

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, December 18, 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 (late arrival)
Carol Ball, Broker/Maui Commissioner
Walter Harvey, Broker/Honolulu Commissioner
Michele Sunahara Loudermilk, 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
Karyn Takahashi, Recording Secretary
Tammy Norton, Secretary
Toalua Lavatai, Education Clerk
Glecy Seminuk, Condominium Clerk
Imelda Roberson, RERF Clerk

Others: Patrick Kelly, Esq., Regulated Industries Complaints Office
Wayne Thorburn, PSI
Brenda Ceria
Robyn Duncan
Ermelinda M. Pascua (appeared via teleconference)

Absent: Annette Aiona, Broker/Hawaii Island Commissioner
Frances Gendrano, Broker/Honolulu Commissioner
Mark Suiso, Public/Honolulu Commissioner

Call to Order: The Chair called the meeting to order at 9:07 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, Gendrano and Suiso were excused from the meeting. Prior notification of their non-attendance was received.

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.

At this time, the SEO introduced two new Real Estate Branch employees, Glecyr Seminuk and Imelda Roberson. Both come to the Branch from the Department of Accounting and General Services.

Additional Distribution

The following was distributed as additional distribution:

4. Committees and Program of Work
 - a. Laws and Rules Review – Hawaii Association of REALTORS® draft bill relating to continuing education

Commissioner Abrams arrives.

Addition to Agenda

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

6. Licensing – Applications – Ermelinda M. Pascua

Minutes of Previous Meeting

Upon a motion by Commissioner Kuriyama, seconded by Commissioner Loudermilk, it was voted on and unanimously carried to accept the minutes of the November 25, 2009 meeting.

Committees and
Program of Work:

Law and Rules Review Committee

Hawaii Association of REALTORS® draft bill relating to continuing education

The Hawaii Association of REALTORS® draft bill relating to continuing education was distributed to the Commissioners for review. Discussion to take place at the January 13, 2010, Laws and Rules Review Committee meeting.

Licensing –
Ratification:

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

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.

Ermelinda M. Pascua

Ms. Pascua appeared via teleconference. Ms. Pascua was asked if she wished to have her application for real estate salesperson's license considered in executive session. She declined the offer.

Ms. Pascua stated that she submitted a statement explaining that she tried to obtain documents from the courts and has been unsuccessful. She has contacted the legal department and they were unable to provide her any documentation and was not able to write a letter on her behalf. She added that the only document that could be produced was the court calendar.

Ms. Pascua explained that her conviction relates to a parking ticket and safety check violation, for which she paid the fines; however, a bench warrant was issued and she was charged with contempt of court. She stated that the case has been resolved, but the incident remains on her record.

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

Chapter 91, HRS,
Adjudicatory
Matters:

The Chair called for a recess from the meeting at 9:21a.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 David V. Huggett; REC 2008-222L and REC 2008-315-L

Commissioner Ball moved to defer decision making in the matter of David V. Huggett in order to consult with the Board's attorney. Commissioner Kuriyama seconded the motion. The motion was voted on and unanimously carried.

In the Matter of the Real Estate Salesperson's License of Diana Heejin Park; REC-2004-65-L, REC 2004-90-L and REC 2004-234-L

Commissioner Abrams moved to approve the Commission's Final Order. Commissioner Loudermilk seconded the motion. The motion was voted on and unanimously carried.

In the matter of the Real Estate License of Brenda L. Ceria, a real estate salesperson; REC 2007-409-L

Commissioner Abrams moved to approve Brenda L. Ceria's request for extension until February 28, 2010, to submit evidence of successfully completing the live instruction, 80-hour, non-accelerated Commission approved Hawaii real estate broker's prelicensing education course. Commissioner Kuriyama

seconded the motion. Commissioners Nishihara, Ball, Louldermilk, Kuriyama and Abrams voted aye. Commissioner Harvey 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 9:50 a.m.

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

Licensing –
Applications:

Izumi Akimoto

After a review of the information presented by the applicant, Commissioner Kuriyama moved to approve the real estate salesperson's license application of Izumi Akimoto. Commissioner Harvey seconded the motion. The motion was voted on and unanimously carried.

Ermelinda M. Pascua

After a review of the information presented by the applicant, Commissioner Kuriyama moved to approve the real estate salesperson's license application of Ermelinda M. Pascua. Commissioner Harvey seconded the motion. The motion was voted on and unanimously carried.

Chair's Report: The Chair presented Toalua Lavatai, Education Clerk, a certificate of appreciation for her outstanding contributions in real estate and wished her well in her future endeavors.

Next Meeting: Thursday, January 28, 2010
9:00 a.m.
Queen Liliuokalani Conference Room
King Kalakaua Building
335 Merchant Street, First Floor
Honolulu, Hawaii

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Adjournment: With no further business to discuss, the Chair adjourned the meeting at
9:55 a.m.

Reviewed and approved by:

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

January 14, 2010
Date

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

APPROVED APPLICATIONS FOR REAL ESTATE
REAL ESTATE COMMISSION MEETING ON DECEMBER 18, 2009

<u>Brokers – Limited Liability Companies and Partnerships</u>	<u>Effective Date</u>
Nalu Realty LLC	11/18/09
Mark P. Miura, PB	
Aloha Pacific Realty LLC	11/19/09
Marni Shirley, PB	
South Hawaii Realty LLC	12/01/09
Karen E. Ingraham, PB	

<u>Brokers – Sole Proprietor</u>	<u>Effective Date</u>
Teresa Hassanally	11/19/09
Joseph Reynolds	11/23/09

<u>Equivalency to Uniform Section of Examination Certificate</u>	<u>Expiration Date</u>
Robert Eugene Fox	11/18/11
Krishna Machaut Augerot	11/18/11
Annmarie Jancek El-haj	11/23/11
Justin Neil Schuman	11/25/11
Sherri Psalms Deborah Vann	11/25/11
Jean-Louis Gazabat	11/30/11
Lori Kay Bowers	12/03/11
Catherine Anna Fedak	12/03/11
Cynthia Panaligan Lewis	12/03/11
Ifa Devine Lands	12/03/11
June Iwasaki	12/04/11
Jack Martin Costello	12/04/11
Evelyn Elizabeth Aquino	12/07/11
Imelda S. Carrion	12/07/11

<u>Educational Equivalency Certificate</u>	<u>Expiration Date</u>
Robert Eugene Fox	11/18/11
Paris K. Chai Elms	11/18/11
Krishna Machaut Augerot	11/18/11
Myung Hee Kim	11/18/11
Annmarie Jancek El-haj	11/23/11
Jeffrey Wang	11/23/11
Justin Neil Schuman	11/25/11
Doug K. Wong	11/25/11
Brian Daniel Bowers	11/30/11
Jean-Louis Gazabat	11/30/11
Shana Kenyatta Peette	12/02/11
Lori Kay Bowers	12/03/11
Catherine Anna Fedak	12/03/11
Cynthia Panaligan Lewis	12/03/11
Alison Lin Ley Lee	12/03/11
Ifa Devine Lands	12/03/11
June Iwasaki	12/04/11
Jack Martin Costello	12/04/11
Evelyn Elizabeth Aquino	12/07/11
Imelda S. Carrion	12/07/11

Real Estate Broker Experience Certificate

	<u>Expiration Date</u>
Mitchell Edward Breon	11/17/11
Kathaleen Honora Petron	11/18/11
Robert Eugene Fox	11/18/11
Paris K. Chai Elms	11/18/11
Joseph Edward Henning	11/18/11
Betsy Lila Maler	11/18/11
Jeri Parker	11/18/11
Gloria C. Almendares	11/18/11
Kevin Etsuo Miyama	11/19/11
Justin Neil Schuman	11/25/11
Doug K. Wong	11/25/11
Jean-Louis Gazabat	11/30/11
Kazuhiko Udagawa	11/30/11
Lori Kay Bowers	12/03/11
Ifa Devine Lands	12/03/11
Ethan Stierlin Olins	12/03/11
June Iwasaki	12/04/11
Jack Martin Costello	12/04/11
Miriam Rachalle Perlmutter	12/07/11
Joanie Lehr	12/07/11

Real Estate Broker (upgrade)

	<u>Effective Date</u>
Rick Nakama	11/12/09
Cherise F.M.A. Antoque-Tilton	11/18/09
Kathryn "Kate" Angellotti	11/23/09
Marti Morishige	11/25/09
Gloria Halili DelRosario	11/30/09
Chris S. Nemoto	12/01/09
Keslie W. Hui	12/01/09
Allison P. Green	12/01/09
Sandy Lau	12/03/09
Paul M. Javier	12/07/09