

EDUCATION 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 Lieutenant Governor's Office as required by Section 92-7(b), Hawaii Revised Statutes.

Date: September 8, 2010

Time: Upon adjournment of the Condominium Review Committee meeting, which is upon adjournment of the Laws and Rules Review Committee meeting, which convened at 9:00 a.m.

Place: Queen Liliuokalani Conference Room
King Kalakaua Building
335 Merchant Street, First Floor
Honolulu, Hawaii

Present: Carol Mae Ball, Chair / Broker / Maui Commissioner
Scott A. Sherley, Vice Chair / Broker / Hawaii Island Commissioner
Donna Apisa, Broker / Kauai Commissioner
Frances T. Gendrano, Broker / Honolulu Commissioner
Walter Harvey, Broker / Honolulu Commissioner
Mark Suiso, Public / Honolulu Commissioner
Michele Sunahara Loudermilk, Public / Honolulu Commissioner – early departure
Trudy Nishihara, Broker / Honolulu Commissioner

Neil K. Fujitani, Supervising Executive Officer
Jon Ellis M. Pangilinan, Executive Officer
Diane Choy Fujimura, Senior Real Estate Specialist
Cynthia Yee, Senior Condominium Specialist
Amy Endo, Real Estate Specialist
Cheryl Leong, Condominium Specialist
Benedyne Stone, Condominium Specialist
Shari Wong, Deputy Attorney General
Tammy Norton, Recording Secretary

Others: None.

Absent: Stanley Kuriyama, Broker / Honolulu Commissioner

Call to Order: The Chair called the meeting to order at 11:31 a.m., at which time quorum was established.

Chair's Report: The Chair stated the Committee 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 to consult with the Board's attorney on questions and issues pertaining to the Board's powers, duties, privileges, immunities, and liabilities in accordance with section 92-5(a)(4), HRS.

Real Estate Minutes of Meeting
Specialist's Report:

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

Continuing Education: Applications

2009-2010 Continuing Education Providers and Courses Ratification List

Upon a motion by Commissioner Nishihara, seconded by Commissioner Gendrano, it was voted on and unanimously carried to ratify the following registrations/certifications:

<u>Registration/Certification</u>	<u>Effective Date</u>
Course(s)	
"Building An Exceptional Customer Service Referral Business (CRS 210)" (Nationally Certified Course/Hawaii Association of Realtors)	08/04/10
"Today's Buyers and Sellers: What They Need to Know" (Nationally Certified Course/Hawaii Association Realtors)	08/09/10
"Federal Fair Housing Laws and Practice" (ARELLO Certified Course/Continuing Ed Express LLC)	08/11/10
"Green Remodeling" (ARELLO Certified Course/Continuing Ed Express LLC)	08/11/10
"The Psychology of Pricing and Secretes of the CMA" (ARELLO Certified Course/Continuing Ed Express LLC)	08/11/10
"A Real Estate Agent's Guide to Homeowners Insurance" (ARELLO Certified Course/Continuing Ed Express LLC)	08/11/10
"Tax Deferred IRS 1031 Exchanges" (ARELLO Certified Course/Continuing Ed Express LLC)	08/11/10
"The Short Sale Investigative Report" (ARELLO Certified Course/Continuing Ed Express LLC)	08/11/10
"Ninja Selling" (Nationally Certified Course/Abe Lee Seminars)	08/12/10
"Ninja Selling – Life Planning" (Nationally Certified Course/Abe Lee Seminars)	08/12/10
"The Three P's of Negotiation" (ARELLO Certified Course/McKissock, LP)	08/16/10

Provider – Levin & Hu, LLP, Administrator – Tom Marino (deferred from 8/11/10 ERC)

Upon a motion by Commissioner Sherley, seconded by Commissioner Gendrano, it was voted on and unanimously carried to approve Levin & Hu, LLP as a continuing education provider.

Course – “Tax Ramifications of Real Estate Ownership;” Provider: Levin & Hu, LLP (pending approval); Author/Owner: Robert D. Bahus; Course Categories: Property Ownership and Development, Other – Taxation; Clock Hours: 3

Commissioners discussed the changes made to the course application since its deferral in August. Chair Ball noted it now includes a disclaimer at the beginning of each section.

Upon a motion by Commissioner Sherley, seconded by Commissioner Harvey, it was voted on and unanimously carried to approve “Tax Ramification of Real Estate Ownership” as a three clock hour continuing education elective course, under the course categories Property Ownership and Development and Other – Taxation, subject to the inclusion of the Disclaimer language.

Commissioner Loudermilk was excused at 11:45 a.m.

Course – “Fair Housing Rentals II;” Provider: ERA School of Real Estate; Author/Owner: Scott A. Sherley; Course Categories: Real Estate Law, Property Management, Risk Management; Clock Hours: 3

Vice Chair Sherley recused himself from discussion and voting on this matter.

Upon a motion by Commissioner Suiso, seconded by Commissioner Harvey, it was voted on and carried to approve “Fair Housing Rentals II” as a three clock hour continuing education elective course, under the course categories Real Estate Law, Property Management, and Risk Management.

Continuing Education Core Course – Evaluation

A copy of an evaluation of the Commission’s core course part B completed by Commissioner Harvey was distributed to the Commissioners for their information.

Prelicense Education: Administrative Issues

The prelicense education and equivalency statistics for fiscal year 2010 were distributed to the Commissioners for their information.

Senior Specialist Fujimura reported that there were 66 new salesperson licensees in August 2010. As of August 31, 2010, there are 610 new salesperson licensees in 2010. The total number of 610 new salesperson licensees reflects the number of licensees who are deemed as having completed the 10 hour continuing education requirement, pursuant to section 16-99-89(c), Hawaii Administrative Rules.

Applications

Independent Study Course Instructor – Ralph S. Foulger

Upon a motion by Commissioner Gendrano, seconded by Commissioner Sherley, it was voted on and unanimously carried to approve Ralph S. Foulger as a prelicense independent study course instructor.

Independent Study Course – Ralph Foulger’s School of Real Estate (salesperson and broker courses)

Upon a motion by Commissioner Gendrano, seconded by Commissioner Harvey, it was voted on and unanimously carried to approve Ralph Foulger’s School of Real Estate to offer independent study salesperson and broker prelicense courses.

Evaluation and Education Program

Copies of evaluations of independent study courses from the following prelicense schools were distributed to the Commissioners for their information:

- Abe Lee Seminars; Independent Study On-Line (4)
- Seiler School of Real Estate, Independent Study (6)

Administration of
Examinations:

PSI

Licensing Examination Statistics – August 2010

Examination statistics for August 2010 were distributed to the Commissioners for their information.

School Pass/Fail Rates – August 2010

School pass/fail rate statistics for August 2010 were distributed to the Commissioners for their information.

School Summary by Test Category – August 2010

Copies of the August 2010 test category summary reports, by school, were distributed to the Commissioners for their information.

Test Development

It was announced that the Test Development will be held on October 5 and 6, 2010, and the Industry Day will be held on October 7, 2010.

Educator’s Forum:

Hawaii Association of REALTORS® – No discussion presented.

Hawaii Association of Real Estate Schools (HARES) – No discussion presented.

Public and Private Institutions of Higher Education – No discussion presented.

Program of Work: Annual Report, Quarterly Bulletin, and School Files

August 2010 Bulletin

Senior Specialist Fujimura reported that the August 2010 issue of the *Real Estate Bulletin* has been distributed. She commented on the new design of the bulletin.

Instructor's Development Workshop

Request from Jay Spadinger

The committee discussed Mr. Spadinger's request. The Deputy Attorney General questioned whether HAR's IDW was video taped.

Specialist Fujimura responded that due to the format and interaction of the IDW, it was not appropriate to video the Instructor's Development Workshop.

Specialist Fujimura further noted that Mr. Spadinger would need to search for something comparable and bring that request before the Commission as a substitution.

Mr. Spadinger's request was deferred to the next committee meeting. Staff was asked to communicate with Mr. Spadinger his options.

Budget and Finance Report: No report.

Next Meeting: Wednesday, September 8, 2010
Upon adjournment of the Condominium Review Committee Meeting, which is upon adjournment of the Laws and Rules Review Committee meeting, which convenes 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 Ball adjourned the meeting at 11:59 a.m.

Reviewed and approved by:

/s/ Diane Choy Fujimura
Diane Choy Fujimura
Senior Real Estate Specialist

September 20, 2010
Date

[X] Minutes approved as is.
[] Minutes approved with changes, see minutes of _____