

Real Estate Commission Bulletin



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Broker Price Opinions

The broker price opinions (BPO) bill, HB 320 HD2 SD1 was signed into law as Act 212 on July 11, 2011, by Governor Abercrombie. This brings to a resolution issues that were raised in 2009 regarding the legality of performing broker price opinions by Hawaii real estate licensees.

What were the concerns? If a Hawaii real estate licensee was charging a fee or other consideration/compensation for a broker price opinion "other than the normal brokerage fee rendered in connection with the sale of the real property," then it appears that the licensee may be found in violation of the rules for Real Estate Appraisers, section 16-114-74(2), Hawaii Administrative Rules (HAR). Other possible violations may also be involved in this situation.

Chapter 467, Hawaii Revised Statutes, and Chapter 99, HAR, do not address BPOs as related to Real Estate Brokers and Salespersons. Based on the apparent reality that many real estate licensees were rendering BPOs, two bills were introduced at the 2011 Hawaii State Legislature, HB 320 and SB 154, to address the rendering of BPOs by real estate licensees by allowing compensation for the BPOs subject to certain conditions.

Note it is the Real Estate Appraiser law, Chapter 466K, Hawaii Revised Statutes (HRS) that will be amended to allow real estate salespersons and brokers to render broker price opinions for compensation. The real estate licensing laws and rules were not amended regarding this issue.

Here is the text of Act 212:

Relating to Broker Price Opinions

SECTION 1. Section 466K-4, Hawaii Revised Statutes, is amended to read as follows:

"S466K-4 Practice as a real estate appraiser; uniform standards.

(a) No person may practice as a real estate appraiser in this State unless that person has been licensed or certified to practice in accordance with this chapter and rules adopted by the director of commerce and consumer affairs pursuant to chapter 91. All real estate appraisers who are licensed or certified to practice in this State shall comply with the current uniform standards of professional appraisal practice approved by the director when performing appraisals in connection with a federally or non-federally related real estate transaction.

(b) This section shall not apply to any real estate appraiser employed by any county for purposes of valuing real estate property for ad valorem taxation.

(c) This section shall not apply to a real estate broker or real estate salesperson licensed pursuant to chapter 467 who provides an opinion as to the estimated price of real estate, regardless of whether the real estate licensee receives compensation, a fee, or other consideration for providing the opinion; provided that:

- (1) The opinion as to the estimated price of real estate shall state that it is not an appraisal;
- (2) The real estate licensee shall not represent that the licensee is a certified or licensed real estate appraiser; and
- (3) If the real estate licensee receives compensation related to the sale of property, the licensee shall not receive any additional compensation, fee, or other consideration for providing an opinion as to the estimated price of that property."

SECTION 2. New statutory material is underscored.

SECTION 3. This Act shall take effect upon its approval.

Advertising - Read All About It

One of the most frequently queried topics by callers to the Real Estate Branch is advertising.

The laws and rules which address “advertising” by real estate licensees are very SIMPLE, EASY TO UNDERSTAND, and APPLY to ALL FORMS of ADVERTISING, whether it be via publications such as newspapers, magazines, or business cards, stationery, signage, social media such as Facebook, Twitter, or Craig’s List, Angie’s List, etc. Let’s look at just the RULES as stated in Hawaii Administrative Rules, Title 16, Chapter 99 – Real Estate Brokers and Salespersons.

Abbreviations? Only a brokerage firm may abbreviate its legal name, and this is limited to abbreviating “Incorporated,” “Corporation,” “Limited,” “General Partnership,” “Limited Partnership,” “Limited Liability Company,” or “Limited Liability Partnership” from the licensed legal name. For example, Aloha Rainbow Realty, Incorporated may advertise as Aloha Rainbow Realty, Inc.

The only times you can use a name other than a legal name registered with BREG or the Commission, is if you have previously selected a “license name”. For example, Peter B. Aloha selected a license name of “Pete Aloha”. Mr. Aloha may advertise either in his legal name, Peter B. Aloha, or in his license name of “Pete Aloha”. Or, Aloha Rainbow Realty, Incorporated may choose ARR as its license name or trade name. Advertising in either name would be okay.

Trade names must be registered with BREG and must also be registered with the Commission. Entities (brokerages) may use only one trade name. The advertising rules state that a brokerage firm may use “dba” (doing business as) in conjunction with the licensed name and a trade name. So, Aloha Rainbow Realty, Inc. dba Aloha Rainbow Realty is acceptable. Again, either one of these names may be used by itself in an ad.

Trade names may be used only by brokerages and sole proprietors. A real estate salesperson or broker may not use a trade name.

Real estate licensees CANNOT advertise using “For Sale by Owner,” “For Rent by Owner,” “For Lease by Owner,” or “For Exchange by Owner.” There are obviously ways to get around this specific wording. If you look at the daily newspaper, you’ll see examples in use.

In all advertising, individual real estate licensees who hold a current license, whether active or inactive, need to disclose their status as a real estate licensee. (Note: this particular rule, HAR, section 16-99-11(c) may be amended to delete “active”.) The reality of this rule is that active real estate licensees do not identify themselves as “active” in advertisements.

Here’s another easy one in the advertising rules. You must spell out the word “leasehold” in all advertisements selling a leasehold property. No abbreviations for this one.

The next section is probably the most asked-about portion of the advertising rules. But remember, it’s not hard to understand. The rules also do not mention if the brokerage name must be the same size, or larger or smaller font size than the size of the licensee’s name in the ad.

ALL advertising that includes the individual licensee’s name SHALL

1. include the licensee’s legal name, name as licensed by the Commission, or sole proprietor’s trade name
2. identify the name of the licensee’s associating or employing brokerage firm, and
3. specify that the licensee is a broker (B), or salesperson (S). If the licensee happens to be a member of the Hawaii Association of REALTORS®, the licensee may use Realtor (R) or Realtor-Associate (RA). (Note: This rule is also pending rule-making amendments where the rule would also address members of All-Realtor Boards. Salesperson licensees who are members of all-Realtor boards would have to identify themselves as either Realtor (Salesperson), R(S), R(Salesperson), or Realtor(S).)

Pete Aloha (B)
Aloha Rainbow Realty, Inc.

Peter B. Aloha Realtor
Aloha Rainbow Realty

Pete Aloha (R)
Aloha Rainbow Realty, Inc.

Pete Aloha, Broker
Aloha Rainbow Realty, Inc. dba
Aloha Rainbow Realty

All of the above are correct according to the advertising rules.

Finally, and this is a direct quote from HAR section 16-99-(f), “If the address of any unregistered place of business is included in advertising materials, then the street address of the principal place of business or the branch office, as the case may be, shall be included and respectively identified as such.”

When would this rule apply? If a brokerage firm’s principal place of business is located on Oahu, and they open a branch office on Oahu, the brokerage has the option to either register or not register the branch office. Let’s say they choose to not register the Oahu branch office. In reading the above rule, if the address of this unreg-

The Chair's Message



Aloha!

I am pleased to be able to serve you in my final year on the Real Estate Commission as its chair. My experience over the last seven years as a member of this body has made me realize the importance of the Commission and the duties the Commission has to protect the general public in its real estate transactions.

There are several new laws that were created during the 2011 legislative session and were signed by the governor that affect our industry. Among the most notable are Act 212, the Broker Price Opinion ("BPO") law, which exempts a real estate licensee from the requirement for licensure as an appraiser subject to certain conditions, and Act 48, the law dealing with non-judicial foreclosure changes.

These and other new laws provide challenges to licensees to learn and understand the changes. With the legislative updates offered through the REC Bulletin and mandatory CE core courses, the licensees can increase their awareness of laws that affect their real estate practice, as well as gain familiarity with required compliance to these ever-changing requirements.

Rule making for Chapter 107, Condominium Property Regimes, which began in 2009 and Chapter 99, Real Estate Brokers and Salespersons, beginning in 2010, will continue the circuitous adoption journey through the end of this year and probably into 2012. This arduous process which begins with proposals to changes or amendments to the Hawaii Administrative Rules goes through many reviews by the director, divisions and scrutiny by the attorney

general's office as well as public hearings on the changes. Once approved and adopted by the Commission, these changes will require adherence by licensees. Proposed changes to the real estate rules may be found in the February 2011 issue of the bulletin.

Among the programs and tasks, including rule making, described in the Program of Work of the Commission for fiscal year 2012, is the consideration of post-licensing requirements for new salespersons and brokers and special requirements for PBs and BICs. According to the Association of Real Estate License Law Officials (ARELLO), 23 states require post licensing training for salespersons and brokers. Hawaii is not among them. The implementation of a mandatory post-licensing program for our practicing licensees is imperative as the skills and knowledge expected of real estate practitioners and the brokers responsible for their conduct become more complex.

Novice salespersons know little about what is expected of them except through their study of HAR 16-99-3, "Conduct", in their pre-licensing classes, company training and the experience they obtain in the field, sometimes at the expense of professional service to their client. Brokers starting their own brokerages, some with little more than three years' experience and a broker's prelicensing course, are expected to run a successful brokerage and potentially supervise licensees. The commission, through its Education Review Committee, will consider this requirement among its priorities for the year.

Lastly, welcome to our three new Commissioners, Rowena Cobb, Aileen Wada, and Nikki Senter! I look forward to continued accomplishments by the commission in all aspects of its duties.

Mahalo,
(s) Carol Ball, Chair

Advertising - Read All About It (cont. from page 2)

istered branch office is used in an ad, then the address of the principal place of business must also appear in the ad and must be identified as the address of the principal place of business.

Note that the advertising rules do not mention the use of website addresses or telephone numbers. Go for it, but remember that when a consumer goes onto your website, the website is considered advertising, so the required information should be included on each screen. Because individual screens can be printed, the consumer should be confident that when printing out information he or she has come across on the internet, that the information is compliant with all applicable laws and rules.

There are other rules that apply to advertising by real estate licensees but they fall under the "conduct" section, 16-99-3. (See sections 16-99-3(i), (l))

What are the specific LAWS that are relevant to advertising? Check out Hawaii Revised Statutes, section 467-14(3), which states your license may be revoked, suspended, or fined for "Pursuing a continued and flagrant course of misrepresentation, or making of false promises through advertising or otherwise; . . ."

That's it!

Administrative Actions

April 2011

Ricky K. Pa

Salesperson - RS 69305
Case No: REC-2010-187-L
Dated 4/28/11

Allegations: On or about February 11, 2009, an indictment was filed against Respondent and others in the United States District Court for the District of Hawaii, CR09-00057HG, alleging conspiracy to commit mail fraud, wire fraud, and false statements on loan applications. Respondent and others devised a scheme to defraud homeowners facing foreclosure by obtaining mortgage loans under the name of straw buyers and submitting false statements on loan applications in order to secure financing on the properties. The homeowners were told that the straw buyers would obtain mortgage loans with terms more favorable than those available to the homeowner. In return, the homeowners paid a fee of \$10,000.00 or more and transferred the property title to the straw buyers. Respondent acted as a straw purchaser for a property and falsely represented to the lender that he intended to reside on the property in order to obtain a mortgage loan. Respondent received a \$10,000.00 payment and title to the property. Respondent and his co-conspirators failed to make all the monthly payments on the mortgage and the loan went into default. Respondent then commenced eviction proceedings against the homeowner. Respondent pled guilty to Count 1 of the indictment. Among the special conditions of Respondent's supervised release is restitution in the amount of \$140,889.07.

Sanction: Voluntary license revocation.

Violations: HRS §§467-14(1), (2), (3), (7), (8), (20); HRS §§436B-19(1), (2), (7), (8), (9), (12), (14)

Poipu Resort Partners, L.P. and Theresa L. Wery

Broker – Corp.-RB 16904
Broker – RB 10502
Case No: REC 2010-310-L
Dated 4/28/11

Allegations: RICO received a complaint alleging that Respondents aided and/or abetted an entity in the sale of unregistered time share interests. RICO alleges that in approximately May of 2008, Respondent Poipu acted as a sales agent for a time share developer when that developer sold approximately fourteen (14) timeshare interests to licensees affiliated with Poipu. At the time they were sold, the time share plan was not registered under Hawaii Revised Statutes (“HRS”) Chapter 514E, the chapter that regulates time share plans. Wery was the principal broker for Poipu at the time of these sales. Respondents have provided RICO with information showing that the time share developer has taken affirmative steps to cancel, transfer or convert the fourteen (14) time share interests to conform to the requirements of HRS Chapter 514E.

Sanction: Each Respondent pay a \$500.00 fine for a total of \$1,000.00

Violations: HRS §467-1.6; HRS §436B-19(6).

Administrative Actions (cont. from page 4)

Stephanie K. Coble
aka Molokai Real Estate
 Broker – RB 19436
 Case No: REC 2009-288-L
 Dated 4/28/11

Factual Findings: On 1/6/09, Respondent signed and submitted a renewal application to the Commission. Respondent answered “no” to the question: “In the past 2 years has your license in this state or any other jurisdiction been formally disciplined by way of a fine, suspension, restriction or revocation?” On 5/27/07, the Commission approved a settlement agreement in the Matter of the Real Estate License of STEPHANIE K. COBLE, a Real Estate Broker and former Real Estate Salesperson, REC 2006-223-L. In this settlement agreement, Respondent agreed to pay a \$1,000.00 fine which was stayed subject to Respondent meeting certain conditions contained in the settlement agreement. Based on the evidence presented, Respondent failed to disclose the 2007 settlement agreement on her January 6, 2009 renewal application.

Order: Pay a \$2,500.00 fine.

Violations: HRS §§467-14(13), 467-20; HRS §436B-19(2), (5)

May 2011

John L. Todd
 Salesperson – RS 60463
 Case No: REC 2009-121-L
 Dated 5/27/11

Allegations: A. Not Disclosing a Conviction on the 2002 RS License Application. Sometime in or around March of 2002 the Respondent signed and submitted an “Application for License-Real Estate”(“2002 Application”) to the Commission. The Respondent checked “NO” to Question 2 of Section C of the 2002 Application which asked: “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?” In or around July or August of 1997, a DUI judgment was entered against the Respondent in the District of the Third Circuit, State of Hawaii. The Respondent did not disclose the 1997 DUI Conviction, which has not been annulled or expunged, when the Respondent submitted the 2002 Application to the Commission. B. Not Disclosing a Conviction on the 2006 License Renewal Application. Sometime in or around December of 2006 the Respondent signed and submitted a “PVL Renewal Application” (“2006 Renewal Application”) to the Commission. Question 3 of the 2006 Renewal Application asked: “In the past 2 years have you been convicted of a crime which has not been annulled or expunged?” The Respondent answered “NO” in response to Question 3 of the 2006 Renewal Application. On or about November 14, 2005, a DUI judgment was entered against the Respondent in the Municipal Court of the City of Phoenix, Maricopa County, Arizona. The Respondent did not disclose the 2005 DUI Conviction, which has not been annulled or expunged, when the Respondent submitted the 2006 Renewal Application to the Commission. C. Not Disclosing a Conviction on the 2008 License Renewal

Application. Sometime in or around December of 2008 the Respondent signed and submitted a “PVL Renewal Application” (“2008 Renewal Application”) to the Commission. Question 3 of the 2008 Renewal Application asked: “In the past 2 years have you been convicted of a crime which has not been annulled or expunged?” The Respondent answered “NO” in response to Question 3 of the 2008 Renewal Application. Sometime in or around July of 2007 a DUI judgment was entered against the Respondent in the District Court of the Third Circuit, State of Hawaii. The Respondent did not disclose the 2007 DUI Conviction, which has not been annulled or expunged, when the Respondent submitted the 2008 Renewal Application to the Commission.

Sanction: Voluntary license revocation.

Violations: HRS §§436B-19(1), (2), (5), (9), (14), (15); HRS §§467-8(a)(3), 467-14(13), 467-20.

Administrative Actions (cont. from page 5)

John Longmire

Salesperson – RS 63288
Case No: REC 2010-198-L
Dated 5/27/11

Allegations: On or about February 12, 2004, Respondent submitted an application for a real estate salesperson’s license. On said application Respondent falsely answered “NO” to the question “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?” Respondent failed to disclose two prior convictions.

Sanction: Voluntary license suspension for thirty (30) days and pay a \$500.00 fine.

Violations: HRS §467-20 and HRS §436B-19(5)

Mace-O Johnson

Salesperson – RS 65144
Case No: REC 2006-98-L
Dated 5/27/11

Factual Findings: In or about January 2005, Respondent signed and submitted an “Application for License – Real Estate” (“Application”) to the Commission. Question No. 2 in the Application asked, “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?” Respondent checked the “NO” box. On or about March 18, 2004, a “Judgment of Probation; Notice of Entry,” was entered against Respondent in the Family Court of the Second Circuit, State of Hawaii in a case designated as, *State of Hawaii v. Maceo Johnson (Case No. FC-CR 03-1-0843)*. The Judgment of Probation indicated that Defendant had been convicted and was found guilty of the charge of Abuse of Family or Household Member pursuant to HRS §709-906. Respondent did not disclose the Conviction to the Commission in the Application and the Conviction has not been annulled or expunged. On or about July 18, 2006, the Realtors Association of Maui, Inc. (“RAM”) issued a decision finding that Respondent had violated the Code of Ethics of the National Association of Realtors. A fine was imposed and the Respondent was expelled from RAM. Respondent did not notify the Commission in writing of the March 6, 2007 decision within 30 days.

Order: License revocation and pay a \$500.00 fine.

Violations: HRS §§467-8(a)(3), 467-14(13), and 467-20; HRS §§436B-19(1), (2), (5), (9), and (15)

Administrative Actions (cont. from page 6)

June 2011

Simon Bebb and

Waiakea Villas, LLC

Broker – RB 8013

Broker-Corp.- RB 18677

Case No's:

REC 2007-230-L

REC 2008-33-L

REC 2008-45-L

REC 2008-46-L

REC 2008-48-L

REC 2008-150-L

REC 2008-151-L

[Consolidated Cases]

Allegations: Bridge Capital, LLC, a C.N.M.I. limited liability company who succeeded to the interests of Bridge Capital (USVI), LLC (hereafter referred to collectively as "Bridge"), is the current owner of the Waiakea Villas condominiums (hereafter "Condominiums"), a property consisting of leased homes located at 400 Hualani Street, Hilo, Hawaii 96720. Bridge became the owner in 2007 through litigation instigated against the Respondents, the Condominiums' previous owner and property manager, for amounts owed to Bridge via a loan secured by a promissory note, guarantee and first mortgage on the Condominiums. The litigation, among other things, sought foreclosure on the first mortgage. Bridge became the new owner of the Condominiums in 2007 and its nominee, Waiakea Properties, LLC, acquired the Condominiums per Commissioner's Deed on October 4, 2007. In March of 2008 Bridge, through Waiakea Properties, LLC, hired ERA Pacific Properties to manage the Condominiums. In July 2010, Hilo Brokers, Ltd., became the new property manager. Upon taking ownership of the Condominiums in 2007, Bridge conducted an investigation and audit of the financial books and records that were made available to Bridge, which records had been used and maintained previously by the Respondents to manage the Condominiums. Based on their investigation and audit Bridge discovered that the Respondents did not have a separate, designated trust account for monies that they had held in trust for tenants such as security deposits and key deposits. Bridge also discovered that the Respondents mixed into the same bank account(s) security and key deposits owned by tenants with monies belonging to the Respondents and possibly others. Bridge also learned that sometime in late 2006 Respondent Bebb withdrew \$72,639.10 in tenant security and key deposits from the bank accounts Respondents used to operate and manage the Condominiums. Respondent Bebb never returned the funds which resulted in a loss to affected tenants.

Sanction: Voluntary license revocation

Violations: HRS §436B-19(12); HRS §§467-1.6(b)(1), 467-14(7), (8), (13), (16), (20); HAR §§16-99-3(e), (v); HAR 16-99-4(a), (h)

Settlement Agreement: The respondent does not admit to the allegations set forth by the Regulated Industries Complaints Office (RICO) and denies having violated any licensing law or rule. The Respondent enters in a Settlement Agreement as a compromise of the claims and to conserve on the expense of proceeding with a hearing on the matter.

Statutory/Rule Violations

HRS §467-1.6(b)(7)	Principal broker shall have direct management and supervision of the firm and its licensees.
467-8(a)(3)	Licenses
HRS §467-14 (1)	Making any misrepresentation concerning any real estate transaction.
HRS §467-14 (2)	Making any false promises concerning any real estate transaction of a character likely to mislead another.
HRS §467-14 (3)	Pursuing a continued and flagrant course of misrepresentation.
HRS §467-14(7)	Failing to account for moneys belonging to others.
HRS §467-14(8)	Conduct constituting fraudulent or dishonest dealings.
HRS §467-14(13)	Violating this chapter, chapters 484, 514A, 514B, 514E, or 515, or section 5§16-71, or the rules adopted pursuant thereto.
HRS §467-14(20)	Failure to maintain a reputation for or record of competency, honesty, truthfulness, financial integrity, and fair dealing.
HRS §467-20	False statement.
HRS §436B-19(1)	Failure to meet or maintain the conditions and requirements necessary to qualify for the granting of a license.
HRS §436B-19(2)	Engaging in false, fraudulent, or deceptive advertising, or making untruthful or improbable statements.
HRS §436B-19(5)	Procuring a license through fraud, misrepresentation, or deceit.
HRS §436B-19(7)	Professional misconduct, incompetence, gross negligence, or mani-fest incapacity in the practice of the licensed profession or vocation.
436B-19(8)	Failure to maintain a record or history of competency, trustworthiness, fair dealing, and financial integrity.
436B-19(9)	Conduct or practice contrary to recognized standards of ethics for the licensed profession or vocation.
HRS §436B-19(12)	Failure to comply, observe, or adhere to any law in a manner such that the licensing authority deems the applicant or holder to be an unfit or improper person to hold a license.
HRS §436B-19(14)	Criminal conviction.
HRS §436B-19(15)	Failure to report disciplinary action within thirty days of the disciplinary decision.

RICO Tip Line: Beware of Aiding and Abetting!

In the course of fulfilling your duties to a client who wishes to place his or her home on the real estate market for sale or rental, you may recommend that a client renovate a bathroom or kitchen, replace and install new flooring tiles or splash on a fresh coat of new paint. Your client asks you, "Who do you recommend?" You flip up your iphone, go through your list of contractors and provide several names for your client to use. Or you tell your client, "I'll have my contractor give you a call to set-up an appointment." Or, when your client is out of state, you may be asked to handle the entire project as part of getting the property ready for marketing.

While the intent is to certainly help your client quickly, you place your client and yourself at risk if the contractor, electrician, plumber, or other building tradesperson you recommend or hire is not properly licensed in the State of Hawaii. To put it simply, you may be found to be aiding and abetting an unlicensed person.

RICO receives many complaints about unlicensed contractors, either in the form of a written complaint from a disgruntled former client, or a tip of ongoing unlicensed activity at a jobsite. Persons engaging in contracting without the proper contractor licenses are in violation of Hawaii Revised Statutes, (HRS) 444-9.

Persons operating without the proper contractor's license are not playing by the same rules as licensees. They may not be paying general excise taxes, workers compensation premiums or liability premiums. They may not be paying minimum wage to their employees, or providing the required unemployment coverage. And, they have little incentive to clearly document the terms of their construc-

tion contract with a client or resolve disputes in a professional manner. In short, although unlicensed contractors will sometimes offer to perform work for you cheaply and quickly, there are a variety of ways a construction contract can go wrong, resulting in a complaint about the unlicensed contractor, and you, as the person who provided the referral. See, HRS 436B-19(6) and (16). Furthermore, hiring an unlicensed contractor puts your client at risk. They may be sued for accidents that occur on a jobsite and may be responsible for code violations, permitting problems and the like.

Finally, even assuming that your construction project is completed without a major incident, the fact that unlicensed work was performed on a property for sale creates its own complications for the owner-seller as well as for the seller's agent. Permitting issues, code violations, or workmanship issues may impact the outcome of a home inspection, the appraised value of the property, and the content of the Seller's Disclosure Statement.

How do you know if an individual is licensed? Check license status and complaints history by going to DCCA's Check Out a Business Online webpage at www.businesscheck.hawaii.gov, or call 587-3222. For more information about hiring a licensed contractor, check out the Hire a Licensed Contractor webpage at www.licensedcontractor.hawaii.gov.

In the next issue of RICO's TIP LINE: Aiding and Abetting, Part II, the role of the Condominium Association, its Board, and Property Managers in preventing unlicensed activity.

Comings and Goings



Amy S. Fujioka joined the Real Estate Branch on June 1, 2011, and is the new Office Assistant for the real estate section of REB.



Coleen C. Yamashita joined REB on July 1, 2011, and is the new Education Clerk. She will be taking care of the continuing education and prelicense areas.

Welcome Amy and Coleen!

Jon E. Pangilinan, REB's Executive Officer, resigned effective June 30, 2011. We wish Jon much success in his new endeavors.

Continuing Education Providers

360training.com	512-539-2869
Abe Lee Seminars	942-4472
Akahi Real Estate Network LLC	808-331-2008
All Islands Real Estate School	564-5170
Career Webschool Cengage Learning, Inc.	800-532-7649
Carol Ball School of Real Estate	808-871-8807
Continuing Ed Express LLC	866-415-8521
Dower School of Real Estate	735-8838
Eddie Flores Real Estate Continuing Education	951-9888
ERA School of Real Estate a Division of SRH Inc.	808-981-0711
Hawaii Association of Realtors	733-7060
Hawaii CCIM Chapter	528-2246
Hawaii Institute of Real Estate (HIRE)	561-7653
Hawaii Island Board of Realtors	808-935-0827
Hogan School of Real Estate	800-794-1390
Honolulu Board of Realtors	732-3000
Kauai Board of Realtors	808-245-4049
Levin & Hu, LLP	808-270-1096
Lorman Education Services	715-833-3940
Lynn W. Carlson	
McKissock, LP	800-328-2008
Pacific Real Estate Institute	524-1505
ProSchools, Inc.	800-299-2207
Ralph Foulger's School of Real Estate	239-8881
Realtors Association of Maui Inc.	808-873-8585
REMI School of Real Estate	230-8200
Richard Daggett School of Real Estate	923-0122
Russ Goode Seminars	597-1111
Seiler School of Real Estate	808-874-3100
Servpro Industries, Inc.	615-451-0200
Shari S. Motooka-Higa	457-0156
The CE Shop, Inc.	888-827-0777
The Seminar Group	206-463-4400
UH Maui College – OCET	808-984-3231
University of Hawaii at Manoa Outreach College	956-8244
Vitousek Real Estate Schools, Inc.	946-0505
West Hawaii Association of Realtors	808-329-4874



State of Hawaii Real Estate Commission

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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.

The Commission Welcomes Three New Commissioners

The Hawaii Real Estate Commission welcomes three new commissioners as of July 1, 2011. Joining the Commission are Rowena Cobb, representing Kauai, Aileen Wada, representing O'ahu, and Nikki Senter, public member from O'ahu. The term of Ms. Wada will expire June 30, 2015, and the terms of Ms. Cobb and Ms. Senter will expire June 30, 2014.

Rowena Cobb



Rowena Cobb is the principal broker and owner of Cobb Realty, founded in 1982. She is a Certified Residential Broker Manager, Certified Residential Specialist, Graduate – Real Estate Institute, and holds certifications in e-Pro, and SFR – Short Sale & Foreclosure Resource.

She graduated from Kauai High School, and subsequently graduated from Bob Jones University, Greenville, South Carolina with a major in Secondary Education. She is a member of the Kauai Board of REALTORS®, past president in 1985, treasurer and director from 2007-2010. She also is a continuing education instructor for the Kauai Board of REALTORS®.

Ms. Cobb is a current member and past chair of the Hawaii Association of REALTORS®' Government Affairs Committee, a member and past chair of the Standard Forms Committee from 2001-2006, served as president-elect and president in 2009 of the Certified Residential Brokerage Council, and served as a director of the Neighbor Island Multiple Listing Service from 1985-1992. She was the chair of the board for MLS, Inc., 1993. She was also awarded the REALTOR® Associate of the Year in 1983, and REALTOR® of the Year in 1986.

She is active in community affairs on Kauai.

Aileen Wada



Aileen Y. Wada is an O'ahu broker and Manager at Prudential Locations, LLC since 1979. She holds the GRI designation. Ms. Wada is an active and productive agent and has received numerous awards from the brokerage including the President's Circle, Leading Edge Society Award, and Client Service Award from 2002 and 2009.

Nikki Senter



Nikki Senter is an attorney with Imanaka, Kudo and Fujimoto in Honolulu, since 2001. She joins the Commission as a public member and has experience in the condominium and real estate development areas. She is a past condominium consultant with the Hawaii Real Estate Commission. Ms. Senter also teaches the Commission's core courses for Eddie Flores Real Estate Continuing Education.

She is a graduate of the William S. Richardson School of Law, Honolulu, HI, and the University of Hawaii at Manoa, where she majored in Travel Industry Management. She graduated with honors from the Hawaii Baptist Academy, Honolulu, HI. Ms. Senter is a current member of the Hawaii State Bar and American Bar Associations.

For the fiscal year 2012, the Commission will be headed by Chair Carol Ball, Broker, Maui, and Vice-Chair, Stanley Kuriyama, Broker, O'ahu.

The Commission's standing committees will be organized as follows:

Laws and Rules Review Committee – Chair-Frances Gendrano,
Vice Chair – Walter Harvey

Condominium Review Committee – Chair – Michele Sunahara
Loudermilk, Vice Chair – Nikki Senter

Education Review Committee – Chair – Scott Sherley, Vice Chair –
Rowena Cobb

State of Hawaii
Real Estate Commission
King Kalakaua Building
335 Merchant Street, Room 333
Honolulu, HI 96813

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Committee Meetings in Kona

From time to time, the Hawaii Real Estate Commission holds its monthly standing committee meetings on a Neighbor Island. In conjunction with these meetings, the Commission's Real Estate and Condominium Specialists will set up offices for the day to discuss real estate licensing and condominium concerns with interested parties.

The next such meeting will take place on Wednesday, September 7, 2011, at the West Hawaii Association of REALTORS (fka Kona Board of REALTORS), 74-5620 Palani Court, Suite 106, Kailua-Kona, HI 96740, 9:30 a.m. – 11:30 a.m.

The Laws and Rules Review Committee will convene at 9:30 a.m., and following its adjournment, the Condominium Review Committee will convene, and lastly, following its adjournment, the Education Review Committee will convene.

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.

Other questions that may come up at the sessions concern boards, associations, meetings, managing agents, condominium association registration, condominium hotel operators, fidelity bonding, the condominium property regime statute, public reports, project registration, new legislation, reserves, and other condominium-related topics.

If you have any questions or would like to set up an appointment, you may contact a Real Estate Specialist or Condominium Specialist at (808) 586-2643. You may also write to: Real Estate Commission, 335 Merchant Street, Room 333, Honolulu, HI 96813, or you may email staff at hirec@dcca.hawaii.gov.

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

2011 Real Estate Commission Meeting Schedule

Laws & Rules Review Committee – 9:00 a.m.
Condominium Review Committee – Upon adjournment of the Laws & Rules Review Committee Meeting
Education Review Committee – Upon adjournment of the Condominium Review Committee Meeting
Wednesday, September 7, 2011
Wednesday, October 12, 2011
Wednesday, November 9, 2011
Wednesday, December 7, 2011

Real Estate Commission – 9:00 a.m.
Friday, August 26, 2011
Friday, September 23, 2011
Friday, October 28, 2011
Wednesday, November 23, 2011
Friday, December 16, 2011

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 change without notice. Please visit the Commission's website at www.hawaii.gov/hirec or call the Real Estate Commission Office at (808) 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 (808) 586-2643 to submit your request.