

**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: March 7, 2012

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  
Nikki Senter, Vice Chair, Public / Honolulu Commissioner  
Stanley Kuriyama, Broker / Honolulu Commissioner  
Scott Sherley, Broker / Hilo Commissioner  
Frances Gendrano, Broker / Honolulu Commissioner  
Walt Harvey, Broker / Honolulu Commissioner  
Rowena Cobb, Broker / Kauai Commissioner  
Aileen Wada, Broker / Honolulu Commissioner

Neil Fujitani, Supervising Executive Officer  
Miles Ino, 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: Aron Espinueva, Hawaii Association of REALTORS®  
Myoung Oh, Hawaii Association of REALTORS®  
Marsha Shimizu, Hawaii Association of REALTORS®

Absent: Carol Ball, Broker / Maui Commissioner

Call to Order: Chair Loudermilk called the meeting to order at 9:29 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.

Commissioner Ball was excused from the meeting. Prior notification of her non-attendance was received.

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) February 2012

Minutes:

Upon a motion by Commissioner Harvey, seconded by Commissioner Gendrano, it was voted on and unanimously carried to accept the minutes of the February 8, 2012 Condominium Review Committee meeting as circulated.

Condominium  
Governance and  
Management:

#### **AOUO Registrations**

Specialist Stone reported that as of February 29, 2012, 1643 AOUOs have successfully registered.

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

The following articles from the online edition of the *Community Management Insider* were distributed for informational purposes: "Manager Isn't 'Debt Collector' When Pursuing Assessments" (posted 2/9/2012) and "Rental Restriction Did Not Violate FHA" (posted 7/1/2008).

#### **Condominium Related Articles**

The following article from the online edition of the *Community Management Insider* was distributed for informational purposes: "Don't Rely Solely on Clause to Escape Liability for Mold-Related Problems" (posted 2/9/2012).

#### **CDR Pilot Program**

The following were distributed for informational purposes:

- 1) *Everett Senter vs. Harbor Lights, Association of Apartment Owners, Board of Directors*, CDR-1011-1
- 2) *Barbara Guest vs. Board of Directors, Karen Michaud, Kanoelani Apartments*, CDR-1011-5
- 3) *Dawn Smith vs. Chuck Heitzman, Setsuko Hayakawa and AOA O Nauru Tower*, CDR 1011-2

Specialist Yee informed the committee that the CDR pilot program "dropped dead" as of June 30, 2011, pursuant to Act 9 (SLH 2009).

**Condominium Project Registration - Public Reports Issued**

Registration: A list of those condominium projects issued effective dates during the month of February 2012 was distributed for informational purposes.

PROJ #	PROJECT NAME	PROJECT ADDRESS	TMK #	UNIT	REPORT	DATE
4115	131/131-A POPOIA ROAD	1 & 131-A POPOIA RD KAILUA HI 96734	14301008	2	SUPPL	2/27/2012
7148	2318 WAIOMAO HOMESTEAD ROAD	2318 WAIOMAO HONOLULU HI 96816	13401501	5	B AMEND	2/29/2012
7187	51-264 KAMEHAMEHA HIGHWAY	51-264 KAMEHAMEHA HWY KAAAWA HI 96730	15100902	2	B REPT	2/24/2012
7199	55-148 AND 55-150 POOHAILI STREET	55-148 & 55-150 POOHAILI ST LAIE HI 96762	15501700	2	B REPT	2/22/2012
7188	590C AND 590D STABLE ROAD	590C STABLE RD PAIA HI 96779	23800206	2	FINAL	2/1/2012
4330	729 6th AVENUE CONDOMINIUM PROJECT	729 6TH AVE HONOLULU HI 96816	13202303	2	SUPPL	2/27/2012
7196	98-165 AND 98-165 A AIEA KAI WAY	98-165 & 98-165 A AIEA KAI AIEA HI 96701	19801505	2	B REPT	2/13/2012
7121	CHUN'S COURT	1725 PERRY ST HONOLULU HI 96819	11302803	2	B REPT	2/6/2012
7191	KOMOHANA HALE	1379 KOMOHANA ST HILO HI 96720	32404101	2	B REPT	2/27/2012
4292	MOLOAA BAY RANCH III CONDOMINIUM	6950 KOOLAU RD MOLOAA HI 96754	44901100	4	SUPPL	2/21/2012
7152	OHANA HOUSE	4167 MOMI ST KILAUEA HI 96754	45210500	2	B REPT	2/2/2012
4772	PUKA KA MUA	KOOLAU RD MOLOAA HI 96722	44901103	2	SUPPL 2	2/1/2012
7120	SUEOKA ESTATES	2324 WAIOMAO RD HONOLULU HI 96816	13401502	2	B AMEND	2/21/2012
7171	WAIHONUA	1189 WAIMANU ST HONOLULU HI 96814	12300601	345	B AMEND	2/8/2012

- 0 Preliminary Reports
- 0 Contingent Final Reports
- 1 Final Reports
- 4 Supplementary Reports
- 6 B Reports
- 3 B Amendment Reports
- 14 TOTAL REPORTS

**CPR Related Articles**

The following was distributed for informational purposes: "The Elevation Certificate {translated} Part 1" Written by C. Barton Crattie, LS, CFM and Wendy Lathrop, LS, CFM, *Wai Halana, Hawaii Flood News* DLNR, Engineering Division, State of Hawaii (January 2012).

Program of Work: **Interactive Participation with Organizations**

Condominium Specialist Office for the day to be on Kauai, May 9, 2012.

**Legislative Acts and Resolutions**

Specialist Yee reported on the status of Senate Bill 2429 and its companion House Bill 1875 "relating to foreclosures". Discussion followed relating to the proposed two year expiration of the Association liens. The committee indicated that no testimony be submitted.

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: Upon a motion by Commissioner Kuriyama, seconded by Commissioner Sherley, it was voted on and unanimously carried to accept the Condominium Education Trust Fund Financial Report for the period ending December 31, 2011.

Next Meeting: April 11, 2012  
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 9:43 a.m.

Respectfully submitted:

/s/ Cynthia M. L. Yee

---

Cynthia M. L. Yee  
Senior Condominium Specialist

March 29, 2012

---

Date

Minutes approved as is.

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