

**CONDOMINIUM REVIEW COMMITTEE**  
REAL ESTATE COMMISSION  
Professional and Vocational Licensing Division  
Department of Commerce and Consumer Affairs  
State of Hawaii  
[www.hawaii.gov/hirec](http://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: May 5, 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  
Carol Ball, Broker / Maui Commissioner  
Stanley Kuriyama, 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  
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: Randy L. Prothero, Russ Goode Seminars

Absent: None.

Call to Order: Chair Loudermilk called the meeting to order at 9:09 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.

Condominium Specialist's Report: **Additional Distribution**  
The following materials were distributed prior to the start of the meeting:

5. CPR Registration and Developer's Public Reports
  - a. Condominium Projects and Developer's Public Reports
    - 1) April 2010

Minutes: Upon a motion by Commissioner Harvey, seconded by Commissioner Kuriyama, it was voted on and unanimously carried to accept the minutes of the April 7, 2010 Condominium Review Committee meeting as circulated.

Condominium  
Governance and  
Management:

#### **AOUO Registrations**

It was report that as of April 30, 2010, 1,611 AOUOs have successfully registered.

#### **Mediation and Arbitration - Mediation Center of the Pacific Inc.**

The committee reviewed a letter from the Mediation Center of the Pacific, Inc. (MCP) in response to concerns stated in an email from Ms. Pame Romano to the committee dated March 18, 2010 suggesting certain changes be made to the condominium mediation process. The committee previously reviewed Ms. Romano's email at its April 7, 2010 meeting.

MCP's response letter notes that they have been in direct contact with Ms. Romano regarding her suggestions and concerns. The committee understands that a grievance process, about the mediators, MCP staff, or the mediation process, is available to Ms. Romano wherein MCP will conduct an investigation to address any concerns identified.

#### **Mediation and Arbitration - Mediation of Condominium Disputes Draft Brochure**

A draft of the updated Mediation brochure was distributed for informational purposes. Any comments should be directed to Specialist Stone as soon as possible so that the updated brochure can be posted to the Commission's website.

#### **Condominium Seminars and Symposium - Announcement**

As a follow up educational effort, staff is working on scheduling a 2 to 3 hour free seminar for condominium owners and board members covering and elaborating on the contents of its two publications, "Condominium Property Regimes: Owners Rights and Responsibilities" and "Condominium Property Regimes: Board Members Powers and Duties."

One seminar will be offered on Oahu and one on the island of Maui. The Oahu seminar is scheduled for May 27, 2010 in the State Capitol Auditorium from 1:30 to 4:00 p.m.

Condominium  
Project  
Registration:

#### **Condominium Project Registration - Public Reports Issued**

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

PROJ #	PROJECT NAME	PROJECT ADDRESS	TMK #	UNIT	REPORT	DATE
6864	91-739 PAPIPI ROAD	91-739 PAPIPI RD EWA BEACH HI 96706	191034129	2	B REPT	4/26/2010
6928	AKA`ULU KAI	80 LAU NIU WAY LAHAINA HI 96761	247010081	2	B REPT	4/7/2010
5715	BEACH VILLAS AT KO OLINA	92-102 WAILII PL KAPOLEI HI 96707	191057009	253	SUPPL 6	4/8/2010

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4244	BOLKAN	2319 & A, 2321& A KILAUEA HILO HI 96720	322041033	4	SUPPL	4/26/2010
6947	COCONUT INN	181 HUI ROAD F LAHAINA HI 96761	243016044	44	B REPT	4/16/2010
6875	DONNELLY VILLAGE	3400-B POIPU RD KOLOA HI 96756	428007027	4	B REPT	4/29/2010
6940	HALA-KAHIKI CAMP	4716 MAIKAI ST KALAHEO HI 96741	424010038	2	B REPT	4/8/2010
6427	HAWAII TIMES BUILDING THE	928 NUUANU AVE HONOLULU HI 96817	117002040	15	B AMND 2	4/5/2010
6289	HO'ONANEA AT LAHAINA	KEAWE ST LAHAINA HI 96761	245011010	100	B AMND 2	4/29/2010
6945	HOOKILI PLACE CONDOMINIUM	LOT 9012B HOOKILI PLACE KAPOLEI HI 96707	192032078	2	B REPT	4/19/2010
6917	IIDA KAHINANI WAY DEVELOPMENT	45-153 & 45-153A KAHINANI WAY KANEHOE HI 96744	144036105	2	B AMND	4/15/2010
6696	JANET MARIE DESILVA ESTATES CONDO	6461 KAWAIHAU RD KAPAA HI 96746	446007136	2	B REPT	4/20/2010
6951	JANSSEN CONDOMINIUM	4748 & 4750 KULA HWY KULA HI 96790	222014026	2	B REPT	4/13/2010
6949	KALAHAU CONDOMINIUM	483 & 485 HANA HWY PAIA HI 96779	226009006	2	B REPT	4/13/2010
6953	KOKOA KAI CONDOMINIUM	188 PUA NIU WAY LAHAINA HI 96761	247009077	2	B REPT	4/5/2010
6952	KOKOA UKA CONDOMINIUM	160 PUA NIU WAY LAHAINA HI 96761	247009078	2	B REPT	4/5/2010
6936	LIEBHOLD CONDOMINIUM	748 AWALAU RD HAIKU HI 96708	227037012	2	B REPT	4/8/2010
6851	LLOYD ESTATES	4785 KUA RD KALAHEO HI 96741	425002025	2	B REPT	4/1/2010
6899	LOT 5 ESTATES	4195 OMAO RD OMAO HI	427008041	2	B REPT	4/27/2010
6344	MAKILA MANOR	130 PUNEKEA LP LAHAINA HI 96761	247011013	2	B AMND 2	4/8/2010
6919	MILO COURT AT KEHALANI	HONOAPIILANI HWY WAILUKU HI 96793	235001081	15	SUPPL	4/19/2010
6957	MILO COURT AT KEHALANI (PHASE 2)	HONOAPIILANI HWY & KEHALANI WAILUKU HI 96793	235001081	24	FINAL	4/19/2010
6921	PACIFICA HONOLULU	1009 KAPIOLANI BLVD HONOLULU HI 96814	123003105	494	B AMND	4/20/2010
6712	THE VILLAS AT KEHALNI - PHASE II	KEHALANI PKWY WAILUKU HI 96793	235001074	84	B AMND 2	4/28/2010
6493	ULUNIUI BUSINESS CENTER	305 ULUNIUI ST KAILUA HI 96734	143054045	7	B AMND	4/26/2010
6199	VILLAS AT KEHALANI PHASE I THE	KEHALANI PKWY WAILUKU HI 96793	235001074	19	B AMND 4	4/28/2010
6916	WELLINGTON CONDOMINIUM	6696 KIPAPA RD KAWAIHAU HI 96743	444002108	2	B REPT	4/15/2010
6897	WHISPERING SANDS	2271/2273/2275/2277 NALO RD KOLOA HI 96756	428019057	4	B REPT	4/27/2010

0	<b>Preliminary Reports</b>
0	<b>Contingent Final Reports</b>
1	<b>Final Reports</b>
3	<b>Supplementary Reports</b>
16	<b>B Reports</b>
8	<b>B Amendment Reports</b>
28	<b>TOTAL REPORTS</b>

The following articles were distributed for informational purposes: "New Lead-Based Paint Rules Go Into Effect April 22" – *Hawaii Realtor* April 2010; *Wai Halana* April 2010 "Hawaii Dam Inventory," "Hawaii Topographic and Bathymetric Data Inventory," and "FEMA Map Assistance Center (FMAC) Changed to the FEMA Map Information eXchange (FMIX)."

Program of Work: **Rulemaking, Chapter 107**

Staff is currently in the process of drafting a first draft of rules in relation to Chapter 514B for the committee's review in approximately three months. The rules for Chapter 514A were initially drafted in 2002 and held in abeyance since recodification was contemplated. Those rules will also be updated by staff.

Chair Loudermilk informed the committee that Staff will be taking the lead in drafting the rules to keep the process moving forward.

**Legislative Acts and Resolutions – SR 113, HR 128 (2009) - Survey Results -  
Electronic Filing of CPR Projects**

Specialist Yee reported that surveys were distributed randomly to developers, developers' attorneys, consultants and other state agencies. The deadline for survey submission was April 29, 2010. Staff will provide a more detailed report on the responses received at its next meeting.

Commissioner Kuriyama noted that the Commission should take into account the voluminous size of the public report documents submitted to the Commission for review by its consultants and careful reviewing of all documentation submitted that is required. In looking at other agencies and their responses, we need to note the size of their documents submitted to their system, the review needed to be made and what that agency then does with the documents.

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: June 9, 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 9:26 a.m.

Respectfully submitted:

/s/ Cynthia M. L. Yee  
Cynthia M. L. Yee  
Senior Condominium Specialist

May 10, 2010

\_\_\_\_\_  
Date

Minutes approved as is.

Minutes approved with changes; see minutes of \_\_\_\_\_