

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: August 8, 2007

Time: 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
Annette Aiona, Vice Chair / Broker / Hawaii Island Commissioner
Louis Abrams, Broker / Kauai Commissioner
William S. Chee, Broker / Honolulu Commissioner
Stanley Kuriyama, Broker / Honolulu Commissioner
Trudy Nishihara, Broker / Honolulu Commissioner
Mark Suiso, Public / Honolulu Commissioner
Michele Sunahara Loudermilk, Public / Honolulu Commissioner

Calvin Kimura, Supervising Executive Officer
Neil Fujitani, Executive Officer
Diane Choy Fujimura, Senior Real Estate Specialist
Ryan Yamashiro, Real Estate Specialist
Amy Endo, Real Estate Specialist
Cynthia Yee, Senior Condominium Specialist
Cheryl Leong, Condominium Specialist
David Grupen, Condominium Specialist
Shari Wong, Deputy Attorney General
Karyn Takahashi, Recording Secretary

Others: Myoung Oh, Hawaii Association of REALTORS®
Marsha Shimizu, Hawaii Association of REALTORS®

Absent: Frances T. Gendrano, Salesperson / Honolulu Commissioner

Call to Order: Chair Ball called the meeting to order at 9:44 a.m., at which time quorum was established.

Chair's Report: Chair Ball stated 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 Gendrano was excused from the meeting. Prior notification of her non-attendance was received.

Real Estate
Specialist's Report:

Announcements, Introduction, Correspondence, and Additional Distribution

The following was distributed as additional distribution:

4. Continuing Education Administration, Curriculum Courses, Providers, and Instructors
 - b. Applications
 - 1) Course – “Understanding Condominium Ownership;” Author/Owner: Scott A. Sherley; Provider: ERA School of Real Estate; Course Categories: Real Estate Law, Property Management, Property Ownership and Development; Clock Hours: 3

Minutes of July 11, 2007 Meeting

Upon a motion by Commissioner Aiona, seconded by Commissioner Kuriyama, it was voted on and unanimously carried to accept the minutes of the July 11, 2007, Education Review Committee meeting as distributed.

Continuing Education: Administrative Issues

FY07 Continuing Education Statistics

Continuing Education statistics for fiscal year 2007 were distributed to the Commissioners for their information.

Applications

Course – “Understanding Condominium Ownership;” Author/Owner: Scott A. Sherley; Provider: ERA School of Real Estate; Course Categories: Real Estate Law, Property Management, Property Ownership and Development; Clock Hours: 3

Senior Specialist Yee stated that the course appears to reference a lot of national information and hopes the course will emphasize Hawaii laws. The course seems to be limited to what it means to live in a condominium and does not cover the sales of condominium, as stated in the course description. She added that emphasis should be placed on fiduciary duties.

Chair Ball stated that the difficulty level of this course is intermediate and the course should be accurate and complete particularly at advanced levels.

Commissioner Nishihara stated that the course seems to be more of a beginner's course—more of an overview. For the course to be offered at the intermediate level, it may need to emphasize different laws and be rewritten.

Commissioner Abrams noted that there is a great deal of sales activity in condominiums and there are non-traditional condominiums (e.g. agricultural condominiums), different rules in different counties, etc. and there needs to be some mention of this.

Commissioner Suiso stated that Senior Specialist's Yee's comments on emphasizing Hawaii laws are critical.

Commissioner Nishihara moved to deny certification of "Understanding Condominium Ownership" and recommended the course be rewritten at a beginner's level to emphasize the true objective of the course and have more emphasis placed on Hawaii laws. Commissioner Suiso seconded the motion.

Commissioner Kuriyama stated that there is too much scrutiny being placed on this particular course in comparison to other courses previously approved.

Commissioner Nishihara stated that other approved courses are general and there is a lot of confusion on condominium laws.

Commissioner Abrams stated that he agreed with Commissioner Kuriyama.

The motion was voted on. Commissioners Ball, Aiona, Chee, Nishihara, Suiso, and Loudermilk voted aye. Commissioners Kuriyama and Abrams voted nay. The motion was passed.

Course – "Time Shares in Hawaii & Beyond;" Author/Owner/Provider: 1625CE dba Eddie Flores CE; Course Category: Real Estate Law; Clock Hours: 3

Upon a motion by Commissioner Chee, seconded by Commissioner Abrams, it was voted on and unanimously carried to approve "Time Shares in Hawaii & Beyond" as a three credit hour continuing education elective course under the course category Real Estate Law.

Core Course – "Law and Agency Update 2007: A 2 Hour Core Course;" Author/Owner/Provider: REMI School of Real Estate; Course Categories: Chapter 468, HRS/Chapter 99, HAR, updates; Chapter 514A, HRS/Chapter 107, HAR, Ethics, and Agency and Disclosure; Clock Hours: 2

Senior Specialist Fujimura reported that Mr. Catanzaro requested the Committee defer decision making on his application. Mr. Catanzaro stated that he is in the process of contacting experts to review his course.

Upon a motion by Commissioner Abrams, seconded by Commissioner Chee, it was voted on and unanimously carried to defer decision making on this application to the August 24, 2007, Real Estate Commission meeting.

2007 – 2008 Continuing Education Providers and Courses Ratification List

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

Course (s)	Effective Date
"Agents Gone Wild: Don't Try This At Home" (Nationally Certified Course/Hawaii Association of REALTORS®)	July 10, 2007
"Life in the 6D's: Defects, Discovery, Data, Disclosure, Damages and Defendants" (Nationally Certified Course/Hawaii Association of REALTORS®)	July 10, 2007
"Tenancy" (Nationally Certified Course/Hawaii Association of REALTORS®)	July 10, 2007

"The 4 Measurements of Real Estate Investment" July 10, 2007
(Nationally Certified Course/Hawaii Association of REALTORS®)

"Ethics in Today's Real Estate World" July 30, 2007
(ARELLO Certified Course/Dearborn Real Estate Education)

NAR Mandatory CE Study, 2007

A copy of the National Association of REALTORS® Mandatory Continuing Education Study Final Report was distributed to the Commissioners for their information.

Prelicense Education: Administrative Issues

FY07 Prelicense Education and Equivalency Statistics

Prelicense education and equivalency statistics for fiscal year 2007 were distributed to the Commissioners for their information.

Program of Work: Evaluation and Education Program

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

1. Abe Lee Seminars (10)
2. Vitousek Real Estate School (2)
3. Seiler School of Real Estate (7)

Administration of Examinations:

Promissor

Licensing Examination Statistics – June 2007

Examination statistics for June 2007 were distributed to the Commissioners for their information.

School Pass/Fail Rates – June 2007

School pass/fail rate statistics for June 2007 were distributed to the Commissioners for their information.

School Summary Reports – June 2007

A copy of the May 2007 performance summary report, by school, was distributed to the Commissioners for their information. The report is derived from statistics for first time test takers.

Test Development

Report – National Job Analysis Committee for Real Estate meeting, Las Vegas, NV, July 11 – 13, 2007

The report of the National Job Analysis Committee meeting held by Pearson Vue and attended by Commissioners Nishihara and Ball was distributed to the Commissioners for their information.

Applied Measurement Professionals, Inc.

A copy of a letter from Applied Measurement Professionals, Inc. asking to be considered for future bids on testing services was distributed to the Commissioners.

PSI Services LLC

A copy of a news release from PSI Services LLC announcing that Wayne Thorburn has joined PSI as Manager of Business Development in its licensure and certification division was distributed to the Commissioners for their information.

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: Neighbor Island Outreach

The next neighbor island outreach will be held in Kona on September 10, 2007, in the Naupaka III Ballroom of the Waikoloa Beach Marriott Resort, located at 69-275 Waikoloa Beach Drive, Waikoloa, Hawaii.

Real Estate Specialists' Office for the Day

The next Real Estate Specialists' Office for the Day will be held in Kona on September 10, 2007, in the Naupaka III Ballroom of the Waikoloa Beach Marriott Resort, located at 69-275 Waikoloa Beach Drive, Waikoloa, Hawaii.

Education Evaluation Task Force

Meeting of July 12, 2007, Report

The report of the July 12, 2007, EETF meeting was distributed to the Commissioners for their information. Senior Specialist Fujimura reported that the EETF reviewed and discussed the first draft of the Commission's core course. She stated that the second draft should be received shortly.

Commissioner Nishihara inquired if the release of the Commission's core course is still on track. Senior Specialist Fujimura reported that they are working on dates for Train the Trainer sessions and hoping to release the course by the end of August or early September.

Senior Specialist Fujimura added that Staff is currently working on compiling statistics on the prelicensing education equivalency for the EETF. Once the EETF reviews the statistics, they will be making recommendations for changes to the prelicensing education equivalency.

ARELLO, REEA, and REEA
Other Jurisdictions:

REEA Conference June 9-13, 2007, Report

Reports from the Real Estate Educators Association 2007 Annual Conference attended by Commissioners Ball and Gendrano were distributed to the Commissioners for their information.

Open Forum: Marsha Shimizu, Hawaii Association of REALTORS®, reported that HAR is working on presenting an Instructors Development Workshop this year. The National Association of REALTORS® is sponsoring an education director's workshop and they hope to get a list of potential instructors from that workshop.

Next Meeting: Monday, September 10, 2007
Upon adjournment of the Laws and Rules Review Committee Meeting, which convenes at 9:30 a.m.
Naupaka III Ballroom
Waikoloa Beach Marriott Resort
69-275 Waikoloa Beach Drive
Waikoloa, Hawaii

Adjournment: With no further business to discuss, Chair Ball adjourned the meeting at 10:23 a.m.

Reviewed and approved by:

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

September 10, 2007
Date

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