

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: September 8, 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
Trudy Nishihara, Broker / Honolulu Commissioner
Carol Ball, Broker / Maui Commissioner
Stanley Kuriyama, Broker / Honolulu Commissioner
Scott Sherley, Broker / Hilo Commissioner
Frances Gendrano, Broker / Honolulu Commissioner
Walt Harvey, Broker / Honolulu Commissioner
Donna Apisa, Broker / Kauai 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
Shari Wong, Deputy Attorney General
Tammy Norton, Recording Secretary

Others: Beth Holiday, Hawaii Association of REALTORS® Education Committee
Marsha Shimizu, Association of REALTORS®
Aron Espinueva, Association of REALTORS®

Absent: None.

Call to Order: Chair Loudermilk called the meeting to order at 11:05 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:

Minutes

Upon a motion by Commissioner Sherley, seconded by Commissioner Nishihara, it was voted on and unanimously carried to accept the minutes of the August 11, 2010 Condominium Review Committee meeting as circulated.

Condominium
 Governance and
 Management:

AOUO Registrations

It was reported that as of August 31, 2010, 1,656 AOUOs have successfully registered.

Condominium Seminars and Symposiums

CAI Hawaii's original request for travel reimbursements provided at the July 2010 Condominium Review Committee meeting excluded reimbursement for meals. The invoices received for the June 17, 2010 Effective One Hour Board Meeting and the May 20, 2010 Board Do's and Don'ts includes a reimbursement for meals. Specialist Yee reviewed the issues relating to CAI Hawaii's request for reimbursement for speaker expenses pursuant to the existing contract with CAI Hawaii and noted that the existing contract indicated that meals are included in the contract.

Upon a motion by Commissioner Suiso, seconded by Commissioner Sherley, it was voted on and unanimously carried to approve reimbursement for the speakers' meal costs in accordance with the General Conditions of the existing contract.

It was also noted that a cap on the meal amount be noted in future contracts.

Condominium
 Project
 Registration:

Condominium Project Registration - Public Reports Issued

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

PROJ #	PROJECT NAME	PROJECT ADDRESS	TMK #	UNIT	REPORT DATE
7017	3007 HERMAN STREET	3007 HERMAN ST HONOLULU HI 96816	133052066	2	B REPT 8/30/2010
6925	45-245 45-245A 45-245B 45-245C 45-245D AND 45-245E OF WILLIAM HENRY RD	45-245 A/B/C/D/E WILLAM HERY RD Kaneohe HI 96744	145015015	6	B REPT 8/11/2010
7008	45-614 & 45-616 NOHOMALU PLACE	45-614 & 45-616 NOHOMALU PL Kaneohe HI 96744	145102024	2	B REPT 8/9/2010
6941	AULANI, DISNEY VACATION CLUB VILLAS, KO OLINA	92-1185 ALII NUI DR KAPOLEI HI 96707	191057035	215	B AMD 8/13/2010
7009	CONERSTONE IV	HAUAALA RD KEALIA HI 96751	447001001	9	B REPT 8/16/2010
7010	CORNERSTONE I	6543 HAUAALA RD KEALIA HI 96751	447002003	152	B REPT 8/16/2010
7002	CORNERSTONE II	HAUAALA RD KEALIA HI 96751	447002005	9	B REPT 8/16/2010
6996	CORNERSTONE III	HAUAALA RD KEALIA HI 96751	446008037	19	B REPT 8/16/2010
6959	COTTAGE 19 CONDOMINIUM	3231 KALAPAKI CIRCLE LIHUE HI 96766	435002033	2	B REPT 8/10/2010
7006	DOLE ROAD HOMES	48 DOLE RD & 1882 KOENA WY WAHIAWA HI 96786	175012094	2	B REPT 8/13/2010
7007	FSS CONDOMINIUM	1051-A & 1051-B KOPKE ST HONOLULU HI 96810	113004135	2	B REPT 8/3/2010
6278	HO'OMAI'KA'I VILLAGE AT MA'ILI BEACH	87-105-1 TO 87-111-2 KULAAUPUNI ST WAIANAE HI 96792	187001012	8	B AMD 2 8/26/2010
6944	HO'OULUIKALEWA	7371 ALEALEA RD HAENA HI 96714	458009018	2	B REPT 8/2/2010
7001	KALILI KUOHA OHANA (PHASE II)	45-253C & 45-253D WILLIAM HENRY RD Kaneohe HI 96744	145015002	2	FINAL 8/13/2010
6998	MAKAI CONDOMINIUMS	4285 INDEPENDENCE RD KAPOLEI HI 96707	191013014	284	B REPT 8/19/2010

6877	MOANAKEA VILLAS	231 W NAAUAO ST HILO HI 96720	323012060	18	B REPT	8/2/2010
6995	MOLOAA BAY RANCH I	6950 A KOOLAU RD MOLOAA HI 96703	449011001	15	B REPT	8/16/2010
6954	MP&G LLC CONDOMINIUM	4181 KAANA ST LIHUE HI 96766	436017058	2	B REPT	8/10/2010
6921	PACIFICA HONOLULU	1009 KAPIOLANI BLVD HONOLULU HI 96814	123003105	494	B AMD 2	8/9/2010
6975	PUU HONUA NANI	6823-K & 6823-L KUAMOO RD KAPA'A HI 96746	142019016	2	R REPT	8/30/2010
6974	S & S CONDOMINIUM	LOT 111 HANAPEPE TOWN LOTS 2ND HANAPEPE HI 96716	419005020	2	B REPT	8/2/2010
6199	VILLAS AT KEHALANI PHASE I THE	KEHALANI PKWY WAILUKU HI 96793	235001074	33	B AMD 5	8/17/2010
6712	VILLAS AT KEHALANI PHASE II THE	KEHALANI PKWY WAILUKU HI 96793	235001074	70	B AMD 3	8/17/2010
0	Preliminary Reports					
0	Contingent Final Reports					
1	Final Reports					
0	Supplementary Reports					
16	B Reports					
5	B Amendment Reports					
23	TOTAL REPORTS					

Consultants

It was reported that Chair Loudermilk and staff met with all of the condominium consultants on September 1, 2010 for an information and update session. A written report will be presented at the October 2010 Condominium Review Committee meeting.

The consultants indicated that the goals for the update and information session were met.

Program of Work: **Hawaii Condominium Bulletin**

Specialist Stone reported that the August 2010 issue of the Hawaii Condominium Bulletin is now available online. This is the first of the Commission's "going green" initiative. Staff is targeting another issue prior to the end of the year.

Commissioners noted their satisfaction with the new look of the Hawaii Condominium Bulletin.

Rulemaking, Chapter 107

Preliminary rough draft Part III of the proposed rules addressing a number of the Commission's informal non-binding interpretations relating to condominium conversions, phase projects and disclosures, misleading "subdivision" type references, condominium maps, and delivery of developers' public reports were circulated for review and comments. All comments to be provided to Specialist Yee prior to the end of the month.

Interactive Participation with Organizations – CAI Hawaii, CAI National

At its July 14, 2010 Condominium Review Committee meeting, the committee instructed staff to research the practicalities of continuing its membership in CAI. Staff provided the committee members with a summarization and comparison of membership benefits and non-member benefits.

Commissioner Kuriyama reiterated his concerns noted at a previous meeting about the Commission's membership in an organization that contracts with the Commission. Discussion followed.

Upon a motion by Commissioner Kuriyama, seconded by Commissioner Nishihara, it was voted on and unanimously carried to terminate its membership in the Community Association Institute as well as membership in its Hawaii Chapter.

Interactive Participation with Organizations – Condominium Council of Maui (CCM) Request to be placed/linked to the REC Website

The committee reviewed CCM's request to be linked to the REC website.

Upon a motion by Commissioner Ball, seconded by Commissioner Gendrano, it was voted on and unanimously carried to limit the listing on the Commission's website "Links to Other Agencies and Organizations" Page to government agencies.

Discussion which followed included placement of a disclaimer of non-endorsement of sites linked.

Staff noted that CCM's information along with its website address is included in the Hawaii Condominium Bulletin which is posted on the Commission's website.

Interactive Participation with Organizations – HCAAO and Visiting Condominium Specialist Program

Staff was invited and attended an HCAAO seminar to provide a five minute presentation on the Commission's "Visiting Condominium Specialists" pilot program.

Staff reported receiving one request for this pilot program which staff could not accommodate due to the requested meeting falling outside of the times specified in the pilot program.

Neighbor Island Outreach

Staff will be processing a travel request to hold its November 10, 2010 committee meetings on the island of Maui. The Specialist Office for the Day will be held in conjunction with the Neighbor Island meetings if approved.

Rulemaking, Chapter 53 Fees

It was reported to staff that the rulemaking of the Chapter 53 Fees is moving along. Included in the rulemaking is an increase to the fees assessed per unit. Discussion followed about the possible projected depletion of the Condominium Education Trust funds by 2012.

Condominium Specialist Office for the Day

The Condominium Specialists Office for the Day will be held in conjunction with the renewal workshops held on Oahu and the neighbor islands.

Consumer Education

Olelo Hawaii has released it's airdates of the Hawaii Real Estate Commission's Seminar presented at the State Capitol entitled "Owners Rights and Responsibilities and Board Member Powers and Duties" as follows (all on OAHU 52):

8/30/10	Monday	9:30 am
9/2/10	Thursday	2:00 pm
9/18/10	Saturday	8:30 pm
9/20/10	Monday	9:00 pm

SEO Fujitani reported that he is looking into the Commission obtaining a copy of the presentation for duplicating or posting on its website.

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: None reported.

Next Meeting: October 13, 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 11:30 a.m.

Respectfully submitted:

/s/ Cynthia M. L. Yee

Cynthia M. L. Yee
Senior Condominium Specialist

September 15, 2010

Date

Minutes approved as is.

Minutes approved with changes; see minutes of _____

CY/tr/100915