

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 7, 2011

Time: Upon adjournment of the Condominium Review Committee meeting, upon adjournment of the Laws and Rules Review Committee meeting, which convened at 9:30 a.m.

Place: West Hawaii Association of REALTORS®
74-5620 Palani Court, #106
Kailua-Kona, HI 96740

Present: Scott A. Sherley, Chair / Broker / Hawaii Island Commissioner
Rowena B. Cobb, Vice Chair / Broker / Kauai Commissioner
Carol Mae Ball, Broker / Maui Commissioner
Frances T. Gendrano, Broker / Honolulu Commissioner
Walter Harvey, Broker / Honolulu Commissioner
Michele Sunahara Loudermilk, Public / Honolulu Commissioner
Nikki T. Senter, Public / Honolulu Commissioner
Aileen Wada, Broker / Honolulu Commissioner

Neil K. Fujitani, Supervising Executive Officer
Diane Choy Fujimura, Senior Real Estate Specialist
Cynthia Yee, Senior Condominium Specialist
Shari Wong, Deputy Attorney General
Tammy Norton, Recording Secretary

Others: Trudy Nishihara, Hawaii Association of REALTORS®
Marsha Shimizu, Hawaii Association of REALTORS®

Absent: Stanley Kuriyama, Broker / Honolulu Commissioner

Call to Order: The Chair called the meeting to order at 11:16 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.

Commissioner Kuriyama was excused from the meeting. Prior notification of his non-attendance was received.

Real Estate Specialist's Report: Minutes of Previous Meeting

Upon a motion by Commissioner Cobb, seconded by Commissioner Loudermilk, it was voted on and unanimously carried to accept the minutes of the August 10, 2011, Education Review Committee meeting as distributed.

Continuing Education: Applications

2011-2012 Continuing Education Providers and Courses Ratification List

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

<u>Registration/Certification</u>	<u>Effective Date</u>
Course(s)	
"The Condominium Development Process" (Abraham Lee/Abe Lee Seminars)	08/07/11
"Introduction to Commercial Real Estate" (Abraham Lee/Abe Lee Seminars)	08/07/11
"Permits, Permits and More Permits: Researching Building Permits & 25+ Other Permits Handbook" (Abraham Lee/Abe Lee Seminars)	08/07/11
"Sticks, Bricks & Steel: Understanding Plans & Construction Methods" (Abraham Lee/Abe Lee Seminars)	08/07/11
"Understanding the Land Use Ordinance: C&C of Honolulu" (Abraham Lee/Abe Lee Seminars)	08/07/11
"Generation Buy" (National Course/All Islands Real Estate School)	08/22/11
"Avoiding Costly Mistakes" (National Course/Hawaii Association of REALTORS)	08/18/11
"BPO's: The Agent's Role in the Valuation Process" (National Course/Hogan School of Real Estate, Inc.)	08/24/11

Course – "Legal Aspects of Condominium and Homeowners' Associations in Hawaii;" Author/Owner: Lorman Business Center, Inc.; Provider: Lorman Education Services; Course Category: Real Estate Law; Clock Hours: 6

Upon a motion by Commissioner Loudermilk, seconded by Commissioner Cobb, it was voted on and unanimously carried to approve "Legal Aspects of Condominium and Homeowners' Association in Hawaii" as a six credit hour continuing education elective course under the course category Real Estate Law.

Course – "Real Estate Licensee's Guide for New Homebuyers"; Author/Owner: Abe Lee; Provider: Abe Lee Seminars; Course Categories: Finance, Other – Assisting New Homebuyers; Clock Hours: 3

Commissioner Ball noted that CE courses are to be "beyond professional entry level." The course in review does not demonstrate beyond professional entry level and does not go through the home buying process for licensees to use to help new homebuyers. It was suggested to add a component on the home buying process.

Upon a motion by Commissioner Ball, seconded by Commissioner Gendrano, it was voted on and unanimously carried to defer decision making on this application with the following recommendation: include a detailed discussion of the home-buying process, thereby creating a "big picture" of this process wherein the various financing options are reviewed, and the different obstacles that may confront the new homebuyer are presented.

**Course – "The Settlement Process – HUD-1, RESPA, and the GFE;"
Author/Owner/Provider: David Catanzaro/REMI School of Real Estate; Course
Categories: Contracts, Real Estate Law, Finance, Broker Management, Other –
RESPA, Consumer Protection; Clock Hours: 3 – Staff Request for
Reconsideration**

**Course – "Foreclosure Resolution Law in Hawaii;" Author/Owner/Provider:
David Catanzaro/REMI School of Real Estate; Course Categories: Contracts,
Real Estate Law, Finance, Dispute Resolution; Clock Hours: 6 – Staff Request
for Reconsideration**

Specialist Fujimura reported that at the August 2011 ERC meeting, the Committee expressed concerns that the author/owner/instructor did not appear to have the expertise to be able to effectively teach "The Settlement Process – HUD-1, RESPA, and the GFE" and "Foreclosure Resolution Law in Hawaii" courses and answer any questions that may arise. The outcome decisions were different. Staff is requesting reconsideration of the Committee's decisions for consistency.

Commissioner Ball noted that some courses are more technical than others. A course writer may have writing abilities, but not teaching capabilities. It was suggested to change the course application form to address their level of expertise for the subject matter.

Deputy Attorney General Wong noted that in the HUD course, the committee was concerned with delivery, not the content, whereas in the Foreclosure course, the committee seemed to be concerned with both the delivery and content.

Specialist Fujimura further noted that the Commission does not certify CE instructors and therefore should not be involved in evaluating the instructor or their qualifications when reviewing the course application.

Commissioner Loudermilk noted that the Statement of Ethical Teaching Practices signed by instructors of the courses includes a statement "...have command knowledge..." Language could be placed into the course application requesting that an explanation as to how they comply with the command knowledge requirement.

Commissioner Ball, excused from the August 2011 ERC meeting, questioned why the decision was made to defer the Foreclosure course when Mr. Catanzaro fulfilled the committee's requirements.

Commissioner Loudermilk responded that Mr. Catanzaro did not comply to the committee's satisfaction, therefore the ERC voted to defer and send the course to a consultant to review.

Commissioner Ball suggested having a co-instructor with command knowledge of the subject matter available to answer student's questions.

Upon a motion by Commissioner Ball, seconded by Commissioner Loudermilk, it was voted on and unanimously carried to approve "The Settlement Process – HUD1, RESPA, and the GFE" for three (3.0) elective course credits, subject to having available a co-instructor with expertise in the subject matter to answer any questions that may arise. The ERC's previous decision regarding the "Foreclosure Resolution Law in Hawaii" course being co-taught and reducing the instruction time from six hours to three hours still stands.

Administration of
Examinations:

PSI

Licensing Examination Statistics – August 2011

Examination statistics for August 2011 were distributed to the Commissioners for their information.

School Pass/Fail Rates – August 2011

School pass/fail rate statistics for August 2011 were distributed to the Commissioners for their information.

School Summary by Test Category – August 2011

Copies of the August 2011 test category summary reports, by school, were distributed to the Commissioners for their information.

Educator's Forum:

West Hawaii Association of REALTORS® – No discussion presented.

Hawaii Association of REALTORS® – No discussion presented.

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

Program of Work:

Instructor's Development Workshop

Options for 9/14/11 live IDW

Upon a motion by Commissioner Ball, seconded by Commissioner Loudermilk, it was voted on and unanimously carried to approve the following as alternate options in lieu of the 9/14/11 live Instructor Development Workshop:

1. Training 101, Carmel Streater Online Course
2. Training 201, Carmel Streater Online Course
3. The Course Developer Workshop (Online)
4. Certified Distance Education Instructor (CDEI) Program.

Special Issues:

SEO Fujitani reported that Education Clerk Coleen Yamashita recently resigned and Secretary Karyn Takahashi has submitted her letter of resignation. Her last day with the Real Estate Branch will be September 30, 2011.

Budget and Finance
Report:

No report.

Next Meeting: Wednesday, October 12, 2011
 Upon adjournment of the Condominium Review Committee Meeting, 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 Sherley adjourned the meeting at
 11:50 a.m.

Reviewed and approved by:

/s/ Diane Choy Fujimura

Diane Choy Fujimura
Senior Real Estate Specialist

September 12, 2011

Date

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