

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 25, 2009

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
Louis Abrams, Broker/Kauai Commissioner
Walter Harvey, Broker/Honolulu Commissioner
Michele Sunahara Loudermilk, Public/Honolulu 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
Benedyne Stone, Condominium Specialist
Shari Wong, Deputy Attorney General
Karyn Takahashi, Secretary

Others: Lei Fukumura, Special Deputy Attorney General
Tiffany A. de Ruosi-Gosselin (appeared via teleconference)

Absent: Annette Aiona, Broker/Hawaii Island Commissioner
Carol Ball, Broker/Maui Commissioner
Frances Gendrano, Broker/Honolulu Commissioner

Call to Order: The Chair called the meeting to order at 9:05 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.

Commissioners Aiona, Ball and Gendrano were excused from the meeting. Prior notification of their non-attendance was received.

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

Addition to Agenda

Upon a motion by Commissioner Loudermilk, seconded by Commissioner Abrams, it was voted on and unanimously carried to add the following to the agenda:

6. Licensing – Applications – Tiffany A. de Ruosi-Gosselin

Minutes of Previous Meeting

Upon a motion by Commissioner Abrams, seconded by Commissioner Suiso, it was voted on and unanimously carried to accept the minutes of the October 29, 2009, meeting as amended.

Committees and
Program of Work:

Law and Rules Review Committee

Division and Department Programs – RICO Real Estate Advisory Committee

Upon a motion by Commissioner Abrams, seconded by Commissioner Harvey, it was voted on and unanimously carried to approve the RICO Real Estate Advisory Committee list, effective January 1, 2010.

Licensing –
Ratification:

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

Chapter 91, HRS,
Adjudicatory
Matters:

The Chair called for a recess from the meeting at 9:20 a.m., to discuss and deliberate on the following adjudicatory matters, pursuant to Chapter 91, HRS:

In the Matter of the Real Estate Broker's License of Cambridge Management, Inc.; REC 2009-19-L

Commissioner Kuriyama moved to accept the Settlement Agreement Prior to Filing of Petition for Disciplinary Action and Commission's Final Order. Commissioner Abrams seconded the motion. The motion was voted on and unanimously 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 9:21 a.m.

Licensing –
Applications:

The Supervising 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.

Tiffany A. de Ruosi-Gosselin

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

Licensing –
Applications:

Tiffany A. de Ruosi-Gosselin

Upon a motion by Commissioner Abrams, seconded by Commissioner Suiso, it was voted on and unanimously carried to take this matter under advisement.

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

Licensing –
Applications:

Tiffany A. de Ruosi-Gosselin

After review of the information presented by the Applicant, Commissioner Kuriyama moved to approve the real estate broker's license of Tiffany A. de Ruosi-Gosselin with the following conditions:

1. That the Applicant shall inform the principal broker or sole proprietor real estate broker (including a broker in charge of a real estate branch office) with whom the Applicant associates that such a conditional real estate broker license has been granted and the terms of the conditional license. Acknowledgment of the terms of the conditional license by the broker, principal broker or sole proprietor, and if applicable the broker in charge, shall be submitted in writing to the Commission within fourteen (14) days of association and/or employment.
2. That any subsequent criminal conviction whether by nolo contendere or otherwise, of a penal crime directly related to the qualifications, functions, or duties of the licensed profession or vocation shall be grounds for revocation of license.
3. That failure to provide written notice within 30 days to the licensing authority of any judgment, award, disciplinary sanctions, order, or other determination, which adjudges or finds that the licensee is civilly, criminally, or otherwise liable for any personal injury, property damage, or loss caused by the licensee's conduct in the practice of the licensee's profession or vocation shall be grounds for revocation.
4. That the Applicant shall at all times be associated with and under the direct supervision of a principal broker for all real estate transactions.

5. That **any** change of association and/or employment by Applicant to another real estate broker shall be submitted in writing to the Commission with the new broker, principal broker or sole proprietor real estate broker (including a broker in charge or a real estate branch office), acknowledging the terms of the Applicant's conditional license within ten (10) days of the change.
6. That the Applicant must notify all subsequent employers of complete history of DUI convictions.
7. That the Applicant shall not operate a motor vehicle with a client/customer as passengers on board.
8. That the Applicant shall submit to the Commission within fourteen (14) days of the date of receipt of this letter documented proof of passing a drug/alcohol test administered prior to employment **or** a statement from the employer that the Applicant passed an alcohol/drug test as a condition of employment.
9. That the Applicant shall submit to the Commission and to the principal broker or sole proprietor real estate broker (including a broker in charge of a real estate branch office) with whom the Applicant associates, a signed written statement of her Alcoholics Anonymous program sponsor attesting to the Applicant's attendance of Alcoholics Anonymous meetings. This statement must be submitted within fourteen (14) days of the date of receipt of this letter.
10. The Applicant must submit a written request to the Commission if the Applicant desires to have the conditions removed.

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

Next Meeting: Friday, December 18, 2009, 2009
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 10:04 a.m.

Reviewed and approved by:

/s/ Neil K. Fujitani
Neil K. Fujitani
Supervising Executive Officer

December 7, 2009
Date

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

APPROVED APPLICATIONS FOR REAL ESTATE
REAL ESTATE COMMISSION MEETING ON NOVEMBER 25, 2009

<u>Brokers – Limited Liability Companies and Partnerships</u>	<u>Effective Date</u>
Hawaii Realty International, LLC	10/16/09
Paul Adams, PB	
Great Vacation Retreats, LLC	10/27/09
Amy Grant, PB	
Quorum Properties Hawaii, LLC	10/28/09
Everett S. Kaneshige, PB	
L C Real Estate, LLC	11/09/09
Man-Lin Chen Lieu, PB	
Diamond Point Properties L.L.C.	11/12/09
Louis C. Perna, PB	
Luxury Properties of Maui LLC	11/13/09
Peter E. Davis, PB	

<u>Brokers – Corporations and Partnerships</u>	<u>Effective Date</u>
Meg Sells Maui, Inc.	11/06/09
Meg Malani Stewart, PB	

<u>Brokers – Sole Proprietor</u>	<u>Effective Date</u>
Lane Sontheimer	10/02/09
Martin E. Lee	10/14/09
Hideo Goya	10/16/09
Paul J. Schow	10/19/09
Louis Z. Fishman	10/20/09
Charles Coburn Barbata	10/26/09
Darcy Thiele, Hoku Real Estate	10/27/09
Honey Rodrigues Dung, Dream Home Realty	10/27/09
William L. Duff, William Duff Brokerage	11/02/09
Gordon M. Wyant, All Hawaiian Time Realty	11/13/09

<u>Branch Office</u>	<u>Effective Date</u>
Fogarty Realty Inc.	10/26/09
Jeannie M. Fogarty, PB	
All Islands Inc., Century 21 All Islands	10/27/09
Steven Dela Pena, PB	

<u>Corporation Name</u>	<u>Effective Date</u>
Royal Hawaii Realty, Inc. (fka Hawaii Condo Mart, Inc.)	10/19/09

<u>Equivalency to Uniform Section of Examination Certificate</u>	<u>Expiration Date</u>
Jon Jay Levin	10/21/11
Brett Marie Bruce	10/22/11
Luckylyn Tan Vital	10/27/11
Kristen Carol Hampton	10/27/11
Peter S. Fithian, Jr.	10/29/11
Sherri Psalms Deborha Vann	10/29/11
John Grant Arthun	10/29/11
Melonie J. Chjapman	11/03/11
Rosaria Toia	11/05/11
David John Battles	11/06/11
Sandra A. Greenberg	11/09/11
Imelda Ranney	11/09/11

Equivalency to Uniform Section of Examination Certificate

Tom J. Ranney	11/09/11
Wilson H. Atkins	11/09/11
Leslie Gaye Rosenquist	11/09/11
Sanada Kepani Baz	11/09/11
Mark A. Ames	11/09/11
Robert Richard Harrington	11/09/11
Christian Arbid	11/09/11
Amie Christina Arbid	11/09/11
Matt Cameron Aga	11/09/11
Suzanne Marie Candini	11/10/11
Robert Kevin Tenison	11/13/11

Expiration Date

Educational Equivalency Certificate

Jon Jay Levin	10/21/11
Brett Marie Bruce	10/22/11
Brandon Kline Bera	10/27/11
Luckylyn Tan Vital	10/27/11
Kristen Carol Hampton	10/27/11
Michelle Kim Stone	10/27/11
Peter S. Fithian, Jr.	10/29/11
John Grant Arthun	10/29/11
Grzegorz M. Mroz	11/02/11
Margaret Ellen Garlin	11/02/11
Melonie J. Chjapman	11/03/11
Rosaria Toia	11/05/11
David John Battles	11/06/11
Sandra A. Greenberg	11/09/11
Imelda Ranney	11/09/11
Tom J. Ranney	11/09/11
Sanada Kepani Baz	11/09/11
Wilson H. Atkins	11/09/11
Leslie Gaye Rosenquist	11/09/11
Mark A. Ames	11/09/11
Robert Richard Harrington	11/09/11
Christian Arbid	11/09/11
Amie Christina Arbid	11/09/11
Matt Cameron Aga	11/09/11
Suzanne Marie Candini	11/10/11
Robert Kevin Tenison	11/13/11
Bobby Papadakis	11/16/11
Charles T. Roy	11/16/11

Expiration Date

Real Estate Broker Experience Certificate

Todd T. Murata	10/21/11
David Buck	10/26/11
Cathleen Nakamura Possedi	10/26/11
Martha Morishige	10/27/11
Joyce Jaye Ariyoshi	10/27/11
Frederick L. M. Nakama	10/27/11
Cherise Antoque-Tilton	10/27/11
William Russell Heideman	10/27/11
Peter S. Fithian, Jr.	10/29/11
John Grant Arthun	10/29/11

Expiration Date

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Real Estate Broker Experience Certificate

Leiola Pasciuta	11/02/11
Theodore Ewing Myers	11/06/11
Ariela D. Murphy	11/09/11
Sandra A. Greenberg	11/09/11
Imelda Ranney	11/09/11
Tom J. Ranney	11/09/11
Evan Kanoa Rhodes	11/09/11
Wilson H. Atkins	11/09/11
Leslie Gaye Rosenquist	11/09/11
Kevin M. Rathbun	11/09/11
Paul Michael Javier	11/09/11
Mark A. Ames	11/09/11
Christian Arbid	11/09/11
Amie Christina Arbid	11/09/11
Sandra M. Y. Lau	11/09/11
Suzanne Marie Candini	11/10/11
Brian Daniel Bowers	11/12/11
Leslie Barr Vargas	11/13/11
Allison Price Green	11/13/11
Grace P. A. Lee	11/13/11
Bobby Papadakis	11/16/11
Kelly Condon	11/16/11
Brad B. S. Kaneshiro	11/16/11

Expiration Date

Real Estate Broker (upgrade)

Michael Job	10/09/09
Martin E. Lee	10/14/09
Darren M. Ah Chong	10/15/09
Peter E. Davis	10/19/09
Tom Edwards	10/19/09
Charles Coburn Barbata	10/26/09
Amy Grant	10/27/09
Everett S. Kaneshige	10/28/09
John D. Liner	10/15/09
Honey Rodrigues Dung	10/27/09
Marlene Nalani	10/28/09
Krisla W. DuPonte	11/05/09
Takahiro Kono	11/09/09
Todd T. Murata	11/10/09
Sherrie Kuroda	11/12/09
AnnMarie Hamilton	11/12/09
Louis C. Perna	11/12/09

Effective Date

Condominium Hotel Operator

Hana Kai-Maui Resort LLC

Effective Date

11/12/09