

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: April 13, 2005

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

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

Present: Trudy Nishihara, Vice Chair
Louis Abrams, Member
Mitchell Imanaka, Member
Kathleen Kagawa, Member
John Ohama, Member
Iris Okawa, Member
Michele Sunahara Loudermilk, Member

Calvin Kimura, Supervising Executive Officer
Neil K. Fujitani, Executive Officer
Diane Choy Fujimura, Senior Real Estate Specialist
Lorene K. A. Kimura, Real Estate Specialist
Ryan Yamashiro, Real Estate Specialist
Cynthia Yee, Senior Condominium Specialist
Cheryl Leong, Condominium Specialist
Shari Wong, Deputy Attorney General
Karyn Takahashi, Recording Secretary

Others: Marsha Shimizu, Hawaii Association of REALTORS®
Janice Lind, Hawaii Academy of Real Estate

Absent: Vern Yamanaka, Chair
Carol Ball, Member

Call to Order: Vice Chair Nishihara called the meeting to order at 10:27 a.m., at which time quorum was established.

Chair's Report: No report presented.

Sr. Real Estate
Specialist's Report:

Announcements, Introduction, Correspondence and Additional Distribution

Upon a motion by Commissioner Okawa, seconded by Commissioner Ohama, it was voted on and unanimously carried to add the following to the agenda:

4. Continuing Education Administration, Curriculum, Courses, Providers, and Instructors
 - b. Applications
 - 6) Course – “Four Steps to Avoid Legal Claims,”
Author/Owner: James M. K. Stone, Jr., Esq.; Provider: Hawaii Association of REALTORS®; Course Categories: Real Estate Law and Risk Management; Clock Hours: 3

The following were distributed as additional distribution:

6. Administration of Examinations
 - d. Test Development and Scenario Exam Items

Minutes

Upon a motion by Commissioner Abrams, seconded by Commissioner Okawa, it was voted on and unanimously carried to accept the minutes of the March 9, 2005, Education Review Committee meeting as distributed.

Continuing Education: **Administrative Issues**

FY 2005 CE, Prelicense Education and Equivalency Statistics

Continuing education statistics for the first, second and third quarters of fiscal year 2005 were distributed to the Commissioners for their information.

Change in administrator for provider – Honolulu Board of REALTORS® – Floyd Murashige

The Honolulu Board of REALTORS® submitted documentation that Floyd Murashige will be their new continuing education provider administrator.

Applications

2005 – 2006 Continuing Education Providers and Courses Ratification List

Upon a motion by Commissioner Okawa, seconded by Commissioner Abrams, it was voted on and unanimously carried to approve the ratification of the following:

Registration/Certification

Effective Date

Course (s)

“Buyer Representation in Real Estate” (Author/Owner: Dearborn Real Estate Education/Kona Board of Realtors)	March 15, 2005
“§1031 Exchanges – An Investor’s Dream” (Author/Owner: Michael J. Yesk)	March 15, 2005
“The Condominium Development Process” (Author/Owner: Abe Lee/Abe Lee Seminars)	January 1, 2005

"Introduction to Commercial real Estate Sales" (ARELLO Certified Course/Abe Lee Seminars)	March 29, 2005
"Property Management and Managing Risk" (ARELLO Certified Course/Abe Lee Seminars)	March 29, 2005
"Real Estate Finance & Tax Issues" (ARELLO Certified Course/Abe Lee Seminars)	March 29, 2005
"Anti Discrimination Laws" (ARELLO Certified Course/ProSchools, Inc.)	April 1, 2005
"Professional Property Management" (ARELLO Certified Course/ProSchools, Inc.)	April 1, 2005
"Financing Residential Real Estate" (ARELLO Certified Course/ProSchools, Inc.)	April 1, 2005
"Property Pricing & Residential Real Estate" (ARELLO Certified Course/ProSchools, Inc.)	April 1, 2005

Provider – ProSchools, Inc., Sandra M. Japely, Administrator

Upon a motion by Commissioner Okawa, seconded by Commissioner Ohama, it was voted on and unanimously carried to recommend approval of ProSchools, Inc. as a continuing education provider.

Provider – TeraBiz, Grant Kimura, Administrator

Upon a motion by Commissioner Okawa, seconded by Commissioner Imanaka, it was voted on and unanimously carried to recommend approval of TeraBiz as a continuing education provider.

Provider – Hayloft Climbers LLC dba Hawaii Training & Education Services, Duane C. Seabolt, Administrator

Upon a motion by Commissioner Abrams, seconded by Commissioner Kagawa, it was voted on and unanimously carried to recommend approval of Hayloft Climbers LLC dba Hawaii Training & Education Services as a continuing education provider.

Course – "Basic Contract Law for Non-Lawyers," Author/Owner: Duane C. Seabolt; Provider: Hayloft Climbers LLC dba Hawaii Training & Education Services (upon approval); Course Category: Contracts; Clock Hours: 6

Upon a motion by Commissioner Abrams, seconded by Commissioner Kagawa, it was voted on and unanimously carried to recommend approval of "Basic Contract Law for Non-Lawyers" as a six clock hour continuing education course under the course category Contracts.

Course – “Four Steps to Avoid Legal Claims,” Author/Owner: James M. K. Stone, Jr., Esq.; Provider: Hawaii Association of REALTORS®; Course Categories: Real Estate Law and Risk Management; Clock Hours: 3

Upon a motion by Commissioner Abrams, seconded by Commissioner Imanaka, it was voted on and unanimously carried to recommend approval of “Four Steps to Avoid Legal Claims” as a three clock hour continuing education course under the course categories Real Estate Law and Risk Management.

Continuing Education Core Course

Evaluations on File

Written evaluations of the Commissions’ continuing education core course, on-line and live delivery, continue to stream in and are available for the Commissioners’ review.

“Real Estate Law Review and Update/Ethics 2003-2004” availability

Senior Specialist Fujimura reported that as of June 1, 2005, the Commissions 2003 – 2004 core course, “Real Estate Law Review and Update/Ethics 2003-2004”, will no longer be offered. Licensees that have not completed their continuing education courses and wish to reactivate their license must take four (4) elective courses to fulfill the 10 hour requirement.

Education Evaluation Task Force

Next meeting Friday, April 15, 2005

The next EETF meeting will be held this Friday, April 15, 2005.

Prelicense Education: **Administrative Issues**

FY 2005 CE, Prelicense Education and Equivalency Statistics

Prelicense education and equivalency statistics for the first, second and third quarters of fiscal year 2005 were distributed to the Commissioners for their information.

Evaluations – Independent Study – Seiler School of Real Estate (7)/Vitousek Real Estate School (3)

Copies of evaluations of Seiler School of Real Estate’s and Vitousek Real Estate School’s independent study courses were distributed to the Commissioners for their information.

Applications

School – ProSchools, Inc., Sandra M. Japely, Principal, Salesperson curriculum

Upon a motion by Commissioner Okawa, seconded by Commissioner Kagawa, it was voted on and unanimously carried to recommend approval of ProSchools, Inc. as a prelicense school offering the salesperson curriculum.

Preliminary Independent Study Course – ProSchools, Inc., Sandra M. Japely,
Principal, Salesperson curriculum

Upon a motion by Commissioner Okawa, seconded by Commissioner Abrams, it was voted on and unanimously carried to recommend approval of ProSchools, Inc. to offer the salesperson curriculum independent study course.

Independent Study Course Instructor – Jay J. Spadinger, ProSchools, Inc.,
Salesperson curriculum

Upon a motion by Commissioner Kagawa, seconded by Commissioner Abrams, it was voted on and unanimously carried to recommend approval of Jay J. Spadinger as an independent study course instructor for the salesperson curriculum.

Preliminary Independent Study Course – Dower School of Real Estate Windward,
David Catanzaro, Principal, Salesperson and Broker Curricula

Upon a motion by Commissioner Abrams, seconded by Commissioner Okawa, it was voted on and unanimously carried to recommend approval of Dower School of Real Estate Windward to offer the salesperson and broker curricula independent study course.

Senior Specialist Fujimura stated that Dower School of Real Estate Windward is the third school to offer the 80-hour broker course and the second to offer it via independent study.

Independent Study Course Instructor – David Catanzaro, Dower School of Real
Estate Windward

Upon a motion by Commissioner Imanaka, seconded by Commissioner Kagawa, it was voted on and unanimously carried to recommend approval of David Catanzaro as an independent study course instructor for the broker and salesperson curricula.

Salesperson's Curriculum

Update – First Draft

Janice Lind, Hawaii Academy of Real Estate, distributed the first draft of the salesperson curriculum revision. Ms. Lind reported that the first draft is based on the current salesperson curriculum and portions of the broker curriculum, but has some significant changes included. The changes include an increased emphasis on ethics as the base and underlying foundation of the agency relationship, more focus on agency relationships and their various forms, more time allotted to practical applications including HAR standard forms, and less time spent on specialized areas of the law (Hawaii Revised Statutes) including Chapters 436B, 514A and 514E, and the subdivision laws. She stated that this is a starting point and looks forward to reviewing the first draft at Friday's EETF meeting. She noted that they want to keep it within a reasonable amount of time.

Ms. Lind added that the survey revealed that there may be a need for more basics. SEO Kimura inquired if there were any comments on post licensing education. Ms. Lind responded that their overview discusses this issue—the prelicensing curriculum should be a base. SEO Kimura stated that there is a trend on placing more emphasis on post licensing requirements—you develop a

more professional group of licensees as they have to make a bigger commitment.

Ms. Lind concluded that there is a need to turn individuals out that are ready to work, not just able to pass the exam.

Vice Chair Nishihara thanked Ms. Lind.

Administration of
Examinations:

Promissor

Licensing Examination Statistics

Examination statistics for January 2005 was distributed to the Commissioners for their information.

February 2005 School Summary Reports

The February 2005 School Summary Reports are not currently available as Promissor was experiencing technical problems.

Test Development and Scenario Exam Items

Specialist Kimura reported that Promissor will be conducting a net meeting to review the uniform portion of the exam and requested that Hawaii be an active participant. Commissioner Nishihara has agreed to participate for one day and Commissioner Abrams has agreed to participate for two days. Once this is concluded, Promissor will be conducting a Standard Setting Meeting on Friday, May 6, 2005 at the Promissor headquarters in Philadelphia.

Upon a motion by Commissioner Okawa, seconded by Commissioner Kagawa, it was voted on and unanimously carried to recommend approval to send one person to the Standard Setting Meeting to be held at Promissor headquarters, Philadelphia, PA, on May 6, 2005.

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

School Files – April 2005

Senior Specialist Fujimura reported that she is currently working on the April 2005 issue of *School Files* and hopes to have it distributed soon.

Neighbor Island Outreach

Big Island, June 2005

The next neighbor island outreach is scheduled for Kona on the island of Hawaii on June 14, 2005.

Interactive Participation with Organizations

Hawaii REALTOR® Journal – Schedule of Authors 2005 – 2006

The schedule of authors for the upcoming issues for Hawaii REALTOR® Journal was distributed. Senior Specialist Fujimura reported the Commissioner Imanaka has completed his farewell article.

HAR Outreach 2005 – May 2005

Marsha Shimizu, Hawaii Association of REALTORS®, reported that the dates for the Hawaii Association of REALTORS® neighbor island outreach have been set as follows:

May 25, 2005 – Kauai
May 27, 2005 – Big Island – Kona – Waikoloa
May 31, 2005 – Maui
June 1, 2005 – Oahu

Ms. Shimizu stated that they are planning a standard forms review and legislative update in the morning. They plan to review the newly revised Exclusive Right to Sell Listing Agreement and the Broker Representation form, which was updated in November 2004. They will present the “Four Steps to Avoid Legal Claims” course, as a real estate seminar co-sponsored by the Commission for the afternoon session.

Ms. Shimizu added that they have received a lot of questions on technology and they will be partnering with the Honolulu Board of REALTORS® and the Hawaii CRS Chapter to sponsor a technology fair in August. They will be bringing in three experts to speak and will also have a trade show with different vendors, including a user group session.

Instructor’s Development Workshop

Co-sponsoring with HAR, May 2, 2005

There will be an instructor’s development workshop, “The Classroom of the 21st Century,” on May 2, 2005, 9:00 a.m. – 2:00 p.m., at the Radisson Waikiki Prince Kuhio Hotel. The IDW is co-sponsored by the Hawaii Association of REALTORS® and the Real Estate Commission. Debbie Long will be instructing the workshop.

Next Meeting:

Wednesday, May 11, 2005
Upon adjournment of the Laws and Rules Review Committee Meeting, which convenes at 9:00 a.m.
King Kalakaua Building
Queen Liliuokalani Room
335 Merchant Street, First Floor
Honolulu, Hawaii

Adjournment: With no further business to discuss, Vice Chair Nishihara adjourned the meeting
at 10:56 a.m.

Reviewed by:

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

May 11, 2005
Date

[] Minutes approved as is.
[] Minutes approved with changes.