

**LAWS AND RULES REVIEW COMMITTEE**  
Professional and Vocational Licensing Division  
Department of Commerce and Consumer Affairs  
State of Hawaii  
[www.hawaii.gov/hirec](http://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:** Thursday, August 11, 2005

**Time:** 9:00 a.m.

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

**Present:** Iris Okawa, Chair Pro Tem, Public/Honolulu Commissioner  
Stanley Kuriyama, Broker/Honolulu Commissioner  
Michele Sunahara Loudermilk, Public/Honolulu Commissioner  
Trudy Nishihara, Broker/Honolulu Commissioner  
Vern Yamanaka, Broker/Hawaii Island Commissioner

Calvin Kimura, Supervising Executive Officer  
Neil Fujitani, Executive Officer  
Diane Choy Fujimura, Senior Real Estate Specialist  
Cynthia Yee, Senior Condominium Specialist  
Lorene Kimura, Real Estate Specialist  
Ryan Yamashiro, Real Estate Specialist  
Cheryl Leong, Condominium Specialist  
David Grupen, Condominium Specialist  
Shari Wong, Deputy Attorney General (Late Arrival)  
Irene Kotaka, Secretary  
Karyn Takahashi, Clerk-Stenographer

**Others:** Janice Lind, HARE LLC  
Myoung Oh, Hawaii Association of REALTORS®  
John Sherman, All Professional Hawaii Realty  
Carol Egan, All Professional Hawaii Realty  
Ralph Foulger, Ralph Foulger's School of Real Estate

**Absent:** Louis Abrams, Vice Chair, Broker/Kauai Commissioner  
Carol Ball, Broker/Maui Commissioner  
Kathleen Kagawa, Broker/Honolulu Commissioner

**Call to Order:** The Chair Pro Tem 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:

**Announcements, Introduction, Correspondence, and Additional Distribution**

**Additional Distribution**

The following material was distributed to the Commissioners prior to the start of the meeting:

4. Program of Work, FY06
  - i. Neighbor Island Outreach
  - q. Division and Department Programs – Chapter 436B, HRS
8. Budget and Finance Report
  - a. Real Estate Recovery Fund

**Minutes of Previous Meetings**

Upon a motion by Commissioner Yamanaka, seconded by Commissioner Kuriyama, it was voted on and unanimously carried to accept the minutes of the July 13, 2005 Laws and Rules Review Committee meeting.

Program of Work  
FY06:

**Neighbor Island Outreach**

The next Neighbor Island Outreach will be held on Kauai on Wednesday, September 14, 2005. The Laws and Rules Review Committee meeting will convene at 9:30 a.m., with the Education Review Committee and the Condominium Review Committee meetings to follow. The meetings will be held in the Planning Commission's Meeting Room No. 2, in the Mo'ikeha Building, located at 4444 Rice Street, Lihue, Kauai.

**Commissioner's Education Program**

The June 2005 issue of OpenLine was distributed to the Commissioners for their information.

**Division and Department Programs**

A copy of Chapter 436B, HRS, was distributed to the Commissioners for their reference and information.

**Subcommittee on Agency**

The Commission had sent out a request for proposals to solicit bids to conduct the real estate symposiums discussing consumer relationship issues. The Hawaii Association of REALTORS informed the Commission that they would not be submitting a proposal. The Commission has not received any proposals for the bid. Subcommittee Chair Abrams will be discussing with staff the direction of the program.

Subcommittee Chair Abrams will report on the status of this program of work item at the September 14, 2005 meeting.

The following materials were distributed to the Commissioners for their information:

- "Agency Law Could Harm Real Estate Consumers," Inman Real Estate News
- "Former ARELLO President on Agency/Designated Agency", Inman Real Estate News

Budget and Finance Report:

**Real Estate Recovery Fund**

Upon a motion by Commissioner Nishihara, seconded by Commissioner Kuriyama, it was voted on and unanimously carried to recommend acceptance of the Real Estate Recovery Fund Report, dated August 9, 2005.

The Deputy Attorney General arrived.

Open Forum:

None.

Program of Work, FY06:

**Rule Making, Chapter 99, Hawaii Administrative Rules – Real Estate Brokers and Salespersons**

The SEO asked that recommendations for rule amendments be submitted directly to staff, along with the justification for the amendment. Staff will compile the recommendations and present it to the Commission for consideration.

Next Meeting:

Wednesday, September 14, 2005  
9:00 a.m.  
Queen Liliuokalani Conference Room  
King Kalakaua Building  
335 Merchant Street, First Floor  
Honolulu, Hawaii

The Commissioners were reminded to notify staff if they will not be able to attend the Commission meeting on Friday, August 26, 2005 or the Committee meetings on Wednesday, September 14, 2005. They were also asked to notify staff if their schedules change and they are able to attend a meeting which they had previously indicated they would not be able to attend.

Adjournment: With no further business to discuss, the Chair adjourned the meeting at 9:17 a.m.

Reviewed and approved by:

/s/ Calvin Kimura  
Calvin Kimura  
Supervising Executive Officer

September 14, 2005  
Date

[ X ] Approved as is.  
[ ] Approved with amendments. See minutes of \_\_\_\_\_ meeting.

CK/isk/050811