

REAL ESTATE COMMISSION
Professional and Vocational Licensing Division
Department of Commerce and Consumer Affairs
State of Hawaii
www.hawaii.gov/hirec

MINUTES OF MEETING

The agenda for this meeting was filed with the Office of the Lieutenant Governor, as required by Section 92-7(b), Hawaii Revised Statutes.

Date: Wednesday, November 24, 2010

Time: 9:00 a.m.

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

Present: Trudy Nishihara, Chair, Broker/Honolulu Commissioner
Stanley Kuriyama, Vice Chair, Broker/Honolulu Commissioner
Donna Apisa, Broker/Kauai Commissioner
Carol Ball, Broker/Maui Commissioner
Frances Gendrano, Broker/Honolulu Commissioner
Walter Harvey, Broker/Honolulu Commissioner
Michele Sunahara Loudermilk, Public/Honolulu Commissioner
Scott A. Sherley, Broker/Hawaii Island Commissioner
Mark Suiso, Public/Honolulu Commissioner

Neil K. Fujitani, Supervising Executive Officer
Jon Ellis M. Pangilinan, Executive Officer
Diane Choy Fujimura, Senior Real Estate Specialist
Cynthia Yee, Senior Condominium Specialist
Amy Endo, Real Estate Specialist
David J. Grupen, Real Estate Specialist
Cheryl Leong, Condominium Specialist
Benedyne Stone, Condominium Specialist
Shari Wong, Deputy Attorney General
Karyn Takahashi, Recording Secretary

Others: Richard Woodford

Call to Order: The Chair called the meeting to order at 9:02 a.m., at which time quorum was established.

Chair's Report: The Chair announced that the Commission may move into executive session to consider and evaluate personal information relating to individuals applying for licensure in accordance with section 92-5(a)(1), HRS, and/or to consult with the Commission's attorney on questions and issues pertaining to the Commission's powers, duties, privileges, immunities, and liabilities in accordance with section 92-5(a)(4), HRS.

Executive Officer's
Report:

The Executive Officer (EO) informed the Commissioners that the original applications with any original associated documents to be considered at the meeting were available for review.

Announcements

Schedule of Non-Accessible Dates for January to June 2011

The Commissioners were asked to turn in their schedule of non-accessible dates for January to June 2011 by December 16, 2010.

Additional Distribution

The following was distributed as additional distribution:

4. Committees and Program of Work
 - c. Education Review Committee – Elective Courses – Continuing Education Courses and Fees

Minutes of Previous Meeting

Upon a motion by Commissioner Sherley, seconded by Commissioner Apisa, it was voted on and unanimously carried to accept the minutes of the October 28, 2010 meeting.

Committees and
Program of Work:

Education Review Committee

Elective Courses – Continuing Education Courses and Fees

In light of the continuing education requirement increase to 20 hours effective January 1, 2011, Senior Specialist Fujimura requested confirmation from the Commission on the maximum number of credit hours an elective course may be approved for.

Senior Specialist Fujimura also requested affirmation of the current fee schedule for the submission continuing education courses. She reported that the existing policy, based on Hawaii Administrative Rules section 16-53-39(17)(A), for every hour of a CE course, a fee of \$50 is assessed. For example, if a CE course is submitted for four hours, an application fee of \$200 is assessed. For course recertification

The existing policy for course recertification fees, based on Hawaii Administrative Rules section 16-53-39(17)(B), is that the \$75 CE course recertification fee is broken down to \$25/hour. For example, if a four hour CE course is recertified, the recertification fee will be \$100.

The existing policy for nationally/ARELLO certified course certification and recertification fees, based on Hawaii Administrative Rules section 16-53-39(17)(C), is that the \$25 fee is assessed for every 3 hour increment of a CE course.

A concern was raised on the amount of manpower required to review courses and the manpower required to review courses longer than three hours in length, as we do not want to put a financial burden on the course authors.

Senior Specialist Fujimura briefly explained the process she goes through when reviewing a course and it is hard to give the process a dollar value. SEO Fujitani added that the fees fund the Staff positions and the upkeep of the online system.

Commissioner Apisa stated that the fees seem reasonable, as the fees were set a long time ago and with inflation, the fees have not changed.

In regards to the length of time a CE course may be approved for, Chair Nishihara pointed out that the change to raise continuing education requirement to 20 hours was to raise the bar for the real estate industry in Hawaii.

Commissioner Suiso moved to allow continuing education elective courses be submitted and approved for a minimum of three (3) credit hours up to a maximum of fifteen (15) credit hours, in one hour increments. Commissioner Gendrano seconded the motion.

Commissioner Apisa stated that she had concerns with courses being 15 hours, essentially the licensee will take only one CE elective course in two years.

The motion was voted on and unanimously carried.

Commissioner Apisa moved to affirm that the application fee for the certification of continuing education elective courses remain at \$50 per requested course credit hour. Commissioner Gendrano seconded the motion. The motion was voted on and unanimously carried.

Commissioner Gendrano moved to affirm that the application fee for the recertification of continuing education elective courses remain at \$25 per requested course credit hour. Commissioner Sherley seconded the motion. The motion was voted on and unanimously carried.

Commissioner Kuriyama moved to affirm that the application fee for the certification/recertification of Nationally/ARELLO certified courses remain at \$25 for the first requested three credit hours and \$25 for each additional requested three credit hours or portion thereof. Commissioner Ball seconded the motion. The motion was voted on and unanimously carried.

Licensing –
Ratification:

Upon a motion by Commissioner Loudermilk, seconded by Commissioner Gendrano, it was voted on and unanimously carried to ratify the attached list.

Licensing –
Applications:

The Executive Officer informed the Commissioners that the information provided to the Commissioners is related only to the issue that is before the Commission for consideration. The other materials submitted are available for the Commissioners review should they desire to review it. If the applicants have an issue, which is personal in nature, they have the right to request that their application be considered in executive session.

Richard Lucas Woodford

Commissioner Ball recused herself from discussion and voting on this matter.

Mr. Woodford was asked if he wished to have his application for real estate salesperson's license considered in executive session. He declined the offer.

Mr. Woodford stated that he was present at the meeting to show that getting his license is important to him and to show that he has matured since the reported incidents.

Mr. Woodford stated that if licensed, he plans to work in residential sales as a buyer specialist for Hawaii Life Real Estate Services on Maui.

When asked about his past employment, Mr. Woodford stated that he has had several different jobs. He stated that he has sold suits and jewelry and has also been a deckhand on a private yacht in Alaska. Most recently, he has been an office equipment sales representative for Business Works of Hawaii on Maui. He noted that he was the sole representative for Maui.

After review of the information presented by the applicant, Commissioner Loudermilk moved to approve the real estate salesperson's license of Richard Lucas Woodford. Commissioner Gendrano seconded the motion. The motion was voted on and unanimously carried.

Chapter 91, HRS,
Adjudicatory
Matters:

The Chair called for a recess from the meeting at 9:42 a.m., to discuss and deliberate on the following adjudicatory matters, pursuant to Chapter 91, HRS:

In the Matter of the Real Estate Salesperson's License of Tracy W. Motelewski; REC 2007-383-L

Upon a motion by Commissioner Kuriyama, seconded by Commissioner Loudermilk, it was voted on and unanimously carried to reject the Commission's Final Order.

In the Matter of the Real Estate Licenses of Dorothy S. Hirowatari and Maile Realty Corp.; REC 2004-106-L and REC 2005-179-L

Commissioner Kuriyama moved to adopt the Hearings Officer's Findings of Fact and Conclusions of Law and issue a Commission's Proposed Final Order. Commissioner Gendrano seconded the motion. Commissioners Apisa, Ball, Gendrano, Harvey, Kuriyama, Loudermilk, Sherley and Suiso voted aye. Commissioner Nishihara voted nay. The motion was carried.

Following the Commission's review, deliberation, and decisions in these matters, pursuant to Chapter 91, HRS, the chair announced that the Commission was reconvening its scheduled meeting at 10:16 a.m.

Executive Session:

Upon a motion by Commissioner Suiso, seconded by Commissioner Loudermilk, it was voted on and unanimously carried to enter into executive session, pursuant to section 92-5(a)(1), HRS, "To consider and evaluate personal information, relating to individuals applying for professional or vocational licenses cited in section 26-9 or both;" and pursuant to section 92-5(a)(4), HRS, "To consult with the board's attorney on questions and issues pertaining to the board's powers, duties, privileges, immunities, and liabilities."

Upon a motion by Commissioner Loudermilk, seconded by Commissioner Suiso, it was voted on and unanimously carried to move out of executive session.

Next Meeting: Thursday, December 16, 2010
9:00 a.m.
Queen Liliuokalani Conference Room
King Kalakaua Building
335 Merchant Street, First Floor
Honolulu, Hawaii

Adjournment: With no further business to discuss, the Chair adjourned the meeting at 10:18 p.m.

Reviewed and approved by:

/s/ Jon Ellis M. Pangilinan
Jon Ellis M. Pangilinan
Executive Officer

December 7, 2010
Date

[] Approved as circulated.
[] Approved with corrections; see minutes of _____ meeting.

APPROVED APPLICATIONS FOR REAL ESTATE
REAL ESTATE COMMISSION MEETING ON NOVEMBER 24, 2010

<u>Brokers – Limited Liability Companies and Partnerships</u>	<u>Effective Date</u>
Hawaii Green Realty, LLC Forrest Arnold, PB	10/18/10
Funke Realty, LLC Alma Funke, PB	10/22/10
Hawaii Connections LLC Ronald Ford, PB	11/01/10
Maui Lodging Properties LLC Darlene J. Ford, PB	11/01/10
Kohala Estate Realty, LLC, Kohala Estate Management Cynthia (Cindi) Morgan, PB	11/03/10
Hanmi Realty LLC Henry Stanley Maerki, PB	11/04/10

<u>Brokers – Corporations and Partnerships</u>	<u>Effective Date</u>
Power Brokers International Inc. Christian Arbid, PB	10/15/10

<u>Brokers – Sole Proprietor</u>	<u>Effective Date</u>
Daniel Kisiel	10/13/10
Victoria Bordignon, Victoria B Realty	10/18/10

<u>Trade Name</u>	<u>Effective Date</u>
Meg Sells Maui, Inc., Maui Realty Group	10/12/10
Steve Marcotte, Hawaii Second Homes (fdbA A Piece of Paradise)	10/12/10

<u>Equivalency to Uniform Section of Examination Certificate</u>	<u>Expiration Date</u>
Raad Kevin Shawaf	10/20/12
Kellene Marie Greenwood	10/21/12
Jane Ann Herendeen	10/25/12
Dana Collin Kohut	10/25/12
Robert Dean Scanlan	10/27/12
Dennis Martin Marcisz	10/27/12
Michael James Proctor	11/08/12
Manuel Leialoha Kiaha	11/08/12
Douglas Bradley Gray	11/08/12
Mariko Yoshioka Gillam	11/10/12
David E. Beck	11/10/12
Sanda Ly Lichner	11/10/12

<u>Educational Equivalency Certificate</u>	<u>Expiration Date</u>
Raad Kevin Shawaf	10/20/12
Cyelia Yuk-Chiu Hooper	10/20/12
Kellene Marie Greenwood	10/21/12
Jane Ann Herendeen	10/25/12
Dana Collin Kohut	10/25/12
Robert Dean Scanlan	10/27/12
Dennis Martin Marcisz	10/27/12
Michael James Proctor	11/08/12
Manuel Leialoha Kiaha	11/08/12
Douglas Bradley Gray	11/08/12

Educational Equivalency Certificate

	<u>Expiration Date</u>
Charles Alva Jones, III	11/08/12
Mariko Yoshioka Gillam	11/10/12
David E. Beck	11/10/12
Sanda Ly Lichner	11/10/12

Real Estate Broker Experience Certificate

	<u>Expiration Date</u>
Raad Kevin Shawaf	10/20/12
Caroline Margaret Miller	10/21/12
Steven Ray Fuller	10/21/12
Robert D. Hudspeth	10/25/12
Robert Dean Scanlan	10/27/12
Raymond S. F. Chin	10/27/12
Patricia Vasquez	10/27/12
Dennis Martin Marcisz	10/27/12
James T. Davis	11/02/12
Douglas Bradley Gray	11/08/12
David E. Beck	11/10/12
Sanda Ly Lichner	11/10/12
Courtney Jeanette Nekota Takai	11/10/12
Lloyd Lee Potts, Jr.	11/12/12

Real Estate Broker (upgrade)

	<u>Effective Date</u>
Shellie Ann Ui Grace	10/12/10
Daniel Kisiel	10/13/10
Steph Chan	10/14/10
Valerie F. Lounsbury	10/14/10
Brigida A. Schmidt	10/19/10
Larry E. Roussel	10/20/10
Cherrieann Diaz	10/21/10
Leiola Augustine	10/26/10
Joanie Lehr	10/27/10
Mary Claire Quella	10/28/10
Laure McElwee	10/28/10
Gloria Affigne	11/01/10
Ryan K. Sakaguchi	11/13/10
Rae Nakasone	01/01/11
Cui Mei Chen	01/01/11
Philip K. Uehisa	01/01/11
Dennis Muth	01/01/11
Jennifer Lee Busto	01/01/11
Joanie Lehr	01/01/11

Continuing Education Equivalency

	<u>Effective Date</u>
Tisha M. Prunty	10/20/10
Wesley K. Sides	10/20/10
Patt E. Solorzano	11/03/10
Jenise Rusby	11/09/10

Reinstatement – Real Estate Salesperson

	<u>Effective Date</u>
Shawn Fransen	11/05/10