

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: Friday, January 10, 2003

Time: 10:30 a.m.

Place: Conference Room
REALTORS Association of Maui
441 Ala Makani Place
Kahului, Maui

Present: Iris Okawa, Chair
Louis Abrams, Vice Chair
Mitchell Imanaka, Member
Kathleen Kagawa, Ph.D., Member
John Ohama, Member
Peter Rice, Member
Vern Yamanaka, Member

Calvin Kimura, Supervising Executive Officer
Alan Taniguchi, Executive Officer
Cynthia Yee, Senior Condominium Specialist
Lorene Arata, Real Estate Specialist
Gordon Arakaki, Recodification Attorney
Tammy Norton, Secretary

Others: Scott Sherley, Hawaii Association of Realtors
Vicky Hammond, Montana Board Realty Regulation
Mary Jo and Clifford Phillips
Terry Tolman, Realtors Association of Maui
Marsha Shimizu, Hawaii Association of Realtors
Tom Douma

Excused: Marshall Chinen, Member
Patricia Choi, Member

Call to Order: The Chair called the meeting to order at 10:40 a.m., at which time quorum was established.

Chair's Report: Chair Okawa welcomed Ms. Hammond as the incoming chair of the Montana Board Realty Regulation and thanked Commissioner Rice and the Realtors Association of Maui for their hospitality.

SEO's Report:

Minutes of Previous Meetings

Upon a motion by Commissioner Abrams, seconded by Commissioner Kagawa, it was voted on and unanimously carried to accept the minutes of the December 12, 2002 Laws and Rules Review Committee meeting as circulated.

Program of Work, FY03:

Real Estate Recovery Fund – Report on Proposed Amendments

SEO Kimura reported that at the last meeting the committee recommended to have the Real Estate Recovery Fund counsel draft proposed legislation and that the Commission submit it to the 2003 Legislature. Since then, staff has been working with the Real Estate Recovery Fund counsel, who has recommended a material change. After discussion with the Chair of the Commission, it has been decided that due to the time element problem of addressing the material change and eventual submission of a bill, plus additional research on the consumer benefits or loss of benefits of the proposal, the Commission will not submit a bill to the 2003 Legislature. This issue has also been discussed with the Hawaii Association of Realtors.

Legislative and Government Participation

SEO Kimura reported that at the last meeting, the committee recommended to resubmit the 2002 proposed legislation relating to reciprocity and license recognition to the 2003 Legislature. Since the last meeting, discussions have been held with the Hawaii Association of Realtors (HAR). HAR is not prepared to support a bill at this time. Due to the lack of industry support and the time element problem, the Commission will not be submitting proposed legislation relating to reciprocity and license recognition to the 2003 Legislature.

SEO Kimura further reported that there will be proposals by the Administration, the Legislators, and others that will affect special funds. This is a great concern as the Department is self sufficient by special funds, which includes the services provided under the Commission.

Neighbor Island Outreach

The next neighbor island outreach is tentatively scheduled to be held on the island of Hawaii in May 2003. It was further reported that the May Real Estate Commission meeting scheduled for May 30, 2003, may be changed to May 23, 2003 due to quorum problems. Please check your calendar immediately and report whether the proposed date is a problem or not.

Licensing Renewal

Statistics – The Commissioners were updated on the real estate license renewal statistics. As of January 8, 2003, 4,871 of the 5,273 real estate brokers renewed and 8,461 of the 10,140 salespersons renewed, which

accounts for 83% of all licensees renewed. 28% of brokers and 20% of salespersons were renewed online

Subcommittee on Property Manager Licensing and Related Issues

Discussion was deferred to the February 12, 2003 meeting. Ms. Clarice Johnson has been informed of the deferral.

ARELLO, Other
Organizations and
Jurisdictions:

REALTORS Association of Maui

Terry Tolman reported to the committee that the Realtors Association of Maui is interested in working with the Commission to cross reference its licensing databases. Currently his staff spends a lot of administrative time cross referencing their database with what is available online.

SEO Kimura replied that under the Commission's Program of Work for the past few years has been an assignment to work with the Department to ensure that the licensing databank is included in the ARELLO's national licensing databank. The ARELLO national licensing databank has in place a procedure that does compare the state licensing databank with NAR's membership database. Basically, this procedure will expose unlicensed real estate persons as well as correct problems with license names. SEO Kimura also informed Mr. Tolman that the Commission will be sending out a Principal Broker listing to update the principal brokers of which licensees were in good standing with their company at the time of printing date.

Open Forum:

No discussion presented.

Budget and Finance
Report – RERF:

No report was presented.

Next Meeting:

Wednesday, February 12, 2003
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 11:00 a.m.

Reviewed and approved by:

/s/ Calvin Kimura
Calvin Kimura
Supervising Executive Officer

February 12, 2003
Date

Approved as is.

Approved with amendments. See minutes of _____ meeting.
CK:tn030117