

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: August 8, 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: Scott Sherley, Chair, Broker / Hilo Commissioner
Bruce Faulkner, Vice Chair / Maui Commissioner
Nikki Senter, Public / Honolulu Commissioner
Stanley Kuriyama, Broker / Honolulu Commissioner
Frances Gendrano, Broker / Honolulu Commissioner
Walt Harvey, Broker / Honolulu Commissioner
Rowena Cobb, Broker / Kauai Commissioner
Aileen Wada, Broker / Honolulu Commissioner
Scott Arakaki, Public / 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
Tammy Norton, Recording Secretary

Others: Myoung Oh, Hawaii Association of REALTORS®
Aron Espinueva, Hawaii Association of REALTORS®
Marsha Shimizu, Hawaii Association of REALTORS®
Suzanne Young, Honolulu Board of REALTORS®
Beth Holliday, Inner Dynamics
Stephen Pingree, Pacific Center for Professional Education
Deane Endo

Absent: None

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

- 6. Program of Work, FY13
 - I. Rulemaking, Chapter 53, Fees

Minutes:

Upon a motion by Commissioner Kuriyama, seconded by Commissioner Gendrano, it was voted on and unanimously carried to accept the minutes of the July 11, 2012 Condominium Review Committee meeting as circulated.

Condominium
 Governance and
 Management:

AOUO Registrations

Specialist Stone reported that 1 AOUO was registered in July increasing the total as of July 31, 2012 to 1,650 AOUOs registered.

Condominium Related Articles

The following articles from the June 2012 issue of *CAI Hawaii* were distributed for informational purposes: "Insurance Claims By Owners," "Inflation Impacts Reserve Funding," and "Getting a Grip on Hawaii's Dog Bite Law."

Condominium
 Project
 Registration:

Condominium Project Registration - Public Reports Issued

A list of those condominium projects issued effective dates during the month of July 2012 were distributed for informational purposes.

PROJ #	PROJECT NAME	PROJECT ADDRESS	TMK #	UNITS	REPORT DATE
7251	2123 AND 2125 DATE STREET CONDOMINIUM	2123 & 2125 DATE ST HONOLULU HI 96826	127002043	2	B REPT 7/16/2012
7229	96 KAWANANAKOA PLACE	96 KAWANANAKOA PL HONOLULU HI 96817	118004064	2	B REPT 7/10/2012
7240	KA MALANAI AT KAILUA	437 445 455 471 497 501 KAILUA RD KAILUA HI 96734	142001030	153	B REPT 7/24/2012
7239	KAUIKEOLANI II	LOT 120 WEKE RD HANAIE HI 96714	455001042	2	B REPT 7/25/2012
7138	LAULANI VIII PHASE 15	91-1001 KEAUNUI DR EWA BEACH HI 96706	191069037	10	B AMD 7/26/2012
7244	LAULANI XIV, PHASE 22	91-1001 KEAUNUI DR EWA BEACH HI 96706	191149031	9	B AMD 7/13/2012
7255	LOT 4 AKULIKULI SPRINGS	LOT 4 KAHUNA RD KAPAA HI 96746	446004053	2	B REPT 7/30/2012
6915	MOKAPU	788/790/792 MOKAPU RD KAILUA HI 96734	144023005	3	B AMD 7/24/2012
5748	POIRSON ESTATES	258 AINA LANI PL KAPAA HI 96746	442015036	2	SUPPL 7/2/2012
6161	PONOI PALMS	736 PONOI PL MAKAWAO HI 96768	224029026	9	B AMD 7/10/2012
7234	PUUPILO VALLEY ESTATES	6581 PUUPILO RD KAPAA HI 96746	442022020	4	B REPT 7/27/2012
6194	SOUTH SHORE PLAZA	411 HUKU LII PL KIHEI HI 96753	239045019	13	B AMD 3 7/17/2012
7231	SUMMIT AT WAIALAE NUI THE	2500 AHA AINA PL HONOLULU HI 96821	135064050	4	B REPT 7/16/2012

6433	TSAO OHANA ESTATES	4439 PUNEE RD OMAO HI 96765	427007010	2	B AMD	7/17/2012
7249	VALLEY VIEW	2780 & 2782 BOOTH RD HONOLULU HI 96813	122027025	2	B REPT	7/26/2012
0	Preliminary Reports					
0	Contingent Final Reports					
0	Final Reports					
1	Supplementary Reports					
8	B Reports					
6	B Amendment Reports					
15	TOTAL REPORTS					

CPR Project

Specialist Leong reported that the department's information systems division is currently working on the ability to accept online credit card transactions for the Commission's online condominium public report filing and search program.

Condominium Consultants

Specialist Yee reported that with the recently completed procurement of condominium consultants there has been a concurrent change in the consultant's contracted compensation. In addition to the current \$1,000 consultant review fee paid by developers, the agreed compensation paid by developers to the private consultants now includes:

For any subsequent review of additional and or supplemental documents and or information, which a developer is required to submit to complete the registration application, complex updates and/or changes to the registration application involving more than two (2) material changes and any subsequent review of developer's rewrites of the developer's public report, an additional hourly amount of one hundred fifty dollars not to exceed a total of one thousand two hundred dollars (\$1,200) plus any approved expenses incurred in connection with the subsequent review.

Related Articles

The following articles from the July 2012 issue of *Wai Halana Hawaii Flood News* was distributed for informational purposes: "Recognize any of these Streets on Maui?" and "After the Fires, Risk Still Looms."

Program of Work: Rulemaking, Chapter 107

Specialist Yee provided an update on the status of this program of work item. She reported that she anticipates having a good portion of the preliminary draft proposed rules ready for review by a blue ribbon panel in approximately 2 to 3 months.

Interactive Participation with Organizations

Staff reported that at the invitation of HCAAO's President, Jane Sugimura, Esq., staff attended HCAAO's Annual Meeting and Legislative Update and stayed thereafter to answer questions from those in attendance.

Staff also reported participating with the Department in a presentation to KHON's Action Line volunteers. The condominium specialists provided an overview of the services relating to condominiums which the Real Estate Branch provides and fielded questions on registration and the condominium law.

Staff also attended via webcast the Legislative Update presented by HSBA's Real Property and Financial Services Section.

Neighbor Island Outreach and Condominium Specialist Office for the Day

The September committee meetings will be held in conjunction with the Specialist Office for the Day program on September 12, 2012 at the Hawaii Innovation Center at Hilo.

Rulemaking, Chapter 53, Fees

Specialist Yee provided a status update on this program of work item. The Notice of Public Hearing was distributed for informational purposes. She reported that the Notice will be published in the Star Advertiser, Maui News, Hawaii Tribune-Herald, West Hawaii Today and Kauai Times on Sunday, August 12, 2012. A public hearing is scheduled for September 14, 2012 at 1:00 p.m. in the King Kalakaua Conference Room, First Floor, King Kalakaua Building, 335 Merchant Street, Honolulu, Hawaii to afford all interested persons the opportunity to submit data, views, or arguments, orally or in writing at the time of the hearing.

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: September 12, 2012
Upon adjournment of the Laws and Rules Review Committee meeting scheduled to convene at 9:30 am
Hawaii Innovation Center at Hilo
117 Keawe Street
Hilo, Hawaii

Adjournment: With no further business to discuss, Chair Sherley adjourned the meeting at 9:28 a.m.

Respectfully submitted:

/s/ Cynthia M. L. Yee

Cynthia M. L. Yee
Senior Condominium Specialist

August 13, 2012

Date

Minutes approved as is.

Minutes approved with changes; see minutes of _____