

**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: June 9, 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  
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  
Jon Gasper, Recording Secretary

Others: Myoung Oh, Hawaii Association of REALTORS®  
Randy Prothero

Absent: Stanley Kuriyama, Broker / Honolulu Commissioner

Call to Order: Chair Loudermilk called the meeting to order at 9:14 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.

As this was the last Condominium Review Committee meeting for Vice Chair Mark Suiso, Chair Loudermilk thanked Commissioner Suiso for all his contributions to the Commission during his term and for all his efforts in educating condominium unit owners and potential owners.

Condominium  
Specialist's  
Report:

#### **Additional Distribution**

The following materials were distributed prior to the start of the meeting:

6. Program of Work, FY10
  - a. Condominium Laws and Education
  - c. Hawaii Condominium Bulletin

Minutes:

Upon a motion by Commissioner Abrams, seconded by Commissioner Aiona, it was voted on and unanimously carried to accept the minutes of the May 5, 2010 Condominium Review Committee meeting as circulated.

Condominium  
Governance and  
Management:

#### **AOUO Registrations**

Specialist Stone reported that as of May 31, 2010, 1,620 AOUOs have successfully registered.

#### **Case Law Review Program**

The following articles from the April 2010 issue of *Community Association Management Insider* were distributed for informational purposes: "How to Avoid Discriminating Against Families with Children," and "Discrimination Suit Settled in Omaha Housing Bias Case."

#### **Condominium Related Articles**

The following articles were distributed for informational purposes: *Community Insights Special Edition*, Office of the Ombudsman, Nevada Real Estate Division (Winter 2010), and "Connecticut Cracks Down on Community Associations" *Community Association Management Insider* Online Exclusive, Posted On: May 25, 2010.

Condominium  
Project  
Registration:

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

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

<b>PROJ #</b>	<b>PROJECT NAME</b>	<b>PROJECT ADDRESS</b>	<b>TMK #</b>	<b>UNITS</b>	<b>REPORT DATE</b>
6958	1128E AND 1128F ALEWA DRIVE	1128E & 1128F ALEWA DR HONOLULU HI 96818	118033072	2	B REPT 5/27/2010
6960	2306 & 2306A BOOTH ROAD	2306 & 2306A BOOTH RD HONOLULU HI 96813	122019088	2	B REPT 5/19/2010
6933	3345 LOWER ROAD & 3338 EMEKONA PL	3345 LOWER RD & 3338 EMEKONA PL HONOLULU HI 96822	129042025	2	B REPT 5/5/2010
6963	3469 & 3471 HARDING AVENUE	3469 & 3471 HARDING AVE HONOLULU HI 96816	132013034	2	B REPT 5/3/2010
5605	53-012 POKIWAH PLACE	53-012 POKIWAH PLACE HAUULA HI 96717	153014024	2	SUPPL 5/18/2010

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6941	AULANI, DISNEY VACATION CLUB VILLAS, KO OLINA HAWAII	92-1185 ALII NUI DR KAPOLEI HI 96707	191057035	215	B REPT	5/3/2010
6726	BALI HAI VILLAS PHASE XV (BUILDING 14)	4970 PEPELANI LP PRINCEVILLE HI 96722	454005036	16	B AMD	5/20/2010
6392	BREAKERS THE	3702 LWR HONOAPIILANI RD LAHAINA HI 96761	243006002	60	SUPPL	5/18/2010
6903	HO'OLE'A TERRACE AT KEHALANI	KEHALANI MAUKA PKWY WAILUKU HI 96793	235001067	174	B AMD	5/17/2010
6902	ILIOKISSY	3221 & 3221A UNAHE ST LIHUE HI 96766	436018045	2	B REPT	5/18/2010
6909	KAAMOOLOA PLANTATION	66-915 KUEWA DR & 66-430 WAIALUA HI 96791	166029030	2	B AMD	5/20/2010
6160	KAI ANI VILLAGE	1367 S KIHEI ROAD KIHEI HI 96753	239002091	99	B AMD 4	5/3/2010
6826	KOKO HEAD SFERS CONDOMINIUM	1012 KOKO HEAD AVE HONOLULU HI 96816	132014042	2	B AMD	5/4/2010
6595	KOLOA CREEKSIDE ESTATES I	LOT 186 WELIWELI RD KOLOA HI 96756	428009001	9	B AMD	5/25/2010
6914	LAULANI II, PHASE 6	91-1001 KEAUNUI DR EWA BEACH HI 96706	191149004	17	B AMD	5/24/2010
6950	LAULANI III - PHASE 7	91-1001 KEAUNUI DR EWA BEACH HI 96706	191149007	9	B AMD	5/3/2010
6956	LAULANI III - PHASE 8	91-1001 KEAUNUI DR EWA BEACH HI 96706	191149007	9	B AMD	5/3/2010
6973	LAULANI III, PHASE 9	91-1001 KEAUNUI DR EWA BEACH HI 96706	191149007	9	B REPT	5/18/2010
6965	MALIKO SUNSET CONDOMINIUM	52 PAPIO WAY HAIKU HI 96708	227036035	2	B REPT	5/26/2010
6869	PIERPAOLO CONDOMINIUM PROJECT	WAIALUA BEACH RD HALEIWA HI 96712	166020012	2	B REPT	5/17/2010
6846	PINES AT KOELE THE	KAUNAOA DR LANAI CITY HI 96763	249021006	6	B AMD	5/3/2010
6898	POAMOHO CAMP	71-045 KAMEHAMEHA HWY WAHIAWA HI 96786	171001011	78	B AMD 2	5/18/2010
6472	THE VANGUARD LOFTS	720 KAPIOLANI BLVD HONOLULU HI 96813	121044035	37	B AMD 3	5/19/2010
6962	WAHIAWA WOODLANDS	1817 KALIE PLACE WAHIAWA HI 96786	175008050	4	B REPT	5/27/2010
5408	WAIPOULI BEACH RESORT (PHASE I)	4-818 KUHIO HWY KAPAA HI 96746	443008001	29	SUPPL 4	5/17/2010
5409	WAIPOULI BEACH RESORT (PHASE II)	4-818 KUHIO HWY KAPAA HI 96746	443008001	16	SUPPL 4	5/18/2010
5411	WAIPOULI BEACH RESORT (PHASE IV)	4-818 KUHIO HWY KAPAA HI 96746	443008001	44	SUPPL 4	5/17/2010
5412	WAIPOULI BEACH RESORT (PHASE V)	4-818 KUHIO HWY KAPAA HI 96746	443008001	21	SUPPL 4	5/17/2010
5414	WAIPOULI BEACH RESORT (PHASE VII)	4-818 KUHIO HWY KAPAA HI 96746	443008001	28	SUPPL 4	5/18/2010
5390	WAIPOULI BEACH RESORT (PHASE VIII)	4-818 KUHIO HWY KAPAA HI 96746	443008001	26	SUPPL 4	5/13/2010
0	<b>Preliminary Reports</b>					
0	<b>Contingent Final Reports</b>					
0	<b>Final Reports</b>					
8	<b>Supplementary Reports</b>					
10	<b>B Reports</b>					
12	<b>B Amendment Reports</b>					
30	<b>TOTAL REPORTS</b>					

### Condominium Project Related Articles

The following article and legislation were distributed for informational purposes:  
 "Minnesota Legislators, REALTORS® and Land Title Industry Call on Governor Pawlenty to Ban Wall Street Resale Fees" *American Land Title Association May 19, 2010*, and House Bill 2288 HD1, SD2, CD1, relating to private transfer fees.

### Program of Work: Condominium Laws and Education

Specialist Yee briefed the committee about the Condominium Education Trust Fund's free seminar held at the State Capitol Auditorium on May 27, 2010. The free seminar was designed to elaborate for condominium unit owners and board

members the information included in Commission's recently published booklets, "Owners Rights and Responsibilities" and "Board Duties and Responsibilities." In an attempt to conserve fiscal resources but also trying to reach as many people as possible, staff contacted 350 AOOU's contact persons via email and sent out media press releases through the department. Unfortunately, attendance was low (27). However staff worked with Olelo and was able to tape the seminar. After compiling the Olelo filming, the seminar may be broadcasted over one of Olelo's cable channels. Neighbor Island residents may be able to get a copy of the seminar through a request to Olelo.

#### **Pilot Project – "Visiting Condominium Specialist"**

A sample request form of the on-site Educational Outreach Program for Condominium Owners and Board Members was distributed for the committee's information. Staff targeted the month of July 2010 to launch this pilot program and will focus on those groups with multiple condominium associations present.

#### **Hawaii Condominium Bulletin**

The committee reviewed the HePS bids received for the writing, editing, and layout of the Hawaii Condominium Bulletin and Real Estate Commission Bulletin. After a review of the 5 bids received, the committee decided to award the contract to the lowest bidder Hagadone Printing for \$6400.

Upon a motion by Commissioner Aiona, seconded by Commissioner Gendrano, it was voted on and unanimously carried to approve the award for the writing, editing, and layout of the Hawaii Condominium and Real Estate Commission Bulletins to Hagadone Printing for \$6400 subject to the terms and conditions of the solicitation.

#### **Rulemaking, Chapter 107**

Specialist Yee indicated that staff will attempt to have portions of the draft condominium rules for the committee's review and comments at subsequent CRC meetings. Once all comments and suggestions are received, staff will compile them at the end of the drafting process, followed by the formal rulemaking procedures including but not limited to the Attorney General's review, Governor's approval and public hearings.

#### **Legislative Acts and Resolutions -- SR 113, HR 128 (2009) – Electronic Survey Results**

Specialist Leong reported that staff is still in the process of compiling the results of the survey and drafting a report of the results.

#### **Program of Work, FY11**

The committee having reviewed the draft proposed program of work for fiscal year 2011 voted to approve the fiscal year 2011 program of work as proposed.

Upon a motion by Commissioner Nishihara, seconded by Commissioner Suiso, it was voted on and unanimously carried to approve the program of work and budget for fiscal year 2011.

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.

CETF Budget & Finance Report: No report presented.

Next Meeting: July 14, 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 9:35 a.m.

Respectfully submitted:

/s/ Cynthia M. L. Yee

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Cynthia M. L. Yee  
Senior Condominium Specialist

June 17, 2010

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Date

Minutes approved as is.  
 Minutes approved with changes; see minutes of \_\_\_\_\_