

CONDOMINIUM REVIEW COMMITTEE
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: February 10, 2010

Time: Upon adjournment of the Laws and Rules Review Committee meeting scheduled to convene at 9:00 a.m.

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

Present: Michele Sunahara Loudermilk, Chair, Public / Honolulu Commissioner
Mark Suiso, Vice Chair, Public / Honolulu Commissioner
Louis Abrams, Broker / Kauai Commissioner
Trudy Nishihara, Broker / Honolulu Commissioner
Annette Aiona, Broker / Hilo Commissioner
Frances Gendrano, Broker / Honolulu Commissioner
Walt Harvey, Broker / Honolulu Commissioner

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

Others: Tony Dias, VA Loans Hawaii
M. Russell Goode, Russ Goode Seminars
Philip H. Wilia, Dower School of Real Estate

Absent: Carol Ball, Broker / Maui Commissioner
Stanley Kuriyama, Broker / Honolulu Commissioner

Call to Order: Chair Loudermilk called the meeting to order at 10:11 a.m., at which time quorum was established.

Chair's Report: No report was presented.

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 Ball and Kuriyama were excused from the meeting. Prior notification of their non-attendance was received.

Condominium
 Specialist's
 Report:

Minutes

Upon a motion by Commissioner Nishihara, seconded by Commissioner Gendrano, it was voted on and unanimously carried to accept the minutes of the January 13, 2010 Condominium Review Committee meeting as circulated.

Condominium
 Governance and
 Management:

Mediation and Arbitration

It was reported that the current mediation agreements will expire June 30, 2010. Staff is preparing the paperwork for the continuation of CETF subsidized mediation services from July 1, 2010.

AOUO Registrations

Specialist Stone reported that as of January 31, 2010, 1,581 AOUOs have successfully registered.

Condominium Related Articles

The following articles from the January/February 2010 issue of *Common Ground* were distributed for informational purposes: "Governance Going to Pot," "Only the Lonely," "Keep Out," and "The Mortgage Muddle."

The article "Only the Lonely" prompted a discussion about performance, completion and alternative bonding issues and disclosures. Specialist Yee noted that staff will be conducting further research on the issues. Chair Loudermilk noted that further study is warranted on the issue of the Commission being named as a beneficiary on the letters of credits or bonds.

CDR Pilot Program

The following were distributed for informational purposes: "*In the Matter of Alan and Helene Moskowitz, Petitioner, vs. Kaanapali Royal Board of Directors, Respondents* CMDR 0910-1," and "*In the Matter of Pame Romano, Petitioner, vs. Kuhio Village II, AOA President Clarence Furuya and Hawaiiana Management Agent Craig Richter, Respondents* CDR 0809-03."

Condominium
 Project
 Registration:

Condominium Project Registration - Public Reports Issued

A list of those condominium projects issued effective dates during the month of January 2010 were distributed for informational purposes.

PROJ #	PROJECT NAME	PROJECT ADDRESS	TMK #	UNIT	REPT	DATE
6882	1533 NEHOA STREET	1533 NEHOA ST HONOLULU HI 96822	124023025	16	B AMEND	1/20/2010
2718	2217 HOONANEA STREET	2217 HOONANEA ST HONOLULU HI 96822	128014082	2	SUPPL	1/26/2010
6922	44-283-A KANEOHE BAY DRIVE	44-283-A & 44-283-B KANEOHE BAY KANEOHE HI 96744	144007007	2	B REPT	1/28/2010
6910	47-606 & 47-606A AHUIMANU	47-606 AHUIMANU ST KANEOHE HI 96744	147032037	2	B REPT	1/6/2010
6727	931 COOLIDGE	931 COOLIDGE ST HONOLULU HI 96826	127009025	11	B AMD	1/19/2010
6920	94-305 WAIKELE ROAD	94-305 WAIKELE RD WAIPAHAU HI 96797	194029120	2	B REPT	1/19/2010
6929	KAALA VIEW FARM LOTS #1	KAUKONAHUA RD WAIALUA HI	165001010	20	B REPT	1/28/2010
6909	KAAMOOLOA PLANTATION	66-915 KUEWA DR & 66-430 WAIALUA HI 96791	166029030	2	B REPT	1/20/2010

6037	KALAHEO HILLSIDE ESTATES	3080 LAUOHO RD KALAHEO HI 96741	423002010	4	SUPPL	1/20/2010
6679	LOT 40-B CONDOMINIUM	562 KAI HELE KU ST LAHAINA HI 96761	247009044	2	B AMD	1/8/2010
6927	MALUHIA PLACE	3418 & 3420 MCCORRISTON ST HONOLULU HI 96815	131011035	2	B REPT	1/19/2010
6919	MILO COURT AT KEHALANI	HONOAPIILANI HWY WAILUKU HI 96793	235001081	15	FINAL	1/19/2010
6915	MOKAPU	788/790/792 MOKAPU RD KAILUA HI 96734	144023005	3	B REPT	1/5/2010
6921	PACIFICA HONOLULU	1009 KAPIOLANI BLVD HONOLULU HI 96814	123003105	494	B REPT	1/28/2010
6912	PUU PILO ESTATES	167 KOLEKONA ST KAPAA HI 96746	442019027	2	B REPT	1/7/2010
6895	PUUHOLO ROAD ESTATES	2686 PUUHOLO RD KOLOA HI 96756	426007003	2	B REPT	1/26/2010
4047	WAIKOMO CONDOMINIUM	3355 PUNI RD KOLOA HI 96756	428011006	7	SUPPL	1/7/2010
6373	WAINIHA HUI ESTATES	WAINIHA POWER HOUSE RD WAINIHA HI	458004027	3	B AMD	1/13/2010
0	Preliminary Reports					
0	Contingent Final Reports					
1	Final Reports					
3	Supplementary Reports					
10	B Reports					
4	B Amendment Reports					
18	TOTAL REPORTS					

Program of Work: **Condominium Laws and Education**

Upon a motion by Commissioner Nishihara, seconded by Commissioner Suiso, it was voted on and unanimously carried to accept for payment the last submitted versions of the booklets entitled "Condominium Property Regimes - Owner Rights and Responsibilities" and "Condominium Property Regimes - Board Members Powers and Duties."

Staff reported that both booklets, "Condominium Property Regimes - Owner Rights and Responsibilities" and "Condominium Property Regimes - Board Members Powers and Duties" have been posted to the Commission's website with appropriate caveats.

Staff also reported that the consultant is still awaiting feedback from the focus group on the one-page summaries of the booklets.

Commissioner Suiso then discussed that staff provide notification of the online availability of the booklets, possibly through a Condominium Bulletin article or other means. He also requested that staff inform the libraries whom we've provided the reference library materials too of the online availability.

A copy of the article entitled "Commissioner's Corner: New Updates Of Condominium Booklets Available On Line" which appeared in the December 2009 issue of the HawaiiREALTOR was distributed for informational purposes.

Advice, Education, and Referral – Proposed Pilot Project – Limited On Site Condominium Specialist of the Day for Boards of Associations

For the committee's consideration, staff discussed a new proposed action plan for the outreach program of work item – outreach education to Boards of registered Associations. The proposal included the possibility of inviting the Boards to meet with staff at their site for an educational question and answer session relating to the subjects and topics included in the new educational booklets discussed earlier.

Chair Loudermilk noted that travel is being heavily scrutinized, therefore, staff could possibly offer the neighbor island associations conference call sessions.

The Committee encouraged staff to initiate the proposed pilot project.

Rulemaking, Chapter 107

Specialist Stone reported that volunteer Consultant Sodetani indicated that he will have a draft ready for review in March.

Government and Legislative Participation and Report

SEO Fujitani noted that most condominium related bills are targeted towards addressing administration of HRS Chapters 514A, 514B, and association issues and have not impacted the Commission directly. Those bills are being tracked or monitored by staff.

Condominium Organizations Forum: No comments, recommendations or concerns were received from the following: Community Associations Institute Hawaii Chapter, Alakahi Foundation, Hawaii Council of Association of Apartment Owners, Hawaii Independent Condominium and Cooperative Owners, Hawaii State Bar Association/Real Property & Financial Services Section, Land Use Research Foundation, Condominium Council of Maui, Hawaii Association of Realtors/Institute of Real Estate Management Hawaii Chapter/ Oahu Arm Committee, others.

Open Forum: No discussion presented.

CETF Budget & Finance Report: No report presented.

Next Meeting: March 10, 2010
Upon adjournment of the Laws and Rules Review Committee meeting scheduled to convene at 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, Chair Loudermilk adjourned the meeting at 10:34 a.m.

Respectfully submitted:

/s/ Cynthia M. L. Yee

Cynthia M. L. Yee
Senior Condominium Specialist

February 11, 2010

Date

Minutes approved as is.
 Minutes approved with changes; see minutes of _____