

LAWS AND RULES REVIEW COMMITTEE
Professional and Vocational Licensing Division
Department of Commerce and Consumer Affairs
State of Hawaii
www.state.hi.us/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: Tuesday, April 9, 2002

Time: 9:00 a.m.

Place: Kapuaiwa Room
Princess Victoria Kamamalu Building
1010 Richards Street, Second Floor
Honolulu, Hawaii

Present: Iris Okawa, Vice Chair
Charles Aki, Member (Late Arrival)
Michael Ching, Member
Patricia Choi, Member
Mitchell Imanaka, Member
John Ohama, Member
Peter Rice, Member

Calvin Kimura, Supervising Executive Officer
Diane Choy Fujimura, Senior Real Estate Specialist
Cynthia Yee, Senior Condominium Specialist
Lorene Arata, Real Estate Specialist
Cheryl Leong, Condominium Specialist
Shari Wong, Deputy Attorney General
Irene Kotaka, Secretary

Others: Merrily Leong, Hawaii Association of REALTORS
Nicki Ann Thompson, Hawaii Association of REALTORS

Excused: Alfredo G. Evangelista, Member

Absent: Casey Choi, Member

Call to Order: The Chair called the meeting to order at 9:02 a.m., at which time quorum was established.

Chair's Report: No Chair's report was presented.

SEO's Report: **Addition to the Agenda**

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

4. Program of Work, FY02
 - f. Legislative and Government Participation
 - 3) Legislative Report No. 4

Commissioner Aki arrived.

Announcements

The SEO reported that Condominium Specialist Watumull is no longer with the Real Estate Branch. REB Staff will be requesting permission from the Governor to fill the vacant position.

The Commissioners were asked to turn in their schedule of availability for the months of April to July 2002.

The Commissioners were also asked if they would be present at the April 26, 2002 Real Estate Commission meeting in anticipation of possible quorum problems. Commissioners Imanaka, P. Choi and Rice stated that they would not be present at the April 26, 2002 REC meeting.

Minutes of Previous Meetings

Upon a motion by Commissioner Imanaka, seconded by Commissioner Rice, it was voted on and unanimously carried to accept the minutes of the March 13, 2002 Laws and Rules Review Committee meeting as circulated.

Program of Work, FY02:

Program of Work, FY02

The Commissioners were asked to bring their Program of Work FY02 booklets to the next Committee meetings for discussion of FY03's Program of Work.

Ms. Thompson was asked to submit the Hawaii Association of REALTORS' comments and recommendations on the program of work for FY03 by the May Committee meetings.

Advice, Education, and Referral

The latest statistics on the number of hits to the Commission's website was distributed to the Commissioners for their information. The real estate and condominium tally sheet statistics were also distributed.

Legislative and Government Participation

The Commission thanked Merrily Leong, Nicki Thompson, and Mary Begier of the Hawaii Association of REALTORS for their testimony on House Bill No. 2827, H.D.1, relating to the State finances. The Commission also thanked John A. Morris and the Hawaii Chapter of the Community Associations Institute for the testimony that was submitted on House Bill No. 2827, H.D.1.

A copy of REB staffs' informal report that was completed to support the Commission's position on House Bill No. 2466 and Senate Bill No. 2724, was distributed to the Commissioners.

Vice Chair Okawa thanked Senior Real Estate Specialist Fujimura for compiling the information.

Vern Yamanaka, Louis Abrams, and Kathleen Kagawa are awaiting confirmation as the incoming Commissioners. They will be replacing Commissioners Aki, Ching and Evangelista, whose terms expire on June 30, 2002. Commissioner Okawa is also awaiting confirmation of her reappointment to the Commission.

REB staff will notify the Commissioners when they receive information on the confirmation hearings.

A copy of Legislative Report No. 4 was distributed to the Commissioners for their information. The SEO reported on the status of the bills affecting the Commission.

Neighbor Island Outreach

The flyer on the next neighbor island outreach was distributed to the Commissioners for their information.

The next neighbor island outreach is scheduled for the island of Kauai on Friday, June 14, 2002. The meetings will be held in Conference Rooms A, B, and C of the State Office Building, located at 3060 Eiwa Street, Lihue, Kauai. The meetings are scheduled as follows:

9:00 a.m.	Condominium Review Committee
10:00 a.m.	Laws and Rules Review Committee
10:30 a.m.	Education Review Committee

The REC Chair and the SEO will also be attending a meeting at the Kauai Board of REALTORS in the morning.

Application, Processing and Forms

Real Estate Specialist Arata informed the Commissioners that effective March 21, 2002, a revised Notice of Licensure will be distributed to real estate licensing applicants. The Notice of Licensure will now be computer generated.

ARELLO National Disciplinary Action Data Bank

Real Estate Specialist Arata informed the Commissioners that ARELLO is updating the National Disciplinary Action Data Bank.

Commissioners' Education Program

Copies of the following newsletters were distributed to the Commissioners for their information:

1. The High Road, March 2002; and
2. OpenLine, January – March 2002

Special Issues:

Website and Internet Advertising

HAR has requested and has been granted an extension of time to submit their comments on the proposed rules relating to advertising on the internet. They would like to request that they be allowed to submit their recommendations after the National Association of REALTORS' Conference has taken place in May 2002.

ARELLO, Other Organizations and Jurisdictions:

ARELLO Update on Association Activities and MidYear Meeting Preview

An update on ARELLO's activities and a preview of the MidYear meetings was distributed to the Commissioners for their information. Commissioner Okawa and the SEO will be attending the ARELLO MidYear meetings in Fort Worth, Texas, from April 11 to 13, 2002.

ARELLO Subcommittee Information

Copies of the proposed minutes, amendment to Procedure 12, and new Bylaws were distributed to the Commissioners for their information.

Open Forum:

Ms. Leong stated that the predatory lending bill is heading towards a conference committee hearing. They are trying to balance consumer protection with the availability of mortgage loans. Ms. Leong also reported that Fannie Mae was in town.

Ms. Leong also stated that there was a lease-rent negotiation bill that was resurrected. This bill would allow the bumping up of rent if the lease was contracted from January 1990.

Ms. Leong also reported that there is a proposal to lower the handyman's exemption. This bill will be heard before a conference committee.

Budget and Finance Report – RERF:

No report was presented.

Next Meeting:

Wednesday, May 8, 2002
9:00 a.m.
Kapuaiwa Room
HRH Princess Victoria Kamamalu Building
1010 Richards Street, Second Floor
Honolulu, Hawaii

Adjournment: With no further business to discuss, the Chair adjourned the meeting at 9:38 a.m.

Reviewed and approved by:

/s/ Calvin Kimura
Calvin Kimura
Supervising Executive Officer

May 8, 2002
Date

[X] Approved as is.

[] Approved with amendments. See minutes of _____ meeting.