t memorable. It’s very important that buyers know who is representing them in a transaction, especially if dealing with a listing agent or listing agent’s office.”

The volume of Fair Housing Act-related claims against real estate brokers increased 8 percent in 2005 compared to the prior year, Janik said, and 38 percent of cases involved charges of racial discrimination while 40 percent were related to disabilities. Janik

cited a case involving language in rules at a multi-family complex that was found to discriminate against families with children.

The Realtor group amended one of the standards of practice in its ethics code this year to state that, “when involved in the sale or lease of a residence, Realtors shall not volunteer information regarding the racial, religious, or ethnic composition of any neighborhood nor shall they engage in any activity which may result in panic selling; however, Realtors may provide other demographic information.”

If a client asks a Realtor to find a home in a racially diverse neighborhood, for example, Realtors are not required by law to identify a racially diverse neighborhood for their clients, Janik said.

On the topic of antitrust law, Janik said that any agreements between competitors that produce unreasonable restraints of trade is an antitrust violation, and any price-fixing agreement is also illegal. “You must act independently. I would hope that the independent business decisions that you’re making are consistent with your own best business interests,” she said. An agreement among competitors not to do business with a new company in town based on its pricing, business model, or other factors is also an antitrust violation.

With RESPA (the Real Estate Settlement and Procedures Act), a federal law that restricts real estate brokers from giving or receiving any form of gift or special compensation for referrals from settlement service companies, brokers must be careful not to accept or give anything of value that could be viewed as payment for received or expected referral business, Janik said. Likewise, payment for service that exceeds the fair market value of the service “is going to be viewed as a kickback,” she said.

When a real estate brokerage is affiliated with other real estate-related companies, brokers must disclose that relationship to consumers and make it clear to consumers that they are not required to use these affiliated services.

Also during the conference session, Bob Myroniuk, president of the Association of Real Estate License Law Officials, discussed common types of complaints that real estate regulators receive.

Complaints about a broker’s failure to disclose the correct square footage, lot size, or age of improvements at a property are not uncommon, he said. Some consumers also complain that they weren’t aware of pending zoning changes or street widening projects, for example, when they bought their homes.

Disputes have also arisen over the delivery of a verbal price offer by an agent rather than delivering the offer by hand or by fax, he said.

And he agreed that consumers don’t always realize the role of their agents in a transaction. “It’s just a matter of taking the extra time to make sure that clients understand your role in the transaction. Communication is probably the way to resolve many of these issues,” Myroniuk said.

Representatives of the Real Estate Commission attended the recent NAR mid-year convention and heard Ms. Janik’s presentation, which is summarized in this article.

# Scheduled Continuing Education

An updated schedule is available at <http://www.hawaii.gov/hirec>. Courses are subject to change or cancellation; please check directly with the provider to confirm date, time and location.

Courses with a (CORE) are approved 2005-2006 core courses and receive 4 hours credit. All other courses are electives and receive 3 hours credit. If you are taking courses to reactivate an inactive license this year, you must first satisfy the prescribed continuing education hours of one prior renewal period. If you are restoring a real estate license, telephone the Licensing Branch at (808) 586-3000 for specific instructions and information.

## KAUAI

DATE	TIME	COURSE	PROVIDER	LOCATION	CITY	INSTRUCTOR
6/2/2006	09:00am	DUTIES IN CONFLICT-HANDLING THE IN-OFFICE TRANSACTION	KAUAI BOARD OF REALTORS	KAUAI MARRIOTT HOTEL	LIHUE	MADISON
6/6/2006	01:00pm	AMERICANS WITH DISABILITIES ACT & EFFECT ON REAL ESTATE Q&A	KAUAI BOARD OF REALTORS	KAUAI MARRIOTT HOTEL	LIHUE	SHERLEY
6/6/2006	08:00am	(CORE) REAL ESTATE LAW REVIEW & UPDATE 2005-2006	KAUAI BOARD OF REALTORS	KAUAI MARRIOTT HOTEL	LIHUE	SHERLEY
6/27/2006	09:00am	ESSENTIALS OF FINANCE	KAUAI BOARD OF REALTORS	KUAI MARRIOTT HOTEL	LIHUE	CURTIS
6/29/2006	01:30pm	DISCOVER, DISCLOSURE, DAMAGES, DEFENDANTS: DAILY DECISIONS 2006	KAUAI BOARD OF REALTORS	KAUAI MARRIOTT HOTEL	LIHUE	FRASCONA
6/29/2006	09:00am	THE CODE OF ETHICS-YOUR PROMISE OF PROFESSIONALISM	KAUAI BOARD OF REALTORS	KAUAI MARRIOTT HOTEL	LIHUE	FRASCONA
7/11/2006	01:30pm	HAWAII LANDS, HISTORICAL REVIEW	KAUAI BOARD OF REALTORS	KAUAI MARRIOTT	LIHUE	NASSER
7/11/2006	09:00am	ESCROW A - Z	KAUAI BOARD OF REALTORS	KAUAI MARRIOTT	LIHUE	NASSER
7/25/2006	09:00am	ESSENTIALS OF THE DROA	KAUAI BOARD OF REALTORS	KAUAI MARRIOTT HOTEL	LIHUE	COBB
8/29/2006	09:00am	ESSENTIALS OF LISTING	KAUAI BOARD OF REALTORS	KAUAI MARRIOTT HOTEL	LIHUE	COBB

## KONA

DATE	TIME	COURSE	PROVIDER	LOCATION	CITY	INSTRUCTOR
6/7/2006	09:00am	DISCLOSURE	KONA BOARD OF REALTORS INC	ROYAL KONA RESORT	KONA	KUWAHARA
6/9/2006	08:00am	(CORE) REAL ESTATE LAW REVIEW & UPDATE 2005-2006	HI ISLAND BRD OF REALTORS, INC	WAIKOLOA BEACH MARRIOTT	WAIKOLOA	SHERLEY
6/9/2006	09:15am	HAWAII LANDS, HISTORICAL REVIEW	HI ISLAND BRD OF REALTORS, INC	WAIKOLOA BEACH MARRIOTT	WAIKOLOA	NASSER
6/12/2006	08:30am	ACCREDITED BUYER REPRESENTATIVE COURSE	KONA BOARD OF REALTORS INC	KEAUHOU BEACH RESORT	KONA	HALL
6/13/2006	08:30am	ACCREDITED BUYER REPRESENTATIVE COURSE	KONA BOARD OF REALTORS INC	KEAUHOU BEACH RESORT	KONA	HALL
6/14/2006	01:30pm	HAWAII LANDS, HISTORICAL REVIEW	KONA BOARD OF REALTORS INC	DISCOVERY HARBOR COMM. CTR	KONA	NASSER
6/14/2006	08:30am	INNOVATIVE MARKETING TECHNIQUES FOR BUYER'S REPS	KONA BOARD OF REALTORS INC	KEAUHOU BEACH RESORT	KONA	HALL
6/16/2006	01:30pm	CAUGHT ON CAMERA-ANTITRUST IN THE 21ST CENTURY	KONA BOARD OF REALTORS INC	KEAUHOU BEACH RESORT	KONA	HALL
6/16/2006	09:00am	REALTOR REALITIES OF RESPA, APPRAISAL AND LOAN FRAUD	KONA BOARD OF REALTORS INC	KEAUHOU BEACH RESORT	KONA	HALL
6/23/2006	08:30am	(CORE) REAL ESTATE LAW REVIEW & UPDATE 2005-2006	KONA BOARD OF REALTORS INC	OUTRIGGER KEAUHOU BEACH RESO	KONA	PARKINSON
6/30/2006	01:00pm	DISCOVER, DISCLOSURE, DAMAGES, DEFENDANTS: DAILY DECISIONS 2006	HI ISLAND BRD OF REALTORS, INC	HILTON WAIKOLOA VILLAGE	WAIKOLOA	FRASCONA
6/30/2006	08:00am	THE CODE OF ETHICS-YOUR PROMISE OF PROFESSIONALISM	HI ISLAND BRD OF REALTORS, INC	HILTON WAIKOLOA VILLAGE	WAIKOLOA	FRASCONA
7/10/2006	09:00am	ESSENTIALS OF LISTING	KONA BOARD OF REALTORS INC	KEAUHOU BEACH RESORT	KONA	FERRARI
7/17/2006	09:00am	ESSENTIALS OF THE DROA	KONA BOARD OF REALTORS INC	KEAUHOU BEACH RESORT	KONA	LUCAS
7/24/2006	09:00am	ESSENTIALS OF FINANCE	KONA BOARD OF REALTORS INC	KEAUHOU BEACH RESORT	KONA	KARLSON
8/2/2006	09:00am	ANALYSIS OF INVESTMENT REAL ESTATE	KONA BOARD OF REALTORS INC	ROYAL KONA RESORT	KONA	CRIZ
8/4/2006	01:30pm	HAWAII LANDS, HISTORICAL REVIEW	KONA BOARD OF REALTORS INC	KONA BOARD OF REALTORS	KAILUA-KAILUA-	NASSER
8/4/2006	09:00am	ESCROW A - Z	KONA BOARD OF REALTORS INC	KONA BOARD OF REALTORS	KAILUA-KAILUA-	NASSER
8/18/2006	09:00am	1031 EXCHANGES- AN INVESTORS DREAM	KONA BOARD OF REALTORS INC	ROYAL KONA RESORT	KONA	YESK

## MAUI

DATE	TIME	COURSE	PROVIDER	LOCATION	CITY	INSTRUCTOR
6/1/2006	09:00am	DUTIES IN CONFLICT-HANDLING THE IN-OFFICE TRANSACTION	REALTORS ASSN OF MAUI INC	RENAISSANCE WALEA BEACH RES	KIHEI	MADISON
6/8/2006	09:00am	ESSENTIALS OF FINANCE	REALTORS ASSN OF MAUI INC	REALTORS ASSN OF MAUI, INC.	KAHULUI	HOLIDAY
6/15/2006	12:45pm	IRC 1031 TAX DEFERRED EXCHANGES IN TODAY'S MARKET	REALTORS ASSN OF MAUI INC	REALTORS ASSN OF MAUI, INC.	KAHULUI	TUMBAGA
6/21/2006	01:45pm	REALTOR REALITIES OF RESPA, APPRAISAL AND LOAN FRAUD	REALTORS ASSN OF MAUI INC	KAHILI GOLF COURSE	WAILUKU	HALL
6/21/2006	08:30am	(CORE) REAL ESTATE LAW REVIEW & UPDATE 2005-2006	REALTORS ASSN OF MAUI INC	KAHILI GOLF COURSE	WAILUKU	HOGAN
6/21/2006	09:00am	RESIDENTIAL TAX RULES, SECTION 1031 EXCHANGE, & FOREIGN INVESTORS	REALTORS ASSN OF MAUI INC	REALTORS ASSN OF MAUI, INC.	KAHULUI	KONISHI

6/22/2006	08:30am	CAUGHT ON CAMERA-ANTITRUST IN THE 21ST CENTURY	REALTORS ASSN OF MAUI INC	REALTORS ASSN OF MAUI, INC.	KAHULUI	HALL
6/22/2006	12:45pm	(CORE) REAL ESTATE LAW REVIEW & UPDATE 2005-2006	REALTORS ASSN OF MAUI INC	REALTORS ASSN OF MAUI, INC.	KAHULUI	HOGAN
6/27/2006	08:30am	THE CODE OF ETHICS-YOUR PROMISE OF PROFESSIONALISM	REALTORS ASSN OF MAUI INC	KAHILI GOLF COURSE	WAILUKU	FRASCONA
3/27/2006	12:45pm	DISCOVER, DISCLOSURE, DAMAGES, DEFENDANTS: DAILY DECISIONS 2006	REALTORS ASSN OF MAUI INC	KAHILI GOLF COURSE	WAILUKU	FRASCONA
6/28/2006	12:45pm	ASHI STANDARDS	REALTORS ASSN OF MAUI INC	REALTORS ASSN OF MAUI, INC.	KAHULUI	DOUMA
7/5/2006	12:45pm	DISCLOSURE LAW IN HAWAII	REALTORS ASSN OF MAUI INC	REALTORS ASSN OF MAUI, INC.	KAHULUI	DOUMA
7/13/2006	09:00am	ESSENTIALS OF LISTING	REALTORS ASSN OF MAUI INC	REALTORS ASSN OF MAUI, INC.	KAHULUI	HOLIDAY
7/24/2006	08:30am	ACCREDITED BUYER REPRESENTATIVE COURSE	REALTORS ASSN OF MAUI INC	REALTORS ASSN OF MAUI, INC.	KAHULUI	HALL
7/25/2006	08:30am	ACCREDITED BUYER REPRESENTATIVE COURSE	REALTORS ASSN OF MAUI INC	REALTORS ASSN OF MAUI, INC.	KAHULUI	HALL
7/26/2006	08:30am	INNOVATIVE MARKETING TECHNIQUES FOR BUYER'S REPS	REALTORS ASSN OF MAUI INC	REALTORS ASSN OF MAUI, INC.	KAHULUI	HALL
7/28/2006	08:30am	TITLE INSURANCE AND TITLE REPORT RED FLAGS	REALTORS ASSN OF MAUI INC	REALTORS ASSN OF MAUI, INC.	KAHULUI	NASSER
8/10/2006	08:30am	ESCROW A - Z	REALTORS ASSN OF MAUI INC	ROYAL LAHAINA RESORT	LAHAINA	NASSER
8/10/2006	12:45pm	HAWAII LANDS, HISTORICAL REVIEW	REALTORS ASSN OF MAUI INC	ROYAL LAHAINA RESORT	LAHAINA	NASSER
8/11/2006	08:30am	ESCROW A - Z	REALTORS ASSN OF MAUI INC	REALTORS ASSN OF MAUI, INC.	KAHULUI	NASSER
8/11/2006	12:45pm	HAWAII LANDS, HISTORICAL REVIEW	REALTORS ASSN OF MAUI INC	REALTORS ASSN OF MAUI, INC.	KAHULUI	NASSER
8/16/2006	01:45pm	1031 EXCHANGES- AN INVESTORS DREAM	REALTORS ASSN OF MAUI INC	KAHILI GOLF COURSE	WAILUKU	YESK
8/16/2006	08:30am	(CORE) REAL ESTATE LAW REVIEW & UPDATE 2005-2006	REALTORS ASSN OF MAUI INC	KAHILI GOLF COURSE	WAILUKU	YESK
8/23/2006	12:45pm	CONDOMINIUM PRINCIPLES AND DISCLOSURE LAW	REALTORS ASSN OF MAUI INC	REALTORS ASSN OF MAUI, INC.	KAHULUI	DOUMA
8/24/2006	09:00am	ESSENTIALS OF THE DROA	REALTORS ASSN OF MAUI INC	REALTORS ASSN OF MAUI, INC.	KAHULUI	HAY

## MOLOKAI

DATE	TIME	COURSE	PROVIDER	LOCATION	CITY	INSTRUCTOR
6/8/2006	08:30am	(CORE) REAL ESTATE LAW REVIEW & UPDATE 2005-2006	RUSS GOODE SEMINARS	MAUI COMMUNITY COLLEGE	KAUNAKAK	GOODE JR

## OAHU

DATE	TIME	COURSE	PROVIDER	LOCATION	CITY	INSTRUCTOR
6/5/2006	08:30am	(CORE) REAL ESTATE LAW REVIEW & UPDATE 2005-2006	ABE LEE SEMINARS	1357 KAPIOLANI BLVD #900	HONOLULU	LEE
6/6/2006	01:00pm	(CORE) REAL ESTATE LAW REVIEW & UPDATE 2005-2006	DOWER SCHOOL OF REAL ESTATE	DOWER SCHOOL OF REAL ESTATE	HONOLULU	BLY
6/6/2006	08:00am	(CORE) REAL ESTATE LAW REVIEW & UPDATE 2005-2006	COLDWELL BANKER PACIFIC PROPER	PEARL CITY COUNTRY CLUB	PEARL	CONNELLEY
6/6/2006	09:00am	THE ART OF REAL ESTATE NEGOTIATION/WORKING TOWARDS A WIN/WIN AGREEMENT	DOWER SCHOOL OF REAL ESTATE	DOWER SCHOOL OF REAL ESTATE	HONOLULU	WILIA
6/9/2006	09:00am	(CORE) REAL ESTATE LAW REVIEW & UPDATE 2005-2006	RUSS GOODE SEMINARS	HAWAII FIRST INC.	HONOLULU	GOODE JR
6/14/2006	01:00pm	SURVEYS, TERMITE & HOME INSPECTIONS	ABE LEE SEMINARS	1585 KAPIOLANI BLVD #1518	HONOLULU	LEE
6/14/2006	09:00am	UNDERSTANDING THE LAND USE ORDINANCE: C&C OF HONOLULU	ABE LEE SEMINARS	1585 KAPIOLANI BLVD #1518	HONOLULU	LEE
6/17/2006	01:00pm	FAIR HOUSING	DOWER SCHOOL OF REAL ESTATE	DOWER SCHOOL OF REAL ESTATE	HONOLULU	BLY
6/17/2006	05:00pm	(CORE) REAL ESTATE LAW REVIEW & UPDATE 2005-2006	DOWER SCHOOL OF REAL ESTATE	DOWER SCHOOL OF REAL ESTATE	HONOLULU	BLY
6/17/2006	09:00am	PROPERTY MANAGEMENT IN HAWAII	DOWER SCHOOL OF REAL ESTATE	DOWER SCHOOL OF REAL ESTATE	HONOLULU	WILIA
6/20/2006	01:00pm	(CORE) REAL ESTATE LAW REVIEW & UPDATE 2005-2006	DOWER SCHOOL OF REAL ESTATE	DOWER SCHOOL OF REAL ESTATE	HONOLULU	BLY
6/20/2006	08:00am	(CORE) REAL ESTATE LAW REVIEW & UPDATE 2005-2006	RUSS GOODE SEMINARS	HAWAII PRINCE HOTEL	HONOLULU	GOODE JR
6/20/2006	09:00am	FAIR HOUSING	DOWER SCHOOL OF REAL ESTATE	DOWER SCHOOL OF REAL ESTATE	HONOLULU	BLY
6/20/2006	09:00am	(CORE) REAL ESTATE LAW REVIEW & UPDATE 2005-2006	HONOLULU BOARD OF REALTORS	JAPANESE CULTURAL CENTER	HONOLULU	CHONG
6/23/2006	01:00pm	PROPERTY MANAGEMENT IN HAWAII	DOWER SCHOOL OF REAL ESTATE	DOWER SCHOOL OF REAL ESTATE	HONOLULU	WILIA
6/23/2006	05:00pm	(CORE) REAL ESTATE LAW REVIEW & UPDATE 2005-2006	DOWER SCHOOL OF REAL ESTATE	DOWER SCHOOL OF REAL ESTATE	HONOLULU	BLY
6/23/2006	08:00am	(CORE) REAL ESTATE LAW REVIEW & UPDATE 2005-2006	COLDWELL BANKER PACIFIC PROPER	COLDWELL BANKER-KAILUA	KAILUA	CONNELLEY
6/23/2006	09:00am	LAND USE AND PERMIT REQUIREMENTS- RESIDENTIAL APPLICATIONS C & C OF HONOLULU	DOWER SCHOOL OF REAL ESTATE	DOWER SCHOOL OF REAL ESTATE	HONOLULU	WILIA
6/26/2006	08:30am	ACCREDITED BUYER REPRESENTATIVE	HONOLULU BOARD OF REALTORS	JAPANESE CULTURAL CENTER	HONOLULU	HALL

		COURSE				
6/27/2006	08:30am	ACCREDITED BUYER REPRESENTATIVE COURSE	HONOLULU BOARD OF REALTORS	JAPANESE CULTURAL CENTER	HONOLULU	HALL
6/28/2006	01:00pm	(CORE) REAL ESTATE LAW REVIEW & UPDATE 2005-2006	ABE LEE SEMINARS	1585 KAPIOLANI BLVD #1518	HONOLULU	LEE
3/28/2006	08:30am	INNOVATIVE MARKETING TECHNIQUES FOR BUYER'S REPS	HONOLULU BOARD OF REALTORS	JAPANESE CULTURAL CENTER	HONOLULU	HALL
6/28/2006	09:00am	WILLS, TRUSTS & REAL ESTATE	ABE LEE SEMINARS	1585 KAPIOLANI BLVD #1518	HONOLULU	LEE
6/29/2006	09:00am	CONTRACTS	HONOLULU BOARD OF REALTORS	JAPANESE CULTURAL CENTER	HONOLULU	STONE
7/1/2006	01:00pm	FAIR HOUSING	DOWER SCHOOL OF REAL ESTATE	DOWER SCHOOL OF REAL ESTATE	HONOLULU	BLY
7/1/2006	05:00pm	(CORE) REAL ESTATE LAW REVIEW & UPDATE 2005-2006	DOWER SCHOOL OF REAL ESTATE	DOWER SCHOOL OF REAL ESTATE	HONOLULU	BLY
7/1/2006	09:00am	PROPERTY MANAGEMENT IN HAWAII	DOWER SCHOOL OF REAL ESTATE	DOWER SCHOOL OF REAL ESTATE	HONOLULU	WILIA
7/8/2006	09:00am	ESSENTIALS OF LISTING	HONOLULU BOARD OF REALTORS	HBR, HOLOMUA ROOM	HONOLULU	NISHIHARA
7/7/2006	01:00pm	(CORE) REAL ESTATE LAW REVIEW & UPDATE 2005-2006	ABE LEE SEMINARS	1585 KAPIOLANI BLVD #1518	HONOLULU	LEE
7/7/2006	09:00am	ZONING-ISSUES, PROBLEMS, QUESTIONS, ANSWERS	ABE LEE SEMINARS	1585 KAPIOLANI BLVD #1518	HONOLULU	LEE
7/10/2006	09:00am	DISCLOSURE	HONOLULU BOARD OF REALTORS	JAPANESE CULTURAL CENTER	HONOLULU	CHONG
7/11/2006	01:00pm	(CORE) REAL ESTATE LAW REVIEW & UPDATE 2005-2006	DOWER SCHOOL OF REAL ESTATE	DOWER SCHOOL OF REAL ESTATE	HONOLULU	BLY
7/11/2006	09:00am	LAND USE AND PERMIT REQUIREMENTS- RESIDENTIAL APPLICATIONS C & C OF HONOLULU	DOWER SCHOOL OF REAL ESTATE	DOWER SCHOOL OF REAL ESTATE	HONOLULU	WILIA
7/11/2006	09:00am	ESSENTIALS OF FINANCE	HONOLULU BOARD OF REALTORS	HBR, HOLOMUA ROOM	HONOLULU	LOVENTHAL
7/15/2006	01:00pm	FAIR HOUSING	DOWER SCHOOL OF REAL ESTATE	DOWER SCHOOL OF REAL ESTATE	HONOLULU	BLY
7/15/2006	05:00pm	(CORE) REAL ESTATE LAW REVIEW & UPDATE 2005-2006	DOWER SCHOOL OF REAL ESTATE	DOWER SCHOOL OF REAL ESTATE	HONOLULU	BLY
7/15/2006	09:00am	THE ART OF REAL ESTATE NEGOTIATION/WORKING TOWARDS A WIN/WIN AGREEMENT	DOWER SCHOOL OF REAL ESTATE	DOWER SCHOOL OF REAL ESTATE	HONOLULU	WILIA
7/18/2006	01:00pm	(CORE) REAL ESTATE LAW REVIEW & UPDATE 2005-2006	COLDWELL BANKER PACIFIC PROPER	COLDWEL BANKER- WAIALAE	HONOLULU	CONNELLEY
7/18/2006	09:00am	(CORE) REAL ESTATE LAW REVIEW & UPDATE 2005-2006	HONOLULU BOARD OF REALTORS	JAPANESE CULTURAL CENTER	HONOLULU	NISHIHARA
7/21/2006	01:00pm	(CORE) REAL ESTATE LAW REVIEW & UPDATE 2005-2006	ABE LEE SEMINARS	1585 KAPIOLANI BLVD #1533	HONOLULU	LEE
7/21/2006	01:30pm	TITLE INSURANCE AND TITLE REPORT RED FLAGS	HONOLULU BOARD OF REALTORS	JAPANESE CULTURAL CENTER	HONOLULU	NASSER
7/21/2006	08:00am	21ST CENTURY MARKETING	HAWAII CCIM CHAPTER	ALA MOANA HOTEL	HONOLULU	GELLMAN,
7/21/2006	08:30am	ESCROW A - Z	HONOLULU BOARD OF REALTORS	JAPANESE CULTURAL CENTER	HONOLULU	NASSER
7/21/2006	09:00am	1031 EXCHANGES & OTHER TAX ISSUES	ABE LEE SEMINARS	1585 KAPIOLANI BLVD #1533	HONOLULU	LEE
7/24/2006	09:00am	FINANCE	HONOLULU BOARD OF REALTORS	JAPANESE CULTURAL CENTER	HONOLULU	BOLOSAN
7/25/2006	01:00pm	(CORE) REAL ESTATE LAW REVIEW & UPDATE 2005-2006	DOWER SCHOOL OF REAL ESTATE	DOWER SCHOOL OF REAL ESTATE	HONOLULU	BLY
7/25/2006	09:00am	ESSENTIALS OF THE DROA	HONOLULU BOARD OF REALTORS	HBR, HOLOMUA ROOM	HONOLULU	CHONG
7/25/2006	09:00am	PROPERTY MANAGEMENT IN HAWAII	DOWER SCHOOL OF REAL ESTATE	DOWER SCHOOL OF REAL ESTATE	HONOLULU	WILIA
7/28/2006	08:00am	COMMERCIAL LEASES	CLE INTERNATIONAL	HALEKULANI HOTEL	HONOLULU	MEYER
7/28/2006	08:00am	COMMERCIAL LEASES	CLE INTERNATIONAL	HALEKULANI HOTEL	HONOLULU	MEYER
8/1/2006	01:00pm	(CORE) REAL ESTATE LAW REVIEW & UPDATE 2005-2006	DOWER SCHOOL OF REAL ESTATE	DOWER SCHOOL OF REAL ESTATE	HONOLULU	BLY
8/1/2006	09:00am	THE ART OF REAL ESTATE NEGOTIATION/WORKING TOWARDS A WIN/WIN AGREEMENT	DOWER SCHOOL OF REAL ESTATE	DOWER SCHOOL OF REAL ESTATE	HONOLULU	WILIA
8/1/2006	09:00am	(CORE) REAL ESTATE LAW REVIEW & UPDATE 2005-2006	HONOLULU BOARD OF REALTORS	JAPANESE CULTURAL CENTER	HONOLULU	NISHIHARA
8/8/2006	09:00am	ANALYSIS OF INVESTMENT REAL ESTATE	HONOLULU BOARD OF REALTORS	JAPANESE CULTURAL CENTER	HONOLULU	CRIZ
8/11/2006	01:00pm	FAIR HOUSING	DOWER SCHOOL OF REAL ESTATE	DOWER SCHOOL OF REAL ESTATE	HONOLULU	BLY
8/11/2006	05:00pm	(CORE) REAL ESTATE LAW REVIEW & UPDATE 2005-2006	DOWER SCHOOL OF REAL ESTATE	DOWER SCHOOL OF REAL ESTATE	HONOLULU	BLY
8/11/2006	09:00am	PROPERTY MANAGEMENT IN HAWAII	DOWER SCHOOL OF REAL ESTATE	DOWER SCHOOL OF REAL ESTATE	HONOLULU	WILIA
8/17/2006	08:00am	CI 103: LEASE ANALYSIS FOR COMMERCIAL INVESTMENT REAL ESTATE	HAWAII CCIM CHAPTER	UNIVERSITY OF PHOENIX	HONOLULU	DYCHE
8/17/2006	08:00am	CI 103: LEASE ANALYSIS FOR COMMERCIAL INVESTMENT REAL ESTATE	HAWAII CCIM CHAPTER	UNIVERSITY OF PHOENIX	HONOLULU	FISHER
8/17/2006	08:30am	1031 EXCHANGES- AN INVESTORS DREAM	HONOLULU BOARD OF REALTORS	JAPANESE CULTURAL CENTER	HONOLULU	YESK
8/18/2006	01:00pm	LAND USE AND PERMIT REQUIREMENTS- RESIDENTIAL APPLICATIONS C & C OF HONOLULU	DOWER SCHOOL OF REAL ESTATE	DOWER SCHOOL OF REAL ESTATE	HONOLULU	WILIA
8/18/2006	05:00pm	(CORE) REAL ESTATE LAW REVIEW & UPDATE 2005-2006	DOWER SCHOOL OF REAL ESTATE	DOWER SCHOOL OF REAL ESTATE	HONOLULU	BLY
8/18/2006	09:00am	THE ART OF REAL ESTATE NEGOTIATION/WORKING TOWARDS A	DOWER SCHOOL OF REAL ESTATE	DOWER SCHOOL OF REAL ESTATE	HONOLULU	WILIA

		WIN/WIN AGREEMENT				
8/22/2006	09:00am	LAND USE AND DEVELOPMENT	HONOLULU BOARD OF REALTORS	JAPANESE CULTURAL CENTER	HONOLULU	CHONG
8/29/2006	01:00pm	(CORE) REAL ESTATE LAW REVIEW & UPDATE 2005-2006	DOWER SCHOOL OF REAL ESTATE	DOWER SCHOOL OF REAL ESTATE	HONOLULU	BLV
8/29/2006	09:00am	LAND USE AND PERMIT REQUIREMENTS-RESIDENTIAL APPLICATIONS C & C OF HONOLULU	DOWER SCHOOL OF REAL ESTATE	DOWER SCHOOL OF REAL ESTATE	HONOLULU	WILIA
8/30/2006	01:00pm	(CORE) REAL ESTATE LAW REVIEW & UPDATE 2005-2006	ABE LEE SEMINARS	1585 KAPIOLANI BLVD #1518	HONOLULU	LEE
8/30/2006	06:00pm	THE CONDOMINIUM DEVELOPMENT PROCESS	ABE LEE SEMINARS	1585 KAPIOLANI BLVD #1518	HONOLULU	LEE
8/30/2006	09:00am	COMPUTERS, INTERNET & THE LICENSEE	ABE LEE SEMINARS	1585 KAPIOLANI BLVD #1518	HONOLULU	LEE

## OTHER

COURSE	PROVIDER	LOCATION	CITY	INSTRUCTOR
(CORE) REAL ESTATE LAW REVIEW & UPDATE 2005-2006 (INTERNET COURSE)	KAUAI BOARD OF REALTORS	INTERNET COURSE		OTHER
REAL ESTATE & TAXES, WHAT EVERY AGENT SHOULD KNOW (INTERNET COURSE)	SEILER SCHOOL OF REAL ESTATE	INTERNET COURSE		OTHER
(CORE) REAL ESTATE LAW REVIEW & UPDATE 2005-2006 (INTERNET COURSE)	ABE LEE SEMINARS	INTERNET COURSE		OTHER
ETHICS AND REAL ESTATE (INTERNET)	CONTINUING-ED-ONLINE.ORG	INTERNET COURSE		OTHER
INTRODUCTION TO COMMERCIAL REAL ESTATE SALES (INTERNET)	SEILER SCHOOL OF REAL ESTATE	INTERNET COURSE		OTHER
REAL ESTATE FINANCE (INTERNET)	KONA BOARD OF REALTORS INC	INTERNET COURSE		OTHER
REAL ESTATE AND TAXES-WHAT EVERY AGENT SHOULD KNOW (INTERNET COURSE)	KONA BOARD OF REALTORS INC	INTERNET COURSE		OTHER
PROPERTY MANAGEMENT AND MANAGING RISK (INTERNET)	KONA BOARD OF REALTORS INC	INTERNET COURSE		OTHER
ETHICS AND REAL ESTATE (INTERNET)	KONA BOARD OF REALTORS INC	INTERNET COURSE		OTHER
REAL ESTATE FINANCE & TAX ISSUES (INTERNET COURSE)	ABE LEE SEMINARS	INTERNET COURSE		OTHER
REAL ESTATE FINANCE & TAX ISSUES (INTERNET COURSE)	ABE LEE SEMINARS	INTERNET COURSE		OTHER
PROPERTY MANAGEMENT AND MANAGING RISK (INTERNET COURSE)	ABE LEE SEMINARS	INTERNET COURSE		OTHER
INTRODUCTION TO COMMERCIAL REAL ESTATE SALES (INTERNET COURSE)	ABE LEE SEMINARS	INTERNET COURSE		OTHER
DIVERSITY AND DOING BUSINESS (INTERNET)	FAHRNI SCHOOL OF REAL ESTATE	INTERNET COURSE		OTHER
RISK MANAGEMENT (INTERNET)	KONA BOARD OF REALTORS INC	INTERNET COURSE		OTHER
RISK MANAGEMENT (INTERNET)	CONTINUING-ED-ONLINE.ORG	INTERNET COURSE		OTHER
REAL ESTATE FINANCE TODAY (INTERNET)	DOWER SCHOOL OF REAL ESTATE	INTERNET COURSE		OTHER
BUYER REPRESENTATION IN REAL ESTATE (INTERNET)	CONTINUING-ED-ONLINE.ORG	INTERNET COURSE		OTHER
INVESTMENT PROPERTY PRACTICE & MANAGEMENT (INTERNET COURSE)	CONTINUING-ED-ONLINE.ORG	INTERNET COURSE		OTHER
INVESTMENT PROPERTY PRACTICE & MANAGEMENT (INTERNET COURSE)	CONTINUING-ED-ONLINE.ORG	INTERNET COURSE		OTHER
REAL ESTATE FINANCE AND TAX ISSUES (INTERNET)	CONTINUING-ED-ONLINE.ORG	INTERNET COURSE		OTHER
REAL ESTATE FINANCE AND TAX ISSUES (INTERNET)	CONTINUING-ED-ONLINE.ORG	INTERNET COURSE		OTHER
ETHICS AND REAL ESTATE (INTERNET)	AKAHI REAL ESTATE NETWORK LLC	INTERNET COURSE		OTHER
BUYER REPRESENTATION IN REAL ESTATE (INTERNET)	AKAHI REAL ESTATE NETWORK LLC	INTERNET COURSE		OTHER
ETHICS AND REAL ESTATE (INTERNET)	DOWER SCHOOL OF REAL ESTATE	INTERNET COURSE		OTHER
BUYER REPRESENTATION IN REAL ESTATE (INTERNET)	DOWER SCHOOL OF REAL ESTATE	INTERNET COURSE		OTHER
INTRODUCTION TO COMMERCIAL REAL ESTATE SALES (INTERNET)	DOWER SCHOOL OF REAL ESTATE	INTERNET COURSE		OTHER
FAIR HOUSING (INTERNET)	CONTINUING-ED-ONLINE.ORG	INTERNET COURSE		OTHER
PRICING PROPERTY TO SELL	CAREER WEBSCHOOL	INTERNET COURSE		LAMERE, PH.D
FAIR HOUSING (INTERNET COURSE)	HONOLULU BOARD OF REALTORS	INTERNET		OTHER
DIVERSITY AND DOING BUSINESS (INTERNET COURSE)	HONOLULU BOARD OF REALTORS	INTERNET		OTHER
(CORE) REAL ESTATE LAW REVIEW & UPDATE 2005-2006 (INTERNET COURSE)	CONTINUING-ED-ONLINE.ORG	INTERNET COURSE		OTHER
(CORE) REAL ESTATE LAW REVIEW & UPDATE 2005-2006 (INTERNET COURSE)	HONOLULU BOARD OF REALTORS	INTERNET COURSE		OTHER
(CORE) REAL ESTATE LAW REVIEW & UPDATE 2005-2006 (INTERNET COURSE)	SEILER SCHOOL OF REAL ESTATE	INTERNET COURSE		OTHER
(CORE) REAL ESTATE LAW REVIEW & UPDATE 2005-2006 (INTERNET COURSE)	KONA BOARD OF REALTORS INC	INTERNET COURSE		OTHER

UPDATE 2005-2006 (INTERNET COURSE)				
TAX FREE EXCHANGES (INTERNET COURSE)	CAREER WEBSCHOOL	INTERNET COURSE		LAMERE, PH.D
TAX ADVANTAGES OF HOME OWNERSHIP (INTERNET COURSE)	CAREER WEBSCHOOL	INTERNET COURSE		LAMERE, PH.D
TAX ADVANTAGES OF HOME OWNERSHIP (INTERNET COURSE)	CAREER WEBSCHOOL	INTERNET COURSE		LAMERE, PH.D
STRUCTURING OWNERSHIP IN COMMERCIAL REAL ESTATE (INTERNET COURSE)	CAREER WEBSCHOOL	INTERNET COURSE		LAMERE, PH.D
RED FLAGS PROPERTY INSPECTION GUIDE (INTERNET)	KONA BOARD OF REALTORS INC	INTERNET COURSE		OTHER
PRICING PROPERTY TO SELL ENVIRONMENTAL CONSIDERATION IN REAL ESTATE PRACTICE (INTERNET)	CAREER WEBSCHOOL DOWER SCHOOL OF REAL ESTATE	INTERNET COURSE INTERNET COURSE		LAMERE, PH.D OTHER
METHODS OF RESIDENTIAL FINANCE (INTERNET COURSE)	CAREER WEBSCHOOL	INTERNET COURSE		LAMERE, PH.D
METHODS OF RESIDENTIAL FINANCE (INTERNET COURSE)	CAREER WEBSCHOOL	INTERNET COURSE		LAMERE, PH.D
COMMERCIAL SALES AND EXCHANGES (INTERNET COURSE)	CAREER WEBSCHOOL	INTERNET COURSE		LAMERE, PH.D
COMMERCIAL SALES AND EXCHANGES (INTERNET COURSE)	CAREER WEBSCHOOL	INTERNET COURSE		LAMERE, PH.D
COMMERCIAL LEASES (INTERNET COURSE)	CAREER WEBSCHOOL	INTERNET COURSE		LAMERE, PH.D
COMMERCIAL LEASES (INTERNET COURSE)	CAREER WEBSCHOOL	INTERNET COURSE		LAMERE, PH.D
COMMERCIAL FINANCE AND INVESTMENT ANALYSIS (INTERNET COURSE)	CAREER WEBSCHOOL	INTERNET COURSE		LAMERE, PH.D
COMMERCIAL FINANCE AND INVESTMENT ANALYSIS (INTERNET COURSE)	CAREER WEBSCHOOL	INTERNET COURSE		LAMERE, PH.D
BASIC REAL ESTATE FINANCE (INTERNET COURSE)	CAREER WEBSCHOOL	INTERNET COURSE		LAMERE, PH.D
BASIC REAL ESTATE FINANCE (INTERNET COURSE)	CAREER WEBSCHOOL	INTERNET COURSE		LAMERE, PH.D
STRUCTURING OWNERSHIP IN COMMERCIAL REAL ESTATE (INTERNET COURSE)	CAREER WEBSCHOOL	INTERNET COURSE		LAMERE, PH.D
PRICING PROPERTY (INTERNET COURSE)	AMERICAS BEST	INTERNET COURSE		DAVIS
PROPERTY MANAGEMENT AND MANAGING RISK (INTERNET)	FAHRNI SCHOOL OF REAL ESTATE	INTERNET COURSE		OTHER
INTRODUCTION TO COMMERCIAL REAL ESTATE SALES (INTERNET)	FAHRNI SCHOOL OF REAL ESTATE	INTERNET COURSE		OTHER
FAIR HOUSING (INTERNET)	FAHRNI SCHOOL OF REAL ESTATE	INTERNET COURSE		OTHER
DIVERSITY AND DOING BUSINESS (INTERNET )	DOWER SCHOOL OF REAL ESTATE	INTERNET COURSE		OTHER
WORK SMARTER, NOT HARDER (INTERNET COURSE)	AMERICAS BEST	INTERNET COURSE		DAVIS
WORK SMARTER, NOT HARDER (INTERNET COURSE)	AMERICAS BEST	INTERNET COURSE		DAVIS
WATER RESOURCES (INTERNET COURSE)	AMERICAS BEST	INTERNET COURSE		LIBBETT
TAX STRATEGIES FOR THE INDEPENDENT CONTRACTOR (INTERNET COURSE)	AMERICAS BEST	INTERNET COURSE		DAVIS
TAX STRATEGIES FOR THE INDEPENDENT CONTRACTOR (INTERNET COURSE)	AMERICAS BEST	INTERNET COURSE		DAVIS
REAL ESTATE MATH (INTERNET COURSE)	AMERICAS BEST	INTERNET COURSE		DAVIS
REAL ESTATE AND TAXES. WHAT EVERY AGENT SHOULD KNOW (INTERNET)	DOWER SCHOOL OF REAL ESTATE	INTERNET COURSE		OTHER
REAL ESTATE ETHICS (INTERNET COURSE)	AMERICAS BEST	INTERNET COURSE		DAVIS
ETHICS AND REAL ESTATE (INTERNET)	SEILER SCHOOL OF REAL ESTATE	INTERNET COURSE		OTHER
METH MADNESS (INTERNET COURSE)	AMERICAS BEST	INTERNET COURSE		DAVIS
HUMAN LAND USE (INTERNET COURSE)	AMERICAS BEST	INTERNET COURSE		DAVIS
HOME INSPECTION (INTERNET COURSE)	AMERICAS BEST	INTERNET COURSE		DAVIS
HOME INSPECTION (INTERNET COURSE)	AMERICAS BEST	INTERNET COURSE		DAVIS
FINANCIAL CALCULATIONS (INTERNET COURSE)	AMERICAS BEST	INTERNET COURSE		DAVIS
FINANCIAL CALCULATIONS (INTERNET COURSE)	AMERICAS BEST	INTERNET COURSE		DAVIS
ETHICS OF SUSTAINABILITY (INTERNET)	AMERICAS BEST	INTERNET COURSE		DAVIS

COURSE)			
ENERGY RESOURCES (INTERNET COURSE)	AMERICAS BEST	INTERNET COURSE	DAVIS
CONTRACTS (INTERNET COURSE)	AMERICAS BEST	INTERNET COURSE	DAVIS
COMMUNITY ETHICS (INTERNET COURSE)	AMERICAS BEST	INTERNET COURSE	DAVIS
REAL ESTATE MATH (INTERNET COURSE)	AMERICAS BEST	INTERNET COURSE	DAVIS
ETHICS AND REAL ESTATE (INTERNET)	DOWER SCHOOL OF RE WINDWARD	INTERNET COURSE	OTHER
(CORE) REAL ESTATE LAW REVIEW & UPDATE 2005-2006 (INTERNET COURSE)	VITOUSEK RE SCHOOLS, INC.	INTERNET COURSE	OTHER
FAIR HOUSING (INTERNET)	DOWER SCHOOL OF REAL ESTATE	INTERNET COURSE	OTHER
PROPERTY MANAGEMENT AND MANAGING RISK (INTERNET)	DOWER SCHOOL OF REAL ESTATE	INTERNET COURSE	OTHER
RISK MANAGEMENT (INTERNET)	DOWER SCHOOL OF REAL ESTATE	INTERNET COURSE	OTHER
BUYER REPRESENTATION IN REAL ESTATE (INTERNET/COMPUTER COURSE)	KONA BOARD OF REALTORS INC	INTERNET COURSE	OTHER
RED FLAGS PROPERTY INSPECTION GUIDE (INTERNET)	SEILER SCHOOL OF REAL ESTATE	INTERNET COURSE	OTHER
FAIR HOUSING (INTERNET)	SEILER SCHOOL OF REAL ESTATE	INTERNET COURSE	OTHER
ENVIRONMENTAL ISSUES IN YOUR REAL ESTATE PRACTICE (INTERNET)	SEILER SCHOOL OF REAL ESTATE	INTERNET COURSE	OTHER
DIVERSITY AND DOING BUSINESS (INTERNET)	SEILER SCHOOL OF REAL ESTATE	INTERNET COURSE	OTHER
UNDERSTANDING 1031 TAX FREE EXCHANGES (INTERNET)	DOWER SCHOOL OF RE WINDWARD	INTERNET COURSE	OTHER
RISK MANAGEMENT (INTERNET)	FAHRNI SCHOOL OF REAL ESTATE	INTERNET COURSE	OTHER
FAIR HOUSING (INTERNET)	DOWER SCHOOL OF RE WINDWARD	INTERNET COURSE	OTHER
BUYER REPRESENTATION IN REAL ESTATE (INTERNET)	SEILER SCHOOL OF REAL ESTATE	INTERNET COURSE	OTHER
COMMERCIAL GROUP OWNERSHIP AND DISPOSITION STRATEGIES	HAWAII CCIM CHAPTER	INTERNET COURSE	OTHER
COMMERCIAL GROUP OWNERSHIP AND DISPOSITION STRATEGIES	HAWAII CCIM CHAPTER	INTERNET COURSE	OTHER
FUNDAMENTALS OF COMMERCIAL REAL ESTATE (INTERNET)	HAWAII CCIM CHAPTER	INTERNET COURSE	OTHER
FUNDAMENTALS OF COMMERCIAL REAL ESTATE (INTERNET)	HAWAII CCIM CHAPTER	INTERNET COURSE	OTHER
RED FLAGS PROPERTY INSPECTION GUIDE (INTERNET COURSE)	ABE LEE SEMINARS	INTERNET COURSE	OTHER
REAL ESTATE FINANCE TODAY (INTERNET COURSE)	ABE LEE SEMINARS	INTERNET COURSE	OTHER
ENVIRONMENTAL ISSUES IN YOUR REAL ESTATE PRACTICE (INTERNET COURSE)	ABE LEE SEMINARS	INTERNET COURSE	OTHER
RISK MANAGEMENT (INTERNET)	SEILER SCHOOL OF REAL ESTATE	INTERNET COURSE	OTHER
REAL ESTATE FINANCE TODAY (INTERNET)	SEILER SCHOOL OF REAL ESTATE	INTERNET COURSE	OTHER
PROPERTY MANAGEMENT AND MANAGING RISK (INTERNET)	SEILER SCHOOL OF REAL ESTATE	INTERNET COURSE	OTHER
RED FLAGS PROPERTY INSPECTION GUIDE (INTERNET)	DOWER SCHOOL OF REAL ESTATE	INTERNET COURSE	OTHER
PROPERTY MANAGEMENT AND MANAGING RISK (INTERNET)	DOWER SCHOOL OF RE WINDWARD	INTERNET COURSE	OTHER

## Continuing Education Providers

Abe Lee Seminars	942-4472	Hogan School of Real Estate	1-800-794-1390
Akahi Real Estate Network, LLC	331-2008	Honolulu Board of Realtors	732-3000
America's Best	360-683-6640	John Reilly	<a href="mailto:John@InternetCrusade.com">John@InternetCrusade.com</a>
BOMA-Hawaii	847-0143	Kauai Board of Realtors	245-4049
Brian R. Thomas dba Edventures	885-2117	Kingman Winslow First Amer. Schl.	206-728-7222
Career Webschool	1-800-532-7649	Kona Board of Realtors	329-4874
Charles Barnes School of RE	1-800-369-7277	Leeward Community College--OCEW	455-0477
CLE International	303-377-6600	Lorman Education Services	715-833-3940
Coldwell Banker Pacific Properties	738-3926	Lynn W. Carlson	874-4064
Continuing-Ed-Online.Org	206-523-9801	Pacific Real Estate Institute	524-1505
Dower School of Real Estate Windward	263-9500	Premier Realty 2000, Inc.	955-7653
Dower School of Real Estate	735-8838	ProSchools, Inc.	503-297-1344
Duplanty School of Real Estate	737-5509	Ralph Foulger's School of Real Estate	753-3860
Eddie Flores Real Estate	951-9888	Realtors Association of Maui Inc.	873-8585
ERA School of Real Estate	877-6565	Russ Goode Seminars	597-1111
Fahrni School of Real Estate	486-4166	Seiler School of Real Estate	874-3100
Hawaii Association of Realtors	733-7060	Servpro Industries, Inc.	615-451-0600
Hawai'i CCIM Chapter	528-2246	Terabiz	540-5400
Hayloft Climbers, LLC	753-2003	University of Hawaii at Manoa	956-8244
Hawaii Island Board of Realtors	935-0827	Vitousek Real Estate Schools, Inc.	946-0505

## 2006 Real Estate Commission Meeting Schedule

**Laws & Rules Review Committee**

**Education Review Committee**

**Condominium Review Committee**

**(These committees meet one after another, beginning at 9 a.m.)**

**Real Estate Commission, 9 a.m.**

Wednesday, June 14, 2006

Wednesday, July 12, 2006

Wednesday, August 9, 2006

Wednesday, September 13, 2006

Wednesday, October 11, 2006

Friday, June 23, 2006

Friday, July 28, 2006

Friday, August 25, 2006

Friday, September 22, 2006

Friday, October 27, 2006

All meetings will be held in the Queen Liliuokalani Conference Room of the King Kalakaua Building, 335 Merchant Street, First Floor.

Meeting dates, locations, and times are subject to changed without notice. Please visit the Commission's website at [www.hawaii.gov/hirec](http://www.hawaii.gov/hirec) or call the Real Estate Commission Office at 586-2643 to confirm the dates, times, and locations of the meetings. This material can be made available to individuals with special needs. Please contact the Executive Officer at 586-2643 to submit your request.

## It's Time to Catch Up on the 4% Tax on Your Income

Have you been paying Hawaii's general excise tax (GET) on ALL your commission income? The hot real estate market has meant that many real estate professionals have had several REALLY good years of commission earnings...and our auditors know it. If you haven't been paying the GET on your commission income, now is the time to come forward and get caught up.

Although often mistakenly called a sales tax, the GET is actually a tax levied on gross income derived from business activity in Hawaii, and that includes the commission income you earn on real estate transactions. If the total sales commission is divided between two or more licensed non-employee Realtors, as is typically the case, the Realtors are taxed only on their share of the total commission income at the rate of 4%.

If you don't have a GET license yet, complete Form BB1, Basic Business Application, and submit it to the Department of Taxation with a onetime \$20 license fee payment to register. Form BB1 is available at any district tax office by calling the Department's 24-hour Forms by Fax/Mail line at 587-7572 (toll-free at (800)222-7572), and on the Department's website at [www.hawaii.gov/tax](http://www.hawaii.gov/tax).

For maximum convenience, however, apply for your license and pay the license fee with your credit card online through the Hawaii Business Express website at <http://hbe.ehawaii.gov>. A \$2.50 service fee will also be charged for using the Internet to apply for the GET license.

A GET license certificate with your name, address, and assigned Hawaii Tax Identification Number will be mailed to you about four weeks after you file your application. A booklet of GET forms for the year will be mailed about two weeks after your license and every year thereafter about one month prior to the due date of your first GET return.

Periodic returns must be filed throughout the year (monthly, quarterly, or semiannually, as required, based on the amount of GET you must pay per year), and an annual GET

return must be filed on or before the 20<sup>th</sup> day of the fourth month following the close of the tax year. (HINT: The annual general excise tax return is due on the same day your income tax return is due. However, do NOT attach the GET annual return to your income tax return.)

For more information on the GET, see Tax Facts No. 96-1, *General Excise vs. Sales Tax*, and the brochure, *An Introduction to the General Excise Tax*. Both publications are available at any district tax office by calling the Department's Forms by Fax/Mail number, and on the Department's website. For personal assistance, visit any district tax office or call the Taxpayer Services Branch at 587-4242 (toll-free at (800) 222-3229) during business hours, Mondays through Fridays, except State holidays, from 7:45 A.M. to 4:30 P.M.

### Program of Work Under Review

The Commission's fiscal year 2007 Program of Work is being reviewed. The Program of Work is a working guide to achieve the goals of the Commission. The Commission's standing committees are the Laws and Rules Review Committee, the Education Review Committee, and the Condominium Review Committee.

The Program of Work is developed from recommendations from the real estate community, consumers, and government officials received at monthly meetings, during the legislative session, from the Professional and Vocational Licensing Division, DCCA, and other interested parties.

The Commission will be recommending approval of the fiscal year 2007 Program of Work at its June 2006 Commission meeting, scheduled for Friday, June 23, 2006. If you have suggestions to include in the programs of work for any of the three Commission standing committees, please submit your ideas to [hirec@dcca.hawaii.gov](mailto:hirec@dcca.hawaii.gov) or by mail to 335 Merchant Street, Room 333, Honolulu, HI 96813.

**State of Hawaii**  
**Real Estate Commission Bulletin**  
**King Kalakaua Building**  
**335 Merchant Street, Room 333**  
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