

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: Friday, October 28, 2011

Time: 9:00 a.m.

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

Present: Carol Ball, Chair, Broker/Maui Commissioner
Rowena Cobb, Broker/Kauai Commissioner
Frances Gendrano, Broker/Honolulu Commissioner
Walter Harvey, Broker/Honolulu Commissioner
Michele Sunahara Loudermilk, Public/Honolulu Commissioner
Nikki T. Senter, Public/Honolulu Commissioner
Scott A. Sherley, Broker/Hawaii Island Commissioner
Aileen Wada, Broker/Honolulu Commissioner

Neil K. Fujitani, Supervising 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
Tammy Norton, Recording Secretary
Amy Fujioka, Office Assistant

Others: Lei Fukumura, Special Deputy Attorney General
Sheryl Hufalar
Karyn Takahashi
Louise Tadaki
Patrick Kelly, Regulated Industries Complaints Office
Daria Loy-Goto, Regulated Industries Complaints Office
Esther Ervin, Regulated Industries Complaints Office

Absent: Stanley Kuriyama, Vice Chair, Broker/Honolulu Commissioner

Call to Order: The Chair called the meeting to order at 9 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.

Commissioner Kuriyama was excused from the meeting. Prior notification of his non-attendance was received.

Chair Ball presented Karyn Takahashi and Louise Tadaki with Certificates of Appreciation for their years of service with the Real Estate Branch. Ms. Takahashi and Ms. Tadaki have both transferred to the Division of Consumer Advocacy.

Supervising Executive Officer's Report: The Supervising Executive Officer ("SEO") informed the Commissioners that the original applications with any original associated documents to be considered at the meeting were available for review.

The 2012 meeting schedule was distributed for informational purposes. Commissioners to inform staff of any conflicts in meeting dates.

Minutes of Previous Meeting

Upon a motion by Commissioner Sherley, seconded by Commissioner Harvey, it was voted on and unanimously carried to accept the minutes of the September 23, 2011, meeting as distributed.

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 SEO 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.

Sheryl S. Hufalar

Ms. Hufalar was present and asked if she wished to have her application for real estate salesperson license considered in executive session. She declined the offer.

Chair Ball inquired as whether Ms. Hufalar researched the alternatives to avoid foreclosure.

Ms. Hufalar responded that she applied for a loan modification but was informed by the lender that she was not eligible for a loan modification. She reported that she researched the option of a deed in lieu of foreclosure, but is still unaware of the specifics of that option, but is aware that it would still require her to file for bankruptcy.

Chair Ball noted that financial integrity is a part of holding a real estate license.

Ms. Hufalar stated that her husband has been unemployed, and his unemployment benefits have been exhausted. She stated that she has been trying to save enough money as a reserve so that she can begin her real estate training. She was told that most companies advise you have at least 6 months to

1 year of expense savings in case you don't make any commissions within the first year. She stated that she has been trying to better her situation.

Commissioner Cobb questioned if Ms. Hufalar took into consideration all of the costs of obtaining a real estate license.

Ms. Hufalar responded in the affirmative.

Upon a motion by Commissioner Loudermilk, seconded by Commissioner Gendrano, it was voted on and unanimously carried to take the matter under advisement.

Chapter 91, HRS,
Adjudicatory
Matters:

The Chair called for a recess from the meeting at 9:12 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 Marie Browne-Hartwell; REC 2010-128-L

Upon a motion by Commissioner Harvey, seconded by Commissioner Senter, it was voted on and unanimously carried to approve the final order.

In the Matter of the Real Estate Broker's License of Carlton P. Yim; REC 2009-302-L

Upon a motion by Commissioner Harvey, seconded by Commissioner Sherley, it was voted on and unanimously carried to approve the final order.

In the Matter of the Real Estate Broker's License of Lin Poling; REC 2008-44-L

Upon a motion by Commissioner Loudermilk, seconded by Commissioner Harvey, it was voted on and unanimously carried to approve the final order.

In the Matter of the Real Estate Broker's Licenses of Powell W. Berger and Two Wahines on the Beach, LLC; REC 2010-87-L

Upon a motion by Commissioner Loudermilk, seconded by Commissioner Gendrano, it was voted on and unanimously carried to accept the settlement agreement.

In the Matter of the Real Estate License of Sean S. Ginoza, a Real Estate Broker; REC 2010-302-L

Upon a motion by Commissioner Loudermilk, seconded by Commissioner Sherley, it was voted on and unanimously carried to accept the settlement agreement.

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 9:24 a.m.

Executive Session:

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

Committees and
Program of Work:

Education Review Committee – Digital Learning Centers, LLC

Upon a motion by Commissioner Harvey, seconded by Commissioner Gendrano, it was voted on and unanimously carried to authorize payment upon receipt of final invoice from Digital Learning Centers, LLC in the amount of \$10,752.02 based on the acceptance of drafts 1 and 2 of Core A course and Case Lombardi legal fees for representation relating to termination and settlement.

Laws and Rules Review Committee

Daria Loy-Goto, Patrick Kelly, and Esther Ervin of the Regulated Industries Complaints Office (RICO) provided a briefing on how RICO's Legal Section handles real estate cases that come through their office.

Laws and Rules Review Committee – RICO Advisory Committee

Upon a motion by Commissioner Sherley, seconded by Commissioner Harvey, it was voted on and unanimously carried to approve the RICO Real Estate Advisory Committee list, effective January 1, 2012.

Licensing
Applications:

Sheryl S. Hufalar

After a review of the information presented by the applicant, Commissioner Cobb moved to deny the real estate salesperson license of Sheryl S. Hufalar based on sections 467-8(a)(3) and 436B-19(1), (8), and (12), Hawaii Revised Statutes.. Commissioner Harvey seconded the motion. The motion was voted on and unanimously carried.

Richard A. Casper

After a review of the information presented by the applicant, Commissioner Harvey moved to approve the real estate salesperson license of Richard A. Casper. Commissioner Senter seconded the motion. The motion was voted on and unanimously carried.

Ernie Serrano

After review of the information presented by the applicant, Commissioner Loudermilk moved to most likely deny the real estate salesperson license of Ernie Serrano. Commissioner Gendrano seconded the motion. The motion was voted on and unanimously carried.

Brandongrey, Inc.

After a review of the information presented by the applicant, Commissioner Harvey moved to approve the real estate corporation license of Brandongrey,

Inc. Commissioner Sherley seconded the motion. The motion was voted on and unanimously carried.

Next Meeting: Wednesday, November 23, 2011
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 10:23 a.m.

Reviewed and approved by:

/s/ Neil K. Fujitani

Neil K. Fujitani
Supervising Executive Officer

November 3, 2011

Date

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

APPROVED APPLICATIONS FOR REAL ESTATE
REAL ESTATE COMMISSION MEETING ON OCTOBER 28, 2011

<u>Brokers – Limited Liability Companies and Partnerships</u>	<u>Effective Date</u>
Aloha Happy Real Estate, LLC Valeria Affinito, PB	09/13/11
LAH Management, LLC Phillip Keipper, PB	09/26/11
Ocean Rock Properties, LLC Branden E. Shumate, PB	09/27/11
Oahu Homes, LLC Zhanna Conrad, PB	09/28/11
Blue Hawaii International, LLC Norman C. Franco, PB	09/28/11
Hawaiian Estates Realty, LLC Bill Paynich, PB	10/05/11
Garden Island Properties, LLC Greg Strickland, PB	10/11/11
<u>Brokers – Corporations and Partnerships</u>	<u>Effective Date</u>
Pacific Fine Homes, Inc. Mark Sperry, PB	09/19/11
<u>Brokers – Sole Proprietor</u>	<u>Effective Date</u>
Susan Telliard, Coral Properties	09/06/11
Catherine Lynch, Leeward Realty	09/15/11
Nancy Carr Smith, Aloha Kohala Realty	09/21/11
Dan M. Roberts	09/06/11
Sarah S. Mellaci	09/16/11
Akira Wada	09/27/11
Leonore Payne	10/07/11
<u>Corporation Name</u>	<u>Effective Date</u>
Golden House Management, Inc.	09/20/11
<u>Equivalency to Uniform Section of Examination Certificate</u>	<u>Expiration Date</u>
Kenneth Harold Schultz	09/12/13
Ronald Gordon Adams	09/16/13
Nina Nicole Brooks	09/16/13
Pat Holt	09/16/13
Beth Marie Ripa	09/19/13
David T. Barlow	09/21/13
Eric Sheridan West	09/21/13
Ryan Lewis Eck	09/21/13
Brian H. Egan	09/22/13
Deborah Matthews	09/26/13
Cameron Paul Hinson	09/26/13
Wade Petrowich	09/27/13
Matthew Fayek Salib	09/27/13
Satoshi Kawamura	09/27/13
Beth Ellen Malvestiti	09/27/13
Robert Bruce Kinniburg	09/27/13
Thomas Dugan	09/27/13

<u>Equivalency to Uniform Section of Examination Certificate</u>	<u>Expiration Date</u>
Richard Harry LeCates	10/05/13
Lori C. Fong	10/05/13
Christina M. Lazrak	10/05/13
River Brandon Young	10/07/13
Anna Melissa Bathan	10/07/13
John Casey Sullivan	10/07/13
Mark Lucas Myhedyn	10/13/13
Clark Eugene Hilton	10/13/13
Stephen Airon McClain	10/13/13
Lorna Sue Sprenger	10/14/13

<u>Educational Equivalency Certificate</u>	<u>Expiration Date</u>
Rose Chan Wang	09/12/13
Kenneth Harold Schultz	09/12/13
Kevin Lao	09/13/13
Ronald Gordon Adams	09/16/13
Nina Nicole Brooks	09/16/13
Pat Holt	09/16/13
Beth Marie Ripa	09/19/13
Thomas James Kleffman	09/19/13
Eric Sheridan West	09/21/13
Ryan Lewis Eck	09/21/13
Brian H. Egan	09/22/13
Gregory Scott Jackson	09/23/13
Deborah Matthews	09/26/13
Cameron Paul Hinson	09/26/13
Wade Petrowich	09/27/13
Matthew Fayek Salib	09/27/13
Satoshi Kawamura	09/27/13
Kaitlin Danielle Todd	09/27/13
Robert Bruce Kinniburgh	09/27/13
Edlene Ululani Akana Eftink	09/27/13
Ivan Radosavljevic	09/27/13
Gerald M. Tavares, Jr.	09/27/13
Iona Orapim Medina	09/27/13
Kaitlyn Marjorie Campbell	09/27/13
Thomas Dugan	09/27/13
Colleen Aleece Pattalochi	09/27/13
Lori C. Fong	10/05/13
Christina M. Lazrak	10/05/13
River Brandon Young	10/07/13
Anna Melissa Bathan	10/07/13
John Casey Sullivan	10/07/13
Ronald M. Cook	10/11/13
Maureen Lillian Armour	10/12/13
Melanie Galindo	10/12/13
Mark Lucas Myhedyn	10/13/13
Clark Eugene Hilton	10/13/13
Stephen Airon McClain	10/13/13
Lorna Sue Sprenger	10/14/13

<u>Real Estate Broker Experience Certificate</u>	<u>Expiration Date</u>
Kenneth Harold Schultz	09/12/13
Bernadette K. Tom	09/12/13

Suzie Setzler	09/13/13
Arlene Parayno Mercado	09/13/13
Ronald Gordon Adams	09/16/13
Eric Sheridan West	09/21/13
Ryan Lewis Eck	09/21/13
Brian H. Egan	09/22/13
Deborah Matthews	09/26/13
Kathleen Louise Englert	09/26/13
Deborah Lynn Kessler	09/27/13
Susan Strickland	09/27/13
Fannie R. Cline	09/27/13
Maria Cristina White	09/27/13
Richard T. Dolbeare	09/27/13
Martie Doris Law	09/27/13
Dahlia Villaflores Galbreath	09/27/13
Joan Christine Steiner	09/28/13
Candace Mack	09/30/13
Laransey Dewitt Carlton	10/05/13
Kristen Joy Brilhante	10/05/13
Christina M. Lazrak	10/05/13
River Brandon Young	10/07/13
Faye A. McComas	10/07/13
Macrina Dela Cruz	10/12/13

Real Estate Broker (upgrade)

	<u>Effective Date</u>
Skip Roy	09/09/11
Dale Richardson	09/12/11
Ebonee Barbadillo	09/19/11
Stephen K.S. Zane	09/26/11
Lynda D. Carroll	09/28/11
William C. Babbitt	09/28/11
David A. Asakura	09/29/11
Rachel Chung	09/30/11
Terry Lee Weaver	10/04/11
Diana M. Novoselic	10/05/11
Carole C. Hogg	10/05/11
Theresa Aki	10/06/11
Naomi Corpening	10/03/11
Donald D. Carroll	10/03/11
Joseph Takacs, Jr.	10/07/11
Leonore Payne	10/07/11

Reinstatement – Real Estate Salesperson

	<u>Effective Date</u>
John Longmire	09/26/11