

LAWS AND RULES REVIEW COMMITTEE
Real Estate Commission
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: Friday, June 14, 2002

Time: 10:00 a.m.

Place: Conference Rooms A, B, & C
State Office Building
3060 Eiwa Street, Second Floor
Lihue, Kauai

Present: Alfredo Evangelista, Chair
Iris Okawa, Vice Chair
Charles Aki, Member
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
Gordon Arakaki, Condominium Recodification Attorney
Shari Wong, Deputy Attorney General
Karyn Takahashi, Recording Secretary

Others: Marsha Shimizu, Hawaii Association of REALTORS®
Nicki Thompson, Hawaii Association of REALTORS®
Louis Abrams, Incoming Commissioner
Tito Castillo, Principal Broker, Blue Hawaii Properties

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

Chair's Report: None.

SEO's Report: **Announcements, Introduction, Correspondence, Additional Distribution**

SEO Kimura thanked Glenn Ikemoto, Kauai RICO, for making the room arrangements for today's meetings.

SEO Kimura also announced that Marshall Chinen has been named interim Commissioner.

Minutes of Previous Meeting

Upon a motion by Commissioner Rice, seconded by Commissioner Okawa, it was voted on and unanimously carried to accept the minutes of the May 8, 2002 Laws and Rules Review Committee meeting as circulated.

Program of Work, FY02:

Legislative and Government Participation – Legislative Report

SEO Kimura reported that Act 129 will be effective July 1, 2002. He stated that with this new act out-of-state real estate licensees and licensees from ARELLO recognized jurisdictions may take the broker's exam if they have three years salesperson experience in another State or jurisdiction or a broker's license.

SEO Kimura added that Hawaii will recognize continuing education taken and required in another State; however, the licensee must still complete Hawaii's core course.

Also, SEO Kimura reported that brokers in charge will be allowed to sign experience certification statements.

Program of Work, FY03

SEO Kimura reported that the previously approved Program of Work, FY03 is pending and awaiting fiscal budget information. He stated that comments and recommendations are still welcome.

Licensing Renewal

An informational notice outlining the continuing education requirements for renewal was distributed to the Commissioners for their information.

At this time, Nicki Thompson, Hawaii Association of REALTORS®, inquired when renewal fees were going to be set. SEO Kimura responded that renewal fees will remain unchanged.

Commissioners' Education Program

Copies of the Hawaii State Ethics Commission's flyer regarding campaign restrictions for State officials and State employees was distributed to the Commissioners for their information.

Special Issues:

Subcommittee Report on Internet Advertising

An article entitled, "What are the rules when storefront brokers go VOW", which appeared in the Spring 2002 issue of ALQ/Real Estate Intelligence Report, was distributed to the Commissioners for their information.

Gramm-Leach-Bliley Act

Copies of the following were distributed to the Commissioners for their information regarding the Gramm-Leach-Bliley Act:

1. Gramm-Leach-Bliley Act, 15 U.S.C. Section 6801, et. seq., which appeared in the March 2002 Missouri Real Estate Commission Bulletin; and
2. NAR Issue Brief: Proposal on Real Estate Brokerage Activities.

License Reciprocity and Recognition

Copies of the following were distributed to the Commissioners for their information regarding license reciprocity:

1. NAR Frontlines and
2. ARELLO Position Statement on License Recognition.

ARELLO, Other
Organizations and
Jurisdictions:

ARELLO

A copy of the ARELLO MidYear Meeting report was distributed to the Commissioners for their information.

A copy off a letter from Scott W. Taylor requesting support of his nomination to be President-Elect for 2003 was distributed to the Commissioners.

Upon a motion by Commissioner Choi, seconded by Commissioner Rice, it was voted on and unanimously carried to recommend approval to support the nomination of Scott W. Taylor as ARELLO President-Elect for 2003.

Nebraska Real Estate Commission

A copy of the article entitled, "Guideline for Original Applicants with Criminal Convictions," which appeared in the Spring 2002 Nebraska Real Estate Commission's Bulletin, was distributed to the Commissioners for their information.

Commissioner Rice commented that Nebraska has come up with terrific guidelines and that we should consider adoption of a similar policy.

Commissioner Ching stated that if we adopt a policy it gives the Commission no leeway in decision-making on an individual who may have

been reformed. He believes that each application should be consider on a case-by case basis.

Commissioner Ohama requested that a copy of Nebraska's guidelines be distributed to incoming Commissioners.

Colorado Division of Real Estate

A copy of an article entitled, "Designated Brokerage," which appeared in the February 2002 issue of the Colorado Real Estate News, was distributed to the Commissioners for their information.

Open Forum:

Nicki Thompson stated that she just returned from the California Association of REALTORS® meeting and reported that California's omissions and errors insurance rates are skyrocketing. She reported that when then real estate market is good, insurance begin to go up and wants to make the Committee aware of this as it may start to occur in Hawaii.

Budget and Finance Report – RERF:

No report was presented.

Next Meeting:

Wednesday, July 10, 2002
9:00 a.m.
Kapuaiwa Room
HRH Princess Victoria Kamamalu Building
1010 Richards Street, Second Floor
Honolulu, HI 96813

Adjournment:

With no further business to discuss, the Chair adjourned the meeting at 10:41 a.m.

Reviewed and approved by:

/s/ Calvin Kimura
Calvin Kimura
Supervising Executive Officer

July 10, 2002
Date

[X] Approved as is.

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