

LAWS AND RULES 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: Wednesday, April 13, 2011

Time: 9:00 a.m.

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

Present: Frances Gendrano, Chair, Broker/Honolulu Commissioner
Michele Sunahara Loudermilk, Public/Honolulu Commissioner
Stanley Kuriyama, Broker/Honolulu Commissioner
Carol Ball, Broker/Maui Commissioner
Trudy Nishihara, Broker/Honolulu Commissioner
Scott Sherley, Broker/Hawaii Commissioner
Donna Apisa, Broker / Kauai Commissioner
Walt Harvey, Vice Chair, Broker/Honolulu Commissioner

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

Others: Aron Espinueva, Hawaii Association of REALTORS®
Alex Sugai, Dept. of Planning and Permitting - Commercial & Multi-Family Code Enforcement Branch
Art Challacombe, Dept. of Planning and Permitting – Customer Service Office
Jeff Grad, Esq.

Absent: Mark Suiso, Public/Honolulu Commissioner

Call to Order: The Chair called the meeting to order at 9:00 a.m., at which time quorum was established.

Chair's Report: 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.

Commissioner Suiso was excused from today's meeting. Prior notice of his non-attendance was received.

SEO's
Report:

It was reported that the Senate has confirmed the following 3 incoming Commission members, terms to begin July 1, 2011: Rowena Cobb, Kauai member; Nikki Senter, public member, and Aileen Wada, Broker member.

Additional Distribution

A copy of House Bill No. 320, HD 2, SD 1 was distributed.

Minutes of Previous Meetings

Upon a motion by Commissioner Apisa, seconded by Commissioner Shirley, it was voted on and unanimously carried to accept the minutes of the March 9, 2011, Laws and Rules Review Committee meeting as circulated.

Program of
Work, FY11:

Advice, Education, and Referral

Information regarding the Agricultural Foreign Investment Disclosure Act of 1978 provided by the Hawaii State & Pacific Basin FSA Office was distributed for informational purposes.

It was suggested that the information be included in a future issue of the Real Estate Bulletin.

Legislative and Government Participation Report

Legislative Report No. 3 was distributed to the Commissioners for their information. The SEO reported on the bills that were affecting the Commission.

SEO Fujitani noted that the Senate version of the Broker Price Opinion bill is dead. The House version, House Bill No. 320, HD2, SD1 includes the compensation component and language requested by the department in section 3. The bill has crossed back to the House. It is staff's understanding that the parties have met with Representative Herkes regarding the changes made in Senate Draft 1 and the changes that were made should be agreed to by the House.

Commissioners' Education Program

The February 2011 issue of the OIP's OpenLine was distributed for informational purposes.

ARELLO,
Other
Organizations
And
Jurisdictions:

Arellogram and Other Informational Reports

The following articles were distributed for informational purposes: "Illinois Appellate Court Upholds Sanctions Against Unlicensed FSBO Advertiser," "Help for Reverse Mortgage Borrowers," "California Case Examines the Question of Rehabilitation," "FTC Clarifies MARS Rules, Application to Real Estate Licensees," "New One-of a Kind Internet Tools: Subdivision Boundaries, Rent

Zestimates, BPO's ala mode," and "Fannie Mae Launches Unique Video to Help Distressed Homeowners."

Special
Issues:

None.

Budget and
Finance Report:

No report presented.

Next
Meeting:

Wednesday, May 11, 2011
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, the Chair adjourned the meeting at 9:07 a.m.

Reviewed and approved by:

/s/ Neil K. Fujitani

Neil K. Fujitani
Supervising Executive Officer

April 13, 2011

Date

Approved as is.
 Approved with amendments. See minutes of _____ meeting.