



## New SWAT rules may affect your licensing and practice

Do you have any questions about the new SWAT rules and how they affect your real estate licensing and practice? Over the past months, the Commission has made a number of clarifications on the SWAT rules.

Note: The following clarifications should be read and considered with all other applicable rules and law provisions. The date in parentheses is the date of the Laws and Rules Review Committee (LRRC) meeting when these clarifications were made. For more information, visit the Commission website at [www.state.hi.us/hirec](http://www.state.hi.us/hirec), under Commission, then click on meeting Agendas and Minutes. Also under News, you may review SWAT rule changes.

**Question:** When do I have to take the real estate licensing exam in order to get my real estate license?

**Answer:** You must pass both sections of the exam within two (2) years of the first examination date, subject to having, on the date of the last examination date, a current School Completion Certificate or Preliminary Education Equivalency Certificate. If you are a broker candidate, you must also have a current Experience Certificate. Note: The date of issuance of the School Completion Certificate is deemed to be the class completion date. The last examination date is the date of passage of the last section of the exam.) (LRRC, June 14, 2001)

**Question:** I want to restore my real estate license that expired. What continuing education courses do I need to take, if any?

**Answer:** If you are *restoring* your license in an even-numbered year, you will have to take the required 10 hours of continuing education in order to be renewed to active status. If you are a *new salesperson* who is issued a license during an even-numbered year, it is deemed that you have completed equivalent to the 10 hours of continuing education and will be renewed on active status. *Broker licensees* who passed the exam prior to the expiration of their salesperson's license and whose required application submission date (within two (2) years of the last examination date) is on an even-numbered year, may submit a license application during the renewal period and may request that the salesperson's license not be renewed and the broker license be effective January 1 of the

odd-numbered year. These candidates must complete the CE requirements in order to receive an active real estate broker's license. Finally, the expiration date of the special education equivalency certificate, and if a broker candidate, a special experience certificate, is December 31 of the even-numbered year of the current biennium based on the renewal fee quotation, which is determined on a biennial basis. (LRRC, June 14, 2001)

**Question:** As a real estate salesperson or broker, am I able to deposit any security deposits I collect in escrow depositories or trust companies?

**Answer:** A real estate broker's client's trust fund account shall be with a bank or recognized depository that is federally insured and in the State of Hawaii. This does **not** include a title or trust company authorized to do business in the State of Hawaii. (LRRC, July 11, 2001)

**Question:** My brokerage has branch offices on more than one island. Do I need to register each branch office?

**Answer:** If there are multiple places of business on an island, only one place of business needs to register with the Commission, either the principal place of business, or if on another island, a branch office. A principal place of business may be a home occupation office. Furthermore, all branch offices (registered or unregistered) may also be home occupation offices of each assigned BIC (subject to compliance with the law and rules). (LRRC, August 6, 2001)

**Question:** Do all registered branch office addresses *and* the principal place of business address have to be included in advertisements?

**Answer:** Only if an address other than the principal place of business or the registered branch office(s) appears in the ad then the address of the principal place of business or registered branch office should appear in the advertisement. (LRRC, August 6, 2001)

**Question:** Can a broker-in-charge supervise more than one branch office or be assigned to the principal place of business? Or does the principal broker always have to be in charge

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of the principal place of business?

**Answer:** A brokerage firm may have more than one broker-in-charge assigned to the principal place of business or each branch office; and one broker-in-charge may be assigned to supervise more than one branch office, including the principal place of business. Also, the principal broker may be temporarily assigned to supervise a branch office if the principal place of business has a BIC. (LRRC, November 14, 2001)

**Question:** As a principal broker, do I have to review *all contracts* that come out of my company, even those from branch offices?

**Answer:** The principal broker is always responsible for the review of all real estate contracts handled by the associating salespersons. However, the PB may delegate contract review to BICs subject to written policies and procedures established by the PB. (LRRC, August 6, 2001)

**Question:** What is “statewide residence”?

**Answer:** “Statewide residence” means that a brokerage firm may employ a salesperson or broker-salesperson who lives on an island different from that of the principal place of business where no registered branch office exists (S 16-99-5.2).

However, if you reside on an island different from that of the principal place of business and there is a *registered branch office*, “statewide residence” does not apply. Also keep in mind that the salesperson or broker-salesperson cannot maintain or advertise a place of business other than the principal place of business or registered branch office (S 16-99-5.2(2)). Advertisements on an island different from that of the principal place of business must disclose the name of the brokerage firm and the address and phone number of the principal place of business (S 16-99-5.2(3)). (LRRC, August 6, 2001)

**Question:** If I am on-site and selling units in a new condominium complex, or on-site selling homes in a newly opened subdivision, or on-site selling time share interests located in a project, is the place of business I’m working from considered a branch office?

**Answer:** No. The on-site place of business where real estate activities are engaged in exclusively relative to a condominium project, real estate subdivision, community development developed by a single developer, time share project, new or existing shopping center, or other commercial building was **not** intended to include the management of multiple real estate projects. The management of multiple real estate type projects from one office is considered a branch office and is subject to registration. (LRRC, August 6, 2001)

## SWAT amendments slated for 2002

The Real Estate Commission in a continuing collaborative effort with the Professional and Vocational Licensing Division’s efforts under the “Slice Waste and Tape” project, initiated by Lieutenant Governor Mazie Hirono last year, is proposing an administrative bill that will repeal and reduce regulatory burdens on businesses, the general public, and State government.

### License Reciprocity

The admin bill (sections 1, 4, and 5) will authorize the Commission to enter into a license reciprocity or recognition agreement with another state or ARELLO recognized jurisdiction. ARELLO, the Association of Real Estate License Law Officials, is an international organization that has been the leading advocate of removing barriers to license reciprocity and license recognition among the various states and jurisdictions.

Based on an ARELLO review, 16 states allow for full license reciprocity, 12 states provide for reciprocity under mutual agreements between states, and the balance of states, which includes Hawaii, provides a range of equivalencies to prelicensing requirements for out-of-state licensees.

A proposed amendment will allow out-of-state real estate licensees who have applied and met all equivalent prelicensing requirements to be eligible for examination. Another amendment recognizes continuing education courses completed by out-of-state licensees, provided that the licensee must complete Hawaii’s mandatory core course, which is required of all active Hawaii real estate licensees.

### Limited-Equity Housing Cooperatives

The proposed amendment will repeal the Commission’s administrative and regulatory authority of limited-equity housing cooperatives.

### Authority of Principal Broker

The proposed amendment will provide the principal broker with the authority to delegate management and supervision duties to one or more brokers in charge. Principal brokers will then be held accountable according to their own standards which shall be set forth in written policies and procedures. Principal brokers shall also be responsible for educating all participants, enforcing the policies, and keeping records regarding the policies.

### Condominium Managing Agents

Condominium Managing Agents will no longer be required to register with the Commission and maintain a fidelity bond *as long as the agent maintains an active real estate broker license*. Active real estate brokers have to renew their licenses biennially and are covered under the real estate recovery fund.

### Impact of Proposed Amendments

All of the above proposed amendments will reduce regulatory requirements, allow for standards of accountability to be set by the principal broker by providing principal brokers with the authority to delegate management and supervision duties, amend licensure requirements for out-of-state real estate licensees through reciprocity or recognition agreements, and streamline regulatory requirements for condominium managing agents.

## The Chair's Message

Happy New Year!

Last year, the Laws and Rules Review Committee reviewed and made sweeping changes to the licensing laws, Chapter 99,



Hawaii Administrative Rules. The SWAT (Slice Waste and Tape) bill that was generated from Lieutenant Governor, Mazie Hirono's office, mandated that each agency re-visit their industry rules to delete obsolete rules, to update rules to meet current business practices, and to simplify rules that overburdened each industry. The revisions and deletions of many obsolete rules should create a business-friendly environment, without compromise to consumer protection. This new mandate was added to the agenda of the Laws and Rules Review Committee.

Through the hard work of current commissioners Michael Ching, Charles Aki, and Iris Okawa, former commission chair Alvin Imamura, DCCA's Licensing Administrator, DCCA's Program Specialist, the Real Estate Commission staff's Executive Officer, and Senior Real Estate Specialist, the rules were worked on until a final draft was agreed upon.

With the cooperation of the Hawaii Association of Realtors, the Real Estate Commission staff, and the DCCA, the final rules were reviewed and adopted by the Real Estate Commission. For the first time in history, sweeping changes were made in a very short period of time.

My personal thanks goes to all the people who worked many long hours to review and adopt the final changes to Chapter 99. The Chair of the Laws and Rules Review Committee, Alfredo Evangelista, and Vice Chair Iris Okawa, along with the rest of the Laws and Rules Review Committee, will be spending this year implementing, reviewing, and fine-tuning the rules as needed.

Under the leadership of commissioners Charles Aki and Patricia Choi, the Education Review Committee busily worked to complete the Mandatory Core Course for the 2001-2002 biennium. My sincere appreciation goes to the chair and vice chair of this hard-working committee, as well as a special note of thanks to the Hawaii Association of Realtors, especially to Marsha Shimizu.

A special note of thanks also goes to those who contributed in writing and developing individual segments of the course. Trudy Nishihara, Judy Sykes, Kenneth Chong, Lloyd Sodetani, Joanna Markle, Suzanne King, Mitchell Imanaka, Joe Haas, Ralph Foulger, Keith Ching, and Mark Ambard all contributed long hours, hard work and lots of aloha to make this course possible. Together, the Commission, these volunteers, and HAR were able to provide a quality core course for all of its licensees.

Education chair Charles Aki, vice chair Patricia Choi, and the rest of the Education Review Committee will continue their hard work this year reviewing courses appropriate for continuing education that will appeal to the diverse needs of our licensees. It is the goal of the Education Review Committee to expand the course offerings. We need your input on the types of courses you would like to see offered in the coming years. Your suggestions will be warmly welcomed! If you see a course that meets the continuing education

guidelines but has not been approved, urge the provider to submit the course to the Commission for approval. Lastly, if any licensee has suggestions on course approval or topics for continuing education, please contact the Commission by phone or by writing to the Education Review Committee.

The condominium community should be receiving exciting news this year! Condominium Review Committee chair Mitchell Imanaka and the condominium recodification attorney, Gordon Arakaki, have been diligently working on re-codifying Chapter 514A, Hawaii Revised Statutes (HRS). For the past year, our condo chair and recodification attorney have been working with the condominium community refining their initial draft and receiving further input.

Much like the sweeping changes SWAT made to the real estate license rules, the recodification of Chapter 514A, HRS, should address many antiquated laws and rules that govern our condominium community. The final product should give this set of laws a much needed facelift and bring clarity to those involved in the condominium industry. The remainder of the year will be dedicated to completing this monumental project. Peter Rice, vice chair of the Condominium Review Committee, has worked alongside the chair in the recodification project as well as monitoring the issues that affect the condominium industry.

In conclusion, the many accomplishments achieved by the Real Estate Commission this past year were possible only through the help of many selfless and hardworking individuals. To those who volunteered to make our industry a better one, I say a BIG Thank You! We will strive to meet our goals and make each year a better year. I welcome new ideas, new blood, and new bodies to help the Commission meet its goals!

Finally, I would like to commend Calvin Kimura, the Commission's Supervising Executive Officer, and the staff of the Real Estate Commission for working with the commissioners and implementing all of its programs, projects, and goals in a timely and highly professional manner.

Aloha and Mahalo!

**State of Hawaii Real Estate Commission**

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**Website: [www.state.hi.us/hirec](http://www.state.hi.us/hirec)**

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**This material can be made available to individuals with special needs. Please call the Senior Real Estate Specialist at 586-2645 to submit your request.**

## Tax Year 2001 income tax filing season news and tips

Time sure flies when you have a deadline to meet, and the State's April 20<sup>th</sup> income tax filing deadline for calendar year taxpayers is fast approaching. Here are some changes to note on your tax return forms and helpful tips for meeting the deadline.

### NEW ON 2001 INCOME TAX RETURNS

**New Income Tax Credit.** One of the most talked about changes that you'll see on 2001 Hawaii income tax returns is a new tax credit called the Residential Construction and Remodeling Tax Credit.

The Residential Construction and Remodeling Tax Credit, included in Act 10, Third Special Session of 2001, is a nonrefundable income tax credit of 4% of qualifying costs up to a maximum of \$250,000, in the aggregate, for each residential real property unit. If the amount of the credit is more than the tax liability, the unused credit may be carried over to the following years until used up.

This credit is applicable to taxable years beginning after December 31, 2000, but not to taxable years beginning after December 31, 2003, for costs incurred before July 1, 2002. The credit must be claimed on or before the end of the twelfth month following the close of the taxable year for which the credit may be claimed.

Use Form N-332 to compute this credit, and see Department of Taxation Announcement No. 2001-20 for more information. A Tax Information Release will be issued to clarify which costs qualify for the credit and who (e.g., individual home owners, developers, etc.) may claim the credit in certain circumstances.

Several bills, including House Bill 2574 and Senate Bill 2831, have been introduced at the Legislature to extend the credit. To follow the progress of these bills, go to the Hawaii State Legislature website at [www.capitol.hawaii.gov](http://www.capitol.hawaii.gov).

**New Check-off.** A new line that could affect your refund has been added just before the "Refund" line on your individual income tax returns (Forms N-11, N-12, N-13, and N-15).

If you have an overpayment of tax reflected on your tax return, you may elect to contribute \$2 (\$4 if married filing a joint return and both you and your spouse make the contribution) to the Hawaii School-level Minor Repairs and Maintenance fund. Money contributed to this special fund will be given to and used by Hawaii's public schools for minor repairs and maintenance work.

This optional check-off WILL reduce your refund by the amount contributed and CANNOT be revoked once the election is made. However, you may be able to claim this amount as a charitable contribution on your tax year 2002 income tax return if you itemize your deductions next year.

### MEETING THE APRIL 20<sup>TH</sup> FILING DEADLINE

The due date for filing calendar year Hawaii returns is April 20<sup>th</sup>. However, since April 20<sup>th</sup> falls on a Saturday this year, you actually will have until Monday, April 22, 2002, to file your return.

If you plan on mailing your tax return, make sure that your return will be postmarked on April 22<sup>nd</sup> before midnight. U.S. Post Offices will not have special hours to accommodate the Hawaii filing deadline, but certain private delivery services also can be used to meet the "timely mailing treated as timely filing/paying rule."

For the REALLY last minute filers on Oahu, the Tax Department will once again have curbside service on April 22<sup>nd</sup>, from 5:00 P.M. to midnight, in front of the Princess Ruth Keelikolani Building at 830 Punchbowl Street. Just drive up to the building on either Halekauwila or Punchbowl Streets, and give your Hawaii tax returns and/or other tax documents to one of the staff volunteers.

If you cannot get your tax return completed and filed on time, you should file an application for an extension of time to file your return. Because the extension only extends the deadline for filing a return and NOT the deadline for paying the tax, be sure to attach payment for any tax that you may owe to avoid penalty and interest charges.

The deadline for filing an extension request this year also is April 22<sup>nd</sup>. As a real convenience to you, extensions of time to file Hawaii income tax returns also can be electronically filed via the Internet. See the article on page 4 of the July 2001 issue of the "Bulletin," or visit the Tax Department's website at [www.state.hi.us/tax](http://www.state.hi.us/tax) and select "Internet Filing of Selected Tax Forms" for more information.

### GETTING TAX FORMS, PUBLICATIONS, AND INFORMATION

Hawaii tax forms, publications, and information are available at any district tax office, by calling 587-4242 (toll-free at 1-800-222-3229), by e-mail at [Taxpayer\\_Service@tax.state.hi.us](mailto:Taxpayer_Service@tax.state.hi.us), and on the Tax Department's website at [www.state.hi.us/tax](http://www.state.hi.us/tax). Tax forms and publications also may be requested by calling the Department's Forms By Fax/Mail line at 587-7572 (toll-free at 1-800-222-7572).

### November 30 is renewal deadline

An early reminder to all: **2002 is a licensing renewal year with an application submission deadline of November 30, 2002. Please PLAN AHEAD.** Licensees renewing to an active status are required to complete ten (10) hours of approved continuing education courses, of which four (4) hours must be a core course. Providers, instructors, and licensees should plan ahead with the November 30<sup>th</sup> deadline in mind.

If you obtain a new license (broker or salesperson) in 2002, you will ALSO have to renew that license by November 30, 2002. In other words, you will pay license fees twice in 2002 as fees are not prorated.

**DON'T WAIT TO THE LAST MINUTE!!  
RENEW EARLY!! TAKE YOUR CE COURSES EARLY!!**

## Administrative Actions

### **Edward A. Neizman and Kaiman Realty, Inc.—REC 1999-89-L; REC 2000-4-L; REC 2000-7-L; REC 2000-36-L**

In November, 2000, RICO filed a Petition for Disciplinary Action against Respondents alleging they violated statutes and/or regulations governing the conduct of real estate brokers licensed in Hawaii. Respondent Neizman was president and principal broker of Kaiman Realty. On April 30, 1999, the Commission issued a Final Order against Respondents suspending their licenses for six months. In Count I of the Petition, RICO alleged that Respondents continued to engage in the business of real estate broker, including listing real property for sale, posting “for sale” on real property, and otherwise working on real estate transactions for others. In Count II of the Petition, RICO alleged that Respondents allowed a salesperson to perform real estate activities although her license was on inactive status. This salesperson represented clients in a transaction that resulted in legal action, but Respondents allegedly failed to recommend that the clients obtain legal counsel. In Count III, RICO alleged that Respondents represented both buyer and seller without obtaining written consent and without informing the buyer of the poor physical condition of the property that subsequently required the buyer to spend \$22,000 on repairs. RICO further alleged that Respondents did not provide a copy of the DROA to the buyer and did not use an “As Is” addendum. In Count IV, petitioner alleged that Respondents did not maintain a place of business at the address they had registered with the Commission.

RICO alleged that Respondents’ conduct violated HRS §467-7 (acting as real estate broker without an active license), §467-1.6(7) (failing to ensure that licenses of all associated real estate licensees and the brokerage firm are current and active); §467-14(20) (failure to maintain a reputation for or record of competency, honesty, truthfulness, financial integrity, and fair dealing); §467-14(13) (violating statutes and rules governing the licenses of real estate brokers and salespersons); HAR §16-99-3(d) (failing to recommend that legal counsel be obtained when the interest of the client requires it); §HRS 467-14(4)I (representing both parties in a real estate transaction without first obtaining written consent to do so); HAR §16-99-3.1(g) (representing both parties in a real estate transaction without first making full disclosure of the type of representation to be provided, and obtaining written consent to do so); HAR §16-9-3(f) (failure to set forth essential terms and conditions), (failure to deliver copy of contract to client); §HRS 467-14(18) (failing to ascertain and disclose all material facts concerning real property); §HRS 467-14(1) (making any misrepresentation concerning any real estate transaction); §HRS 467-14(8) (any other conduct constituting fraudulent or dishonest dealings); HRS §436B-19(7) (professional misconduct constituting fraudulent or dishonest dealings); HRS §436B-19(7) (professional misconduct, incompetence, gross negligence, or manifest incapacity in the practice of the licensed profession or vocation); HRS §436B-19(9) (conduct

contrary to recognized standards of ethics); HRS §467-12(a) (a broker shall maintain a place of business located in this State); and HAR §16-99-3(n) (a broker shall maintain a place of business at a business address registered with the Commission from which the broker does, in fact, conduct business and where the broker’s books and records are maintained). Respondents admitted some of the allegations and denied other allegations, but they wanted to settle the matter without a hearing. Under terms of a Settlement Agreement after Filing of Petition for Disciplinary Action, Respondents agreed to make restitution totaling \$12,000 to two clients and pay a \$6,000 administrative fine. Respondents agreed to revocation of their licenses if they violate the terms of the Settlement Agreement.

The Commission accepted the Settlement Agreement on June 29, 2001.

### **Donald H. Matsumura and Matsumura & Associates, Inc.—REC 1999-88-L**

In April, 2001, RICO filed a Petition for Disciplinary Action alleging that Respondent violated statutes and/or regulations governing the conduct of real estate brokers licensed in Hawaii. Respondent Matsumura was president and principal broker of Matsumura & Associates. In a statement of facts, RICO alleged violations of statutes and rules as follows: In Count I, Respondents negotiated a back-to-back sale of a Mapunapuna warehouse facility, offering to purchase the property for \$950,000 on behalf of one buyer and negotiating the sale of the same property to another buyer for \$1,150,000 on the same day without disclosing the facts of the transaction to the second buyer. Respondents did not obtain written consent stating that Respondents made full disclosure of the type of representation Respondents would provide to the buyers and sellers. In Count II, Respondent Matsumura filed a petition for relief under Chapter 11 bankruptcy, and a company to which he allegedly owed money subsequently filed a complaint to determine the non-dischargeability of an alleged debt. The court entered a judgment against Respondent in the amount of \$605,562.48 in this case. In its findings of fact, the court concluded that Respondents had engaged in actual fraud with respect to their representation of a buyer and seller in a real estate transaction and had breached their fiduciary and regulatory duties to the client who brought suit. Respondent did not report the judgment to the Commission pursuant to HRS §436B-16(a). In Count III, Respondent Matsumura does not maintain a definite place of business registered with the Commission. RICO alleged that Respondents violated the following provisions of law and administrative rules: HRS §467-14(4) (representing both parties in a real estate transaction without first obtaining written consent to do so); HAR §16-99-3.1(g) (representing both parties in a real estate transaction without first making full disclosure of the type of representation to be provided, and obtaining written consent to do so); HRS §467-

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14(8) (conduct constituting fraudulent or dishonest dealings); HRS §467-14(1) (misrepresentation concerning any real estate transaction); HAR §16-99-3(g) (failing to reveal licensee's interest in real property sold to purchaser); HRS §436B-16 (failure to report judgment to Commission); HRS §467-12 (a) (failure to maintain a definite place of business); and HAR §16-99-3(n) (failure to maintain a place of business at a business address registered with the Commission). Under terms of a Settlement Agreement after Filing of Petition for Disciplinary Action, Respondent voluntarily agreed to revocation of his broker's license for five years.

The Commission accepted the Settlement Agreement on June 29, 2001.

### **Big Island Hawaii Realty, Inc., dba Century 21 Big Island, James Beckett, Jr., and Sandra M. Takeya—REC 96-101-L**

RICO received a complaint alleging, among other things, that Respondent Takeya signed an addendum to a DROA without the seller's authorization and that Respondent Beckett failed to cancel a termite inspection and survey. Respondents were salespersons with Big Island Hawaii Realty. Respondents admitted the above-stated violations but entered into a Settlement Agreement Prior to Filing of Petition for Disciplinary Action to avoid further controversy and expense. Under terms of the agreement, Respondent Takeya agreed to pay a \$500 administrative fine and Respondent Beckett agreed to pay a \$1,000 administrative fine.

The Commission accepted the Settlement Agreement on October 30, 2001.

### **Karen N.W. Meyer dba Kam Realty—REC 2000-142-L**

In August 2001, RICO filed a Petition for Disciplinary Action against Respondent alleging that she violated HRS §467-12(a) (failure to maintain a definite place of business) and HAR §16-99-3(n) (failure to maintain a business address at a business address registered with the Commission). Under terms of a Settlement Agreement After Filing of Petition for Disciplinary Action, Respondent agreed to pay a \$250 administrative fine.

The Commission accepted the Settlement Agreement on October 30, 2001.

### **Hugh M. Howell—REC 2000-136-L**

In April 2001, RICO filed a Petition for Disciplinary Action against Respondent's salesperson's license. An administrative hearing was conducted August 30, 2001, but Respondent failed to appear in person or through a representative. RICO alleged that in the autumn of 1999, Respondent was acting as a seller's agent in the proposed sale of an Oahu residential property. On November 19, 1999, Respondent received a DROA for the property from the representative of a pro-

spective buyer (Buyer A). Respondent sent Buyer A's representative a facsimile of notations handwritten on a copy of the DROA. The representative requested that Respondent either telephone and clarify the terms of this counteroffer or resubmit the counteroffer on an appropriate form because parts of the document sent by facsimile were blurred. At about the same time, Respondent transmitted other counteroffers that had been submitted by other potential buyers but did not disclose this to Buyer A's representative. Buyer A's representative subsequently telephoned Respondent saying his client had accepted the counteroffer and that he would draft a DROA reflecting the agreed-upon terms for execution the next day. That DROA was sent to Respondent by facsimile. Respondent subsequently informed Buyer A's representative that the seller had accepted another offer. The representative contended that Respondent had already made a binding oral acceptance of his client's counteroffer, but Respondent disagreed and refused to sell him the property. Buyer A submitted an ethics complaint to the Honolulu Board of Realtors®. The Board determined that Respondent had violated Articles 2 and 9 of the organization's code of ethics and told Respondent he must either take a specified course or pay a \$300 fine. RICO alleged that Respondent violated HAR §16-99-3(f) (conduct) and HRS §436B-19(9) (conduct or practice contrary to recognized standards of ethics). The Hearings Officer recommended that Respondent's license be suspended for one year and that he be fined \$2,500.

The Commission amended the Hearings Officer's recommendations and required Respondent to complete a course entitled Essentials in Deposit-Receipt-Offer-Acceptance within 180 days, with failure to comply to result in a one-year suspension of Respondent's license.

On December 14, 2001, the Commission accepted the Hearings Officer's recommended order as amended by the Commission.

### **Ronald D. Silverman and Hawaiian Properties, Ltd.—REC 2000-74-L**

RICO was informed that in managing a condominium unit for a client, Respondents violated Article 1 of the National Association of Realtors® Code of Ethics by failing to consult with the client prior to refunding rent monies to a tenant who had vacated before the expiration of the rental period.

RICO was prepared to file a Petition for Disciplinary Action against Respondents for a violation of HRS §436B-19(9) (conduct or practice contrary to recognized standard of ethics).

Respondents desired to settle the matter without a hearing.

Under terms of a Settlement Agreement Prior to Filing of Petition for Disciplinary Action, Respondents agreed to pay a \$500 administrative fine and \$193.19 for restitution.

The Commission approved the Settlement Agreement on December 14, 2001.

## Administrative Actions

### Steven D. Weeks—REC 2000-45-L

In October 2001, RICO filed a Petition for Disciplinary Action against Respondent's real estate broker's license alleging that he violated HRS §467-14(18), (failing to ascertain and disclose all material facts concerning every property), (4) (representing both parties in a real estate transaction without first obtaining written consent to do so), and HAR §16-99-3.1(g) (representing both parties without first making full disclosure of the type of representation to be provided and obtaining written consent to do so).

Under terms of a Settlement Agreement After Filing of Petition for Disciplinary Action, Respondent agreed to pay a \$2,000 administrative fine.

The Commission approved the Settlement Agreement on December 14, 2001.

### Jon G. Anderton—REC 2000-171-L

In October 2001, RICO filed a Petition for Disciplinary Action against Respondent's salesperson's license, alleging that he violated HRS §467-14(5) (accepting compensation from anyone other than his employer), (6) (real estate salesperson attempting to act as a broker), and HAR §16-99-3(f) (failing to see that financial commitments regarding real estate transactions are in writing and placed in the hands of all parties involved). Respondent denied the allegations but entered into a settlement agreement to compromise disputed claims and avoid the expense of further litigation. Under terms of a Settlement Agreement After Filing of Petition for Disciplinary Action, Respondent agreed to pay a \$500 administrative fine. The Commission accepted the Settlement Agreement on December 14, 2001.

## Application Appeals

In the following cases, the applicants appealed decisions by the Commission. Under the appeals procedure, the Office of Administrative Hearings conducts an evidentiary hearing and the Hearings Officer issues findings of fact, conclusions of law, and recommended order. The Commission then decides on the case and its final order.

**Case #1.** The Commission denied application for a broker experience certificate based on §467-9.5(a)(3)(C), as the applicant failed to submit Experience Certification Statements that reflected an average of 40 hours per week to real estate salesperson activity. Applicant was associated with two Hawaii-licensed brokerage firms for the three-year period prior to application submission date and submitted two Experience Certification Statements certified by the principal brokers. One principal broker certified that applicant devoted an average of 40 hours per week to real estate salesperson activity while the other did not. The applicant disputed the second certification and stated that an average of more than 40 hours per week was devoted to real estate salesperson activity. In addition, the dispute is the result of an ongoing dispute over sales commission.

The applicant provided very little evidence to corroborate devoting an average of 40 hours per week to real estate salesperson activity. The only evidence of note consisted of a list of various transactions that the applicant was involved in and an IRS 1099 form issued by the brokerage firm, showing income of over \$60,000. The evidence alone is insufficient to establish the time applicant actually devoted to real estate salesperson activity or to rebut the Experience Certification Statement in question.

The applicant appealed the Commission's decision to deny and the Hearings Officer concluded that the applicant failed to prove by a preponderance of the evidence that the Commission erred in denying applicant's application for broker experience certificate. The Commission adopted the Hearings Officer's recommended decision as the Commission's

Final Order. The denial is upheld.

**Case #2.** The Commission denied application for a real estate salesperson's license based on §467-8(a)(3) and §436B-19(1), (8), and (12). The applicant had two previous disciplinary actions with one resulting in revocation of the applicant's real estate broker license due to violating terms of a settlement agreement of payment of a fine and restitution.

Due to the revocation, passage of the five year revocation period, and prior to completing preclicensing requirements of education and examination, the applicant requested a non-binding preliminary decision from the Commission based on §467-8(b) as to whether the Commission would favorably consider granting a real estate salesperson license subject to completion of preclicensing requirements. The Commission's records reflected no payment of fine or restitution. The applicant contended that a bankruptcy action released all listed debts including the fine and restitution payment. The broker-in-charge of the proposed brokerage firm that applicant would be associated with upon licensure supported applicant's licensure, would personally supervise applicant, and would see that ten percent of any commission earned would go towards the payment of restitution. The Commission was unable to reach a decision regarding the applicant's request for a preliminary decision.

Thereafter, the applicant completed all preclicensing requirements and submitted an application for real estate salesperson license. Applicant voluntarily paid the fine and negotiated an agreement with the creditor for a payment plan of the restitution upon licensure. The creditor supported applicant's application for licensure. However, the Commission denied the applicant's application for real estate salesperson license.

The applicant filed an appeal and contended that the Commission had improperly denied the application for licensure

## Application Appeals

*Continued from page 7*

and in so doing, abused its discretion. In addition, the applicant felt the Commission improperly considered prior disciplinary actions predating the settlement agreement and failed to recognize that applicant was merely acting as a principal in the real estate transaction and not in the capacity of a real estate licensee. The Hearings Officer found otherwise and recommended that the Commission find and conclude that the denial of applicant's application for a real estate salesperson license had bases in fact and was neither an abuse of the Commission's discretion nor improper. The Commission adopted the Hearings Officer's recommended decision as the Commission's Final Order. The denial is upheld.

**Case #3.** The Commission denied application for a broker experience certificate based on §467-9.5(2)(B)(iii), as the applicant failed to submit Experience Certification Statements that reflected an average of 40 hours per week of real estate salesperson activity. Applicant was associated with two Hawaii-licensed brokerage firms for the three year period prior

to application submission date and submitted two Experience Certification Statements certified by principal brokers. One principal broker certified that the applicant devoted an average of 40 hours per week to real estate salesperson activity while the other did not. The applicant disputed the second certification and stated that an average of at least 40 hours per week was devoted to real estate salesperson activity, including building a network and name recognition for the applicant's real estate activities. These activities were performed from home due to no office space, which influenced the principal broker's evaluation of time spent on real estate salesperson activities. The Commission denied the applicant's application for a broker experience certificate.

The applicant filed an appeal. The Hearings Officer concluded that the applicant failed to establish by a preponderance of the evidence that the applicant did have the necessary real estate salesperson experience and found that the denial by the Commission was not improper. The Commission adopted the Hearings Officer's recommended decision as the Commission's Final Order. The denial is upheld.

### ***2001-2002 mandatory core course***

The 2001-2002 mandatory core course consists of two parts that equal four classroom hours. Part one is three (3) hours in length and consists of laws update, rules update, and ethics laws. Part two is one hour in length and consists of five (5) different options: Commercial Law and Ethics, Residential Sales Ethics, Residential Property Management, Condominium Management, and Advanced Laws, Rules and Ethics (for Brokers and Experienced Salespersons), and Sale of Time Share Interests. The instructor will decide which option will be selected.

The mandatory core course objectives include an overview of recent laws and rules changes affecting the real estate industry, developing the ability to recognize business situa-

tions that require licensees to conduct themselves in a professional and ethical manner, and the emphasize the importance of appropriate consumer disclosures in real estate transactions. In addition, to provide education for the specialty areas in the real estate brokerage business.

A licensee may not receive CE credit for a core course taken more than one time. For example: If a licensee takes "Real Estate Law Update & Ethics 2001-2002 Condominium Management" today, and next month takes "Real Estate Law Update & Ethics 2001-2002 Residential Ethics," the licensee will only receive CE credit for the first core course taken. The second core course taken cannot be used towards the 10-hour CE requirement.

## **Update on recodification of Chapter 514A**

The Commission has completed its initial draft of the recodification of Hawaii's condominium property regimes law. (Pursuant to Act 213, Session Laws of Hawaii, 2000, the Commission is conducting a review of Hawaii's 40-year old condominium law to "update, clarify, organize, deregulate, and provide for consistency and ease of use" of the law.) Recodification Draft #1 provides a starting point and framework from which to: 1) work on specific problems, and 2) continue our discussions on improving Hawaii's condominium law. Some portions are more complete than others, with Article 3 (Management of Condominium) needing a lot more work integrating provisions of HRS Chapter 514A and suggestions from stakeholders. The goal is to present the final report and recommended bill to the 2003 Legislature.

As always, we are interested in learning what problems you have with HRS Chapter 514A and what solutions you might suggest. For your reference, our recodification work plan, timetable, base working document [a comparison of the Uniform Common Interest Ownership Act (UCIOA), Uniform Condominium ACT (UCA), and HRS Chapter 514A], and other recodification materials are available on our website – <http://www.state.hi.us/hirec>. Recodification Draft #1 is being reviewed and will be posted shortly.

Please address correspondence to: Mitchell Imanaka and Gordon Arakaki, DCCA – Real Estate Branch, 250 South King Street, Room 702, Honolulu, HI 96813.

You may also call us at 586-2643, or e-mail us at [Gordon\\_M\\_Arakaki@dcca.state.hi.us](mailto:Gordon_M_Arakaki@dcca.state.hi.us).



# Education Calendar

## Scheduled Continuing Education Courses

An updated schedule is available at <http://www.state.hi.us/hirec>. Courses are subject to change or cancellation; please check directly with the provider to confirm date, time, and location.

To renew a license, you must take 10 hours of continuing education courses. One of the courses must be an approved core course. To restore a license forfeited less than one year, you must take at least 10 hours of continuing education courses in order to be on active status. One of the courses may be the approved core course. Courses with a (c) are approved 2001-2002 core courses and receive 4 hours credit. All other courses are electives and receive 3 hours credit. (If you are taking courses to reactivate an inactive license this year, you may take elective courses totaling at least 10 hours credit. If you are restoring a license forfeited over one year, read the restoration application instructions. In lieu of the core course, licensees who wish to restore or reactivate a license need at least 10 credit hours of continuing education or 4 continuing education elective courses.

| Date        | Time    | Subject                         | Provider                       | City     | Instructor | Fee (\$) |
|-------------|---------|---------------------------------|--------------------------------|----------|------------|----------|
| <b>OAHU</b> |         |                                 |                                |          |            |          |
| 3/1/02      | 09:00am | (c) REAL ESTATE LAW UPDATE & ET | RICHARD W DAGGETT              | HONOLULU | DAGGETT    | 50.00    |
| 3/2/02      | 09:00am | HOMEOWNER'S TAX STRATEGIES      | EDDIE FLORES REAL ESTATE       | AIEA     | FLORES JR  | 45.00    |
| 3/4/02      | 09:00am | ESSENTIALS OF THE DROA          | HONOLULU BOARD OF REALTORS     | HONOLULU | CHONG      | 69.00    |
| 3/5/02      | 09:00am | (c) REAL ESTATE LAW UPDATE & ET | DUPLANTY SCHOOL OF REAL ESTATE | HONOLULU | DUPLANTY   | 45.00    |
| 3/6/02      | 01:00pm | DEVELOPING SMALL PROPERTIES     | ABE LEE SEMINARS               | HONOLULU | LEE        | 45.00    |
| 3/6/02      | 05:00pm | UNDERSTANDING CONTRACTS PART I  | ABE LEE SEMINARS               | HONOLULU | LEE        | 45.00    |
| 3/6/02      | 09:00am | ZONING-ISSUES, PROBLEMS, QUESTI | ABE LEE SEMINARS               | HONOLULU | LEE        | 45.00    |
| 3/13/02     | 05:30pm | FEDERAL LAWS THAT AFFECT LICENS | EDDIE FLORES REAL ESTATE       | HONOLULU | FLORES JR  | 45.00    |
| 3/15/02     | 01:00pm | RESIDENTIAL SALES CONTRACTS     | DUPLANTY SCHOOL OF REAL ESTATE | HONOLULU | DUPLANTY   | 45.00    |
| 3/20/02     | 01:00pm | (c) REAL ESTATE LAW UPDATE & ET | ABE LEE SEMINARS               | HONOLULU | LEE        | 42.00    |
| 3/20/02     | 06:00pm | UNDERSTANDING CONTRACTS PART II | ABE LEE SEMINARS               | HONOLULU | LEE        | 45.00    |
| 3/20/02     | 09:00am | UNDERSTANDING CONTRACTS PART II | ABE LEE SEMINARS               | HONOLULU | LEE        | 45.00    |
| 3/22/02     | 01:30pm | CONDOMINIUM LAWS & ISSUES 1997  | DUPLANTY SCHOOL OF REAL ESTATE | HONOLULU | DUPLANTY   | 45.00    |
| 3/22/02     | 09:00am | (c) REAL ESTATE LAW UPDATE & ET | DUPLANTY SCHOOL OF REAL ESTATE | HONOLULU | DUPLANTY   | 45.00    |
| 3/23/02     | 03:30pm | (c) REAL ESTATE LAW UPDATE & ET | EDDIE FLORES REAL ESTATE       | HONOLULU | GOODE JR   | 45.00    |
| 3/23/02     | 09:00am | HOT REAL ESTATE ISSUES 2001/02  | EDDIE FLORES REAL ESTATE       | HONOLULU | FLORES JR  | 45.00    |
| 3/23/02     | 09:00am | HOT REAL ESTATE ISSUES 2001/02  | EDDIE FLORES REAL ESTATE       | HONOLULU | FLORES JR  | 45.00    |
| 3/23/02     | 12:30pm | RESIDENTIAL AND COMMERCIAL EVIC | EDDIE FLORES REAL ESTATE       | HONOLULU | GOODE JR   | 45.00    |
| 3/23/02     | 12:30pm | RESIDENTIAL AND COMMERCIAL EVIC | EDDIE FLORES REAL ESTATE       | HONOLULU | GOODE JR   | 45.00    |
| 3/27/02     | 09:00am | LISTING AND SELLING BUSINESS OP | RICHARD W DAGGETT              | HONOLULU | DAGGETT    | 50.00    |
| 3/28/02     | 09:00am | CONTRACTS/BUSINESS OPPORTUNITIE | RICHARD W DAGGETT              | HONOLULU | DAGGETT    | 50.00    |
| 4/3/02      | 09:00am | LISTING AND SELLING BUSINESS OP | RICHARD W DAGGETT              | HONOLULU | DAGGETT    | 50.00    |
| 4/4/02      | 09:00am | CONTRACTS/BUSINESS OPPORTUNITIE | RICHARD W DAGGETT              | HONOLULU | DAGGETT    | 50.00    |
| 4/5/02      | 09:00am | (c) REAL ESTATE LAW UPDATE & ET | RICHARD W DAGGETT              | HONOLULU | DAGGETT    | 50.00    |
| 4/5/02      | 09:00am | (c) REAL ESTATE LAW UPDATE & ET | RICHARD W DAGGETT              | HONOLULU | DAGGETT    | 50.00    |
| 4/6/02      | 01:30pm | SURVEYS, TERMITE & HOME INSPECT | ABE LEE SEMINARS               | HONOLULU | LEE        | 45.00    |
| 4/6/02      | 03:30pm | (c) REAL ESTATE LAW UPDATE & ET | EDDIE FLORES REAL ESTATE       | HONOLULU | CHONG      | 45.00    |
| 4/6/02      | 08:30am | (c) REAL ESTATE LAW UPDATE & ET | ABE LEE SEMINARS               | HONOLULU | LEE        | 42.00    |
| 4/6/02      | 09:00am | RESIDENTIAL AND COMMERCIAL EVIC | EDDIE FLORES REAL ESTATE       | HONOLULU | FLORES JR  | 45.00    |
| 4/6/02      | 12:30pm | FEDERAL LAWS THAT AFFECT LICENS | EDDIE FLORES REAL ESTATE       | HONOLULU | CHONG      | 45.00    |
| 4/10/02     | 01:00pm | (c) REAL ESTATE LAW UPDATE & ET | ABE LEE SEMINARS               | HONOLULU | LEE        | 42.00    |
| 4/10/02     | 06:00pm | PERMITS, PERMITS AND MORE PERMI | ABE LEE SEMINARS               | HONOLULU | LEE        | 45.00    |
| 4/10/02     | 09:00am | HUD, VA AND (NON) JUDICIAL FORE | ABE LEE SEMINARS               | HONOLULU | LEE        | 45.00    |
| 4/13/02     | 09:00am | RESIDENTIAL AND COMMERCIAL EVIC | EDDIE FLORES REAL ESTATE       | AIEA     | FLORES JR  | 45.00    |
| 4/15/02     | 08:30am | (c) REAL ESTATE LAW UPDATE & ET | EDDIE FLORES REAL ESTATE       | HONOLULU | GOODE JR   | 35.00    |
| 4/16/02     | 01:00pm | HOW TO MANAGE RESIDENTIAL PROPE | DUPLANTY SCHOOL OF REAL ESTATE | HONOLULU | DUPLANTY   | 45.00    |
| 4/16/02     | 09:00am | RISK REDUCTION WHEN LISTING     | DUPLANTY SCHOOL OF REAL ESTATE | HONOLULU | DUPLANTY   | 45.00    |
| 4/19/02     | 09:00am | (c) REAL ESTATE LAW UPDATE & ET | DUPLANTY SCHOOL OF REAL ESTATE | HONOLULU | DUPLANTY   | 45.00    |
| 4/20/02     | 03:30pm | (c) REAL ESTATE LAW UPDATE & ET | EDDIE FLORES REAL ESTATE       | HONOLULU | GOODE JR   | 45.00    |
| 4/20/02     | 09:00am | FEDERAL LAWS THAT AFFECT LICENS | EDDIE FLORES REAL ESTATE       | HONOLULU | FLORES JR  | 45.00    |
| 4/20/02     | 12:30pm | HOT REAL ESTATE ISSUES 2001/02  | EDDIE FLORES REAL ESTATE       | HONOLULU | GOODE JR   | 45.00    |
| 4/23/02     | 09:00am | (c) REAL ESTATE LAW UPDATE & ET | DUPLANTY SCHOOL OF REAL ESTATE | HONOLULU | DUPLANTY   | 45.00    |
| 4/24/02     | 05:30pm | HOT REAL ESTATE ISSUES 2001/02  | EDDIE FLORES REAL ESTATE       | HONOLULU | FLORES JR  | 45.00    |
| 4/26/02     | 01:00pm | CONDOMINIUM LAWS & ISSUES 1997  | DUPLANTY SCHOOL OF REAL ESTATE | HONOLULU | DUPLANTY   | 45.00    |
| 4/26/02     | 09:00am | RESIDENTIAL SALES CONTRACTS     | DUPLANTY SCHOOL OF REAL ESTATE | HONOLULU | DUPLANTY   | 45.00    |
| 5/1/02      | 09:00am | LISTING AND SELLING BUSINESS OP | RICHARD W DAGGETT              | HONOLULU | DAGGETT    | 50.00    |
| 5/2/02      | 09:00am | CONTRACTS/BUSINESS OPPORTUNITIE | RICHARD W DAGGETT              | HONOLULU | DAGGETT    | 50.00    |
| 5/3/02      | 09:00am | (c) REAL ESTATE LAW UPDATE & ET | RICHARD W DAGGETT              | HONOLULU | DAGGETT    | 50.00    |
| 5/4/02      | 03:30pm | (c) REAL ESTATE LAW UPDATE & ET | EDDIE FLORES REAL ESTATE       | HONOLULU | CHONG      | 45.00    |
| 5/4/02      | 09:00am | HAWAII LANDLORD-TENANT CODE     | EDDIE FLORES REAL ESTATE       | HONOLULU | FLORES JR  | 45.00    |
| 5/4/02      | 12:30pm | FEDERAL LAWS THAT AFFECT LICENS | EDDIE FLORES REAL ESTATE       | HONOLULU | FLORES JR  | 45.00    |

| Date    | Time    | Subject                            | Provider                       | City     | Instructor | Fee (\$) |
|---------|---------|------------------------------------|--------------------------------|----------|------------|----------|
| 5/8/02  | 03:30pm | (c) REAL ESTATE LAW UPDATE & ET    | EDDIE FLORES REAL ESTATE       | HONOLULU | GOODE JR   | 45.00    |
| 5/8/02  | 09:00am | PITFALLS IN MANAGING RESIDENTIA    | EDDIE FLORES REAL ESTATE       | HONOLULU | FLORES JR  | 49.00    |
| 5/8/02  | 12:30pm | HOT REAL ESTATE ISSUES 2001/02     | EDDIE FLORES REAL ESTATE       | HONOLULU | FLORES JR  | 45.00    |
| 5/18/02 | 03:30pm | (c) REAL ESTATE LAW UPDATE & ET    | EDDIE FLORES REAL ESTATE       | HONOLULU | CHONG      | 45.00    |
| 5/18/02 | 09:00am | FORECLOSURE & THE ROLE OF THE C    | EDDIE FLORES REAL ESTATE       | HONOLULU | FLORES JR  | 45.00    |
| 5/18/02 | 12:30pm | RESIDENTIAL AND COMMERCIAL EVIC    | EDDIE FLORES REAL ESTATE       | HONOLULU | FLORES JR  | 45.00    |
| 5/21/02 | 09:00am | (c) REAL ESTATE LAW UPDATE & ET    | DUPLANTY SCHOOL OF REAL ESTATE | HONOLULU | DUPLANTY   | 45.00    |
| 5/22/02 | 01:00pm | UNDERSTANDING CONTRACTS PART II    | ABE LEE SEMINARS               | HONOLULU | LEE        | 45.00    |
| 5/22/02 | 05:00pm | (c) REAL ESTATE LAW UPDATE & ET    | ABE LEE SEMINARS               | HONOLULU | LEE        | 42.00    |
| 5/22/02 | 09:00am | UNDERSTANDING CONTRACTS PART II    | ABE LEE SEMINARS               | HONOLULU | LEE        | 45.00    |
| 5/24/02 | 01:00pm | HOW TO MANAGE RESIDENTIAL PROPE    | DUPLANTY SCHOOL OF REAL ESTATE | HONOLULU | DUPLANTY   | 45.00    |
| 5/28/02 | 01:00pm | CONDOMINIUM LAWS & ISSUES 1997     | DUPLANTY SCHOOL OF REAL ESTATE | HONOLULU | DUPLANTY   | 45.00    |
| 5/28/02 | 09:00am | RESIDENTIAL SALES CONTRACTS        | DUPLANTY SCHOOL OF REAL ESTATE | HONOLULU | DUPLANTY   | 45.00    |
| 5/29/02 | 01:00pm | ESCROW, TITLE & APPRAISALS         | ABE LEE SEMINARS               | HONOLULU | LEE        | 45.00    |
| 5/29/02 | 03:30pm | (c) REAL ESTATE LAW UPDATE & ET    | EDDIE FLORES REAL ESTATE       | HONOLULU | GOODE JR   | 45.00    |
| 5/29/02 | 05:00pm | UNDERSTANDING VACATION OWNERSHI    | ABE LEE SEMINARS               | HONOLULU | LEE        | 45.00    |
| 5/29/02 | 09:00am | MEDIATION, ARBITRATION, LITIGAT    | ABE LEE SEMINARS               | HONOLULU | LEE        | 45.00    |
| 5/29/02 | 09:00am | HOMEOWNER'S TAX STRATEGIES         | EDDIE FLORES REAL ESTATE       | HONOLULU | FLORES JR  | 45.00    |
| 5/29/02 | 12:30pm | FEDERAL LAWS THAT AFFECT LICENS    | EDDIE FLORES REAL ESTATE       | HONOLULU | FLORES JR  | 45.00    |
| 5/31/02 | 09:00am | (c) REAL ESTATE LAW UPDATE & ET    | DUPLANTY SCHOOL OF REAL ESTATE | HONOLULU | DUPLANTY   | 45.00    |
| 6/1/02  | 01:30pm | STICKS, BRICKS & STEEL UNDERSTA    | ABE LEE SEMINARS               | HONOLULU | LEE        | 45.00    |
| 6/1/02  | 08:30am | (c) REAL ESTATE LAW UPDATE & ET    | ABE LEE SEMINARS               | HONOLULU | LEE        | 42.00    |
| 6/4/02  | 01:00pm | HOW TO MANAGE RESIDENTIAL PROPE    | DUPLANTY SCHOOL OF REAL ESTATE | HONOLULU | DUPLANTY   | 45.00    |
| 6/4/02  | 09:00am | RISK REDUCTION WHEN LISTING        | DUPLANTY SCHOOL OF REAL ESTATE | HONOLULU | DUPLANTY   | 45.00    |
| 6/5/02  | 09:00am | LISTING AND SELLING BUSINESS OP    | RICHARD W DAGGETT              | HONOLULU | DAGGETT    | 50.00    |
| 6/6/02  | 09:00am | CONTRACTS/BUSINESS OPPORTUNITIE    | RICHARD W DAGGETT              | HONOLULU | DAGGETT    | 50.00    |
| 6/7/02  | 09:00am | (c) REAL ESTATE LAW UPDATE & ET    | DUPLANTY SCHOOL OF REAL ESTATE | HONOLULU | DUPLANTY   | 45.00    |
| 6/7/02  | 09:00am | (c) REAL ESTATE LAW UPDATE & ET    | RICHARD W DAGGETT              | HONOLULU | DAGGETT    | 50.00    |
| 6/8/02  | 03:30pm | (c) REAL ESTATE LAW UPDATE & ET    | EDDIE FLORES REAL ESTATE       | HONOLULU | CHONG      | 45.00    |
| 6/8/02  | 09:00am | PITFALLS IN MANAGING RESIDENTIA    | EDDIE FLORES REAL ESTATE       | HONOLULU | FLORES JR  | 45.00    |
| 6/8/02  | 12:30pm | AVOID LITIGATION - HOW TO DETEC    | EDDIE FLORES REAL ESTATE       | HONOLULU | CHONG      | 45.00    |
| 6/11/02 | 09:00am | (c) REAL ESTATE LAW UPDATE & ET    | DUPLANTY SCHOOL OF REAL ESTATE | HONOLULU | DUPLANTY   | 45.00    |
| 6/12/02 | 01:00pm | (c) REAL ESTATE LAW UPDATE & ET    | ABE LEE SEMINARS               | HONOLULU | LEE        | 42.00    |
| 6/12/02 | 05:30pm | PITFALLS IN DROA & ADDENDA         | EDDIE FLORES REAL ESTATE       | HONOLULU | CHONG      | 45.00    |
| 6/12/02 | 06:00pm | ZONING-ISSUES, PROBLEMS, QUESTI    | ABE LEE SEMINARS               | HONOLULU | LEE        | 45.00    |
| 6/12/02 | 09:00am | HUD, VA AND (NON) JUDICIAL FORE    | ABE LEE SEMINARS               | HONOLULU | LEE        | 45.00    |
| 6/13/02 | 05:30pm | HAWAII LANDLORD-TENANT CODE        | EDDIE FLORES REAL ESTATE       | HONOLULU | GOODE JR   | 45.00    |
| 6/14/02 | 05:30pm | (c) REAL ESTATE LAW UPDATE & ET    | EDDIE FLORES REAL ESTATE       | HONOLULU | FLORES JR  | 45.00    |
| 6/17/02 | 09:00am | ESSENTIALS OF LISTING              | HONOLULU BOARD OF REALTORS     | HONOLULU | GOODE JR   | 69.00    |
| 6/18/02 | 01:00pm | WILLS, TRUSTS & REAL ESTATE        | ABE LEE SEMINARS               | HONOLULU | LEE        | 45.00    |
| 6/18/02 | 05:00pm | CONDOMINIUM DEVELOPMENT PROCESS    | ABE LEE SEMINARS               | HONOLULU | LEE        | 45.00    |
| 6/18/02 | 09:00am | PERMITS, PERMITS AND MORE PERMI    | ABE LEE SEMINARS               | HONOLULU | LEE        | 45.00    |
| 6/19/02 | 03:30pm | (c) REAL ESTATE LAW UPDATE & ET    | EDDIE FLORES REAL ESTATE       | HONOLULU | CHONG      | 45.00    |
| 6/19/02 | 09:00am | FEDERAL LAWS THAT AFFECT LICENS    | EDDIE FLORES REAL ESTATE       | HONOLULU | GOODE JR   | 45.00    |
| 6/19/02 | 12:30pm | HOT REAL ESTATE ISSUES 2001/02     | EDDIE FLORES REAL ESTATE       | HONOLULU | GOODE JR   | 45.00    |
| 6/21/02 | 09:00am | (c) REAL ESTATE LAW UPDATE & ET    | DUPLANTY SCHOOL OF REAL ESTATE | HONOLULU | DUPLANTY   | 45.00    |
| 6/26/02 | 01:00pm | COMPUTERS, INTERNET & THE LICE     | ABE LEE SEMINARS               | HONOLULU | LEE        | 45.00    |
| 6/26/02 | 05:00pm | (c) REAL ESTATE LAW UPDATE & ET    | ABE LEE SEMINARS               | HONOLULU | LEE        | 42.00    |
| 6/26/02 | 09:00am | DEVELOPING SMALL PROPERTIES        | ABE LEE SEMINARS               | HONOLULU | LEE        | 45.00    |
| 6/29/02 | 01:00pm | HOW TO LIST & SELL BUSINESS OPP    | EDDIE FLORES REAL ESTATE       | HONOLULU | FLORES JR  | 45.00    |
| 6/29/02 | 03:00pm | FEDERAL LAWS THAT AFFECT LICENS    | EDDIE FLORES REAL ESTATE       | HONOLULU | FLORES JR  | 45.00    |
| 6/29/02 | 08:30am | (c) REAL ESTATE LAW UPDATE & ET    | EDDIE FLORES REAL ESTATE       | HONOLULU | CHONG      | 45.00    |
| 7/6/02  | 01:30pm | UNDERSTANDING CONTRACTS PART I     | ABE LEE SEMINARS               | HONOLULU | LEE        | 45.00    |
| 7/6/02  | 03:30pm | (c) REAL ESTATE LAW UPDATE & ET    | EDDIE FLORES REAL ESTATE       | HONOLULU | FLORES JR  | 45.00    |
| 7/6/02  | 08:30am | (c) REAL ESTATE LAW UPDATE & ET    | ABE LEE SEMINARS               | HONOLULU | LEE        | 42.00    |
| 7/6/02  | 09:00am | FORECLOSURE & THE ROLE OF THE C    | EDDIE FLORES REAL ESTATE       | HONOLULU | FLORES JR  | 45.00    |
| 7/8/02  | 09:00am | ESSENTIALS OF FINANCE              | HONOLULU BOARD OF REALTORS     | HONOLULU | LOVENTHAL  | 69.00    |
| 7/10/02 | 01:00pm | UNDERSTANDING CONTRACTS PART II    | ABE LEE SEMINARS               | HONOLULU | LEE        | 45.00    |
| 7/10/02 | 03:30pm | (c) REAL ESTATE LAW UPDATE & ET    | EDDIE FLORES REAL ESTATE       | HONOLULU | FLORES JR  | 45.00    |
| 7/10/02 | 05:00pm | UNDERSTANDING THE LAND USE ORDI    | ABE LEE SEMINARS               | HONOLULU | LEE        | 45.00    |
| 7/10/02 | 09:00am | UNDERSTANDING CONTRACTS PART II    | ABE LEE SEMINARS               | HONOLULU | LEE        | 45.00    |
| 7/10/02 | 09:00am | HOW TO LIST & SELL BUSINESS OPP    | EDDIE FLORES REAL ESTATE       | HONOLULU | FLORES JR  | 45.00    |
| 7/10/02 | 12:30pm | HOT REAL ESTATE ISSUES 2001/02     | EDDIE FLORES REAL ESTATE       | HONOLULU | FLORES JR  | 45.00    |
| 7/15/02 | 09:00am | ESSENTIALS OF THE DROA             | HONOLULU BOARD OF REALTORS     | HONOLULU | CHONG      | 69.00    |
| 7/16/02 | 09:00am | (c) REAL ESTATE LAW UPDATE & ET    | DUPLANTY SCHOOL OF REAL ESTATE | HONOLULU | DUPLANTY   | 45.00    |
| 7/20/02 | 01:00pm | FEDERAL LAWS THAT AFFECT LICENS    | EDDIE FLORES REAL ESTATE       | HONOLULU | FLORES JR  | 45.00    |
| 7/20/02 | 04:00pm | PITFALLS IN MANAGING RESIDENTIA    | EDDIE FLORES REAL ESTATE       | HONOLULU | FLORES JR  | 45.00    |
| 7/20/02 | 08:30am | (c) REAL ESTATE LAW UPDATE & ET    | EDDIE FLORES REAL ESTATE       | HONOLULU | FLORES JR  | 45.00    |
| 7/23/02 | 09:00am | CONDOMINIUM LAWS & ISSUES 1997     | DUPLANTY SCHOOL OF REAL ESTATE | HONOLULU | DUPLANTY   | 45.00    |
| 7/23/02 | 01:00pm | RISK REDUCTION WHEN LISTING        | DUPLANTY SCHOOL OF REAL ESTATE | HONOLULU | DUPLANTY   | 45.00    |
| 7/24/02 | 01:30pm | SURVEYS, TERMITE & HOME INSPECTION | ABE LEE SEMINARS               | HONOLULU | LEE        | 45.00    |
| 7/24/02 | 03:30pm | (c) REAL ESTATE LAW UPDATE & ET    | EDDIE FLORES REAL ESTATE       | HONOLULU | FLORES JR  | 45.00    |

| Date    | Time    | Subject                         | Provider                       | City     | Instructor | Fee (\$) |
|---------|---------|---------------------------------|--------------------------------|----------|------------|----------|
| 7/24/02 | 05:30pm | ESCROW, TITLE & APPRAISALS      | ABE LEE SEMINARS               | HONOLULU | LEE        | 45.00    |
| 7/24/02 | 08:30am | (c) REAL ESTATE LAW UPDATE & ET | ABE LEE SEMINARS               | HONOLULU | LEE        | 42.00    |
| 7/24/02 | 09:00am | PITFALLS IN DROA & ADDENDA      | EDDIE FLORES REAL ESTATE       | HONOLULU | FLORES JR  | 45.00    |
| 7/26/02 | 09:00am | (c) REAL ESTATE LAW UPDATE & ET | DUPLANTY SCHOOL OF REAL ESTATE | HONOLULU | DUPLANTY   | 45.00    |
| 7/31/02 | 01:00pm | HUD, VA AND (NON) JUDICIAL FORE | ABE LEE SEMINARS               | HONOLULU | LEE        | 45.00    |
| 7/31/02 | 05:00pm | MEDIATION, ARBITRATION, LITIGAT | ABE LEE SEMINARS               | HONOLULU | LEE        | 45.00    |
| 7/31/02 | 09:00am | STICKS, BRICKS & STEEL UNDERSTA | ABE LEE SEMINARS               | HONOLULU | LEE        | 45.00    |
| 8/2/02  | 09:00am | RESIDENTIAL SALES CONTRACTS     | DUPLANTY SCHOOL OF REAL ESTATE | HONOLULU | DUPLANTY   | 45.00    |
| 8/3/02  | 01:00pm | (c) REAL ESTATE LAW UPDATE & ET | ABE LEE SEMINARS               | HONOLULU | LEE        | 42.00    |
| 8/3/02  | 03:30pm | (c) REAL ESTATE LAW UPDATE & ET | EDDIE FLORES REAL ESTATE       | HONOLULU | FLORES JR  | 45.00    |
| 8/3/02  | 09:00am | ZONING-ISSUES, PROBLEMS, QUESTI | ABE LEE SEMINARS               | HONOLULU | LEE        | 45.00    |
| 8/3/02  | 09:00am | HAWAII LANDLORD-TENANT CODE     | EDDIE FLORES REAL ESTATE       | HONOLULU | FLORES JR  | 45.00    |
| 8/3/02  | 12:30pm | HOT REAL ESTATE ISSUES 2001/02  | EDDIE FLORES REAL ESTATE       | HONOLULU | FLORES JR  | 45.00    |
| 8/6/02  | 01:00pm | WILLS, TRUSTS & REAL ESTATE     | ABE LEE SEMINARS               | HONOLULU | LEE        | 45.00    |
| 8/6/02  | 05:00pm | CONDOMINIUM DEVELOPMENT PROCESS | ABE LEE SEMINARS               | HONOLULU | LEE        | 45.00    |
| 8/6/02  | 09:00am | PERMITS, PERMITS AND MORE PERMI | ABE LEE SEMINARS               | HONOLULU | LEE        | 45.00    |
| 8/7/02  | 01:00pm | FEDERAL LAWS THAT AFFECT LICENS | EDDIE FLORES REAL ESTATE       | HONOLULU | FLORES JR  | 45.00    |
| 8/7/02  | 04:00pm | PITFALLS IN DROA & ADDENDA      | EDDIE FLORES REAL ESTATE       | HONOLULU | FLORES JR  | 45.00    |
| 8/7/02  | 08:30am | (c) REAL ESTATE LAW UPDATE & ET | EDDIE FLORES REAL ESTATE       | HONOLULU | FLORES JR  | 45.00    |
| 8/13/02 | 01:00pm | (c) REAL ESTATE LAW UPDATE & ET | ABE LEE SEMINARS               | HONOLULU | LEE        | 42.00    |
| 8/13/02 | 06:00pm | DEVELOPING SMALL PROPERTIES     | ABE LEE SEMINARS               | HONOLULU | LEE        | 45.00    |
| 8/13/02 | 09:00am | COMPUTERS, INTERNET & THE LICE  | ABE LEE SEMINARS               | HONOLULU | LEE        | 45.00    |
| 8/15/02 | 09:00am | (c) REAL ESTATE LAW UPDATE & ET | DUPLANTY SCHOOL OF REAL ESTATE | HONOLULU | DUPLANTY   | 45.00    |
| 8/17/02 | 03:30pm | (c) REAL ESTATE LAW UPDATE & ET | EDDIE FLORES REAL ESTATE       | HONOLULU | FLORES JR  | 45.00    |
| 8/17/02 | 12:30pm | FORECLOSURE & THE ROLE OF THE C | EDDIE FLORES REAL ESTATE       | HONOLULU | FLORES JR  | 45.00    |
| 8/21/02 | 01:00pm | FEDERAL LAWS THAT AFFECT LICENS | EDDIE FLORES REAL ESTATE       | HONOLULU | FLORES JR  | 45.00    |
| 8/21/02 | 03:30pm | (c) REAL ESTATE LAW UPDATE & ET | EDDIE FLORES REAL ESTATE       | HONOLULU | FLORES JR  | 45.00    |
| 8/21/02 | 09:00am | HOMEOWNER'S TAX STRATEGIES      | EDDIE FLORES REAL ESTATE       | HONOLULU | FLORES JR  | 45.00    |
| 8/23/02 | 12:00pm | (c) REAL ESTATE LAW UPDATE & ET | DUPLANTY SCHOOL OF REAL ESTATE | HONOLULU | DUPLANTY   | 45.00    |
| 8/31/02 | 01:00pm | UNDERSTANDING VACATION OWNERSHI | ABE LEE SEMINARS               | HONOLULU | LEE        | 45.00    |
| 8/31/02 | 01:00pm | HOT REAL ESTATE ISSUES 2001/02  | EDDIE FLORES REAL ESTATE       | HONOLULU | FLORES JR  | 45.00    |
| 8/31/02 | 04:00pm | FEDERAL LAWS THAT AFFECT LICENS | EDDIE FLORES REAL ESTATE       | HONOLULU | FLORES JR  | 45.00    |

**MAUI**

|          |         |                                 |                            |         |           |       |
|----------|---------|---------------------------------|----------------------------|---------|-----------|-------|
| 4/13/02  | 03:30pm | (c) REAL ESTATE LAW UPDATE & ET | EDDIE FLORES REAL ESTATE   | LAHAINA | GOODE JR  | 45.00 |
| 4/13/02  | 12:30pm | HOT REAL ESTATE ISSUES 2001/02  | EDDIE FLORES REAL ESTATE   | LAHAINA | FLORES JR | 45.00 |
| 4/16/02  | 09:00am | ESSENTIALS OF THE DROA          | MAUI BOARD OF REALTORS INC | KAHULUI | HAY       | 60.00 |
| 4/17/02  | 09:00am | ESSENTIALS OF FINANCE           | MAUI BOARD OF REALTORS INC | KAHULUI | HOLIDAY   | 60.00 |
| 4/18/02  | 09:00am | ESSENTIALS OF LISTING           | MAUI BOARD OF REALTORS INC | KAHULUI | HOLIDAY   | 60.00 |
| 7/16/02  | 09:00am | ESSENTIALS OF THE DROA          | MAUI BOARD OF REALTORS INC | KAHULUI | HOLIDAY   | 60.00 |
| 7/17/02  | 09:00am | ESSENTIALS OF FINANCE           | MAUI BOARD OF REALTORS INC | KAHULUI | DUNLOP    | 60.00 |
| 7/18/02  | 09:00am | ESSENTIALS OF LISTING           | MAUI BOARD OF REALTORS INC | KAHULUI | HAY       | 60.00 |
| 10/15/02 | 09:00am | ESSENTIALS OF THE DROA          | MAUI BOARD OF REALTORS INC | KAHULUI | HOLIDAY   | 60.00 |
| 10/16/02 | 09:00am | ESSENTIALS OF FINANCE           | MAUI BOARD OF REALTORS INC | KAHULUI | HOLIDAY   | 60.00 |
| 10/17/02 | 09:00am | ESSENTIALS OF LISTING           | MAUI BOARD OF REALTORS INC | KAHULUI | DUNLOP    | 60.00 |

**OTHER**

|          |  |                                 |                                |  |          |  |
|----------|--|---------------------------------|--------------------------------|--|----------|--|
| 12/31/02 |  | CREATIVE RESIDENTIAL FINANCE (V | HAWAII ASSOCIATION OF REALTORS |  | GLAZER   |  |
| 12/31/02 |  | COMMERCIAL INVESTMENT REAL ESTA | HAWAII ASSOCIATION OF REALTORS |  | CHANDLER |  |
| 12/31/02 |  | FAIR HOUSING- REALTOR UNIVERSIT | HAWAII ASSOCIATION OF REALTORS |  | RUSSELL  |  |
| 12/31/02 |  | REAL ESTATE PRACTITIONERS AND M | HAWAII ASSOCIATION OF REALTORS |  | LONG     |  |
| 12/31/02 |  | APPLIED ETHICS (VIA INTERNET CO | HAWAII ASSOCIATION OF REALTORS |  | LONG     |  |
| 12/31/02 |  | LEAD PAINT DISCLOSURE: IT'S TH  | HAWAII ASSOCIATION OF REALTORS |  | GLAZER   |  |
| 12/31/02 |  | ACCREDITED BUYER REPRESENTATIVE | HAWAII ASSOCIATION OF REALTORS |  | HALL     |  |
| 12/31/02 |  | ACCREDITED BUYER REPRESENTATIVE | HAWAII ASSOCIATION OF REALTORS |  | HAMILTON |  |
| 12/31/02 |  | ESSENTIALS OF INTERNATIONAL REA | HAWAII ASSOCIATION OF REALTORS |  | FELDMAN  |  |
| 12/31/02 |  | ESSENTIALS OF INTERNATIONAL REA | HAWAII ASSOCIATION OF REALTORS |  | FELDMAN  |  |
| 12/31/02 |  | DIVERSITY AND DOING BUSINESS (C | DOWER SCHOOL OF REAL ESTATE    |  | DOWER    |  |
| 12/31/02 |  | ENVIRONMENTAL CONSIDERATION IN  | DOWER SCHOOL OF REAL ESTATE    |  | DOWER    |  |
| 12/31/02 |  | FAIR HOUSING (COMPUTER & INTERN | DOWER SCHOOL OF REAL ESTATE    |  | DOWER    |  |
| 12/31/02 |  | INTRODUCTION TO COMMERCIAL REAL | DOWER SCHOOL OF REAL ESTATE    |  | DOWER    |  |
| 12/31/02 |  | PROPERTY MANAGEMENT AND MANAGIN | DOWER SCHOOL OF REAL ESTATE    |  | DOWER    |  |
| 12/31/02 |  | REAL ESTATE AND TAXES. WHAT EVE | DOWER SCHOOL OF REAL ESTATE    |  | DOWER    |  |
| 12/31/02 |  | REAL ESTATE FINANCE TODAY (COMP | DOWER SCHOOL OF REAL ESTATE    |  | DOWER    |  |
| 12/31/02 |  | RED FLAGS PROPERTY INSPECTION G | DOWER SCHOOL OF REAL ESTATE    |  | DOWER    |  |
| 12/31/02 |  | RISK MANAGEMENT (COMPUTER & INT | DOWER SCHOOL OF REAL ESTATE    |  | DOWER    |  |
| 12/31/02 |  | GRI 401                         | DOWER SCHOOL OF REAL ESTATE    |  | DOWER    |  |
| 12/31/02 |  | BUYER REPRESENTATION IN REAL ES | DOWER SCHOOL OF REAL ESTATE    |  | DOWER    |  |

## Continuing Education Providers

| NAME                           | TELEPHONE | NAME                              | TELEPHONE |
|--------------------------------|-----------|-----------------------------------|-----------|
| ABE LEE SEMINARS               | 988-3751  | JOHN REILLY                       | 523-5030  |
| AKAHI REAL ESTATE NETWORK LLC  | 331-5300  | KONA BOARD OF REALTORS INC        | 329-4874  |
| BRIAN R THOMAS DBA EDVENTURES  | 885-2117  | LYNN W CARLSON                    | 874-4064  |
| DOWER SCHOOL OF REAL ESTATE    | 988-5445  | MAUI BOARD OF REALTORS INC        | 873-8585  |
| DUPLANTY SCHOOL OF REAL ESTATE | 737-5509  | PROFESSIONAL EXCHANGE ACC.LLC     | 951-1031  |
| EDDIE FLORES REAL ESTATE       | 521-3044  | RICHARD W DAGGETT                 | 923-0122  |
| HAWAII CCIM CHAPTER            | 528-2246  | SEILER SCHOOL OF REAL ESTATE      | 874-3100  |
| HAWAII ASSOCIATION OF REALTORS | 733-7060  | UNIVERSITY OF HAWAII AT MANOA     | 956-8244  |
| HONOLULU BOARD OF REALTORS     | 732-3000  | WAIKIKI REALTY REAL ESTATE SCHOOL | 955-8282  |

## 2002 Real Estate Commission Meeting Schedule

**Laws & Rules Review Committee – 9a.m.**  
**Education Review Committee – 10 a.m.**  
**Condominium Review Committee – 11 a.m**

**Real Estate Commission 9 a.m.**

Wednesday, March 13  
 Wednesday, April 10  
 Wednesday, May 8  
 Wednesday, June 12  
 Wednesday, July 10  
 Wednesday, August 14  
 Wednesday, September 11  
 Wednesday, October 9  
 Wednesday, November 13  
 Thursday, December 12

Friday, March 22  
 Friday, April 26  
 Friday, May 31  
 Friday, June 28  
 Friday, July 26  
 Friday, August 30  
 Friday, September 27  
 Friday, October 25  
 Friday, November 22  
 Friday, December 13

All meetings will be held in the HRH Princess Victoria Kamamalu Building, located at 1010 Richards Street, Second Floor, Honolulu, Hawaii. Meeting dates, locations, and times are subject to change without notice. Please call the Real Estate Commission office at 586-2643 to confirm dates, times, and locations of the meetings. This material can be made available to individuals with special needs. Please call the Executive Officer at 586-2643 to submit your request.

**State of Hawaii**  
**Real Estate Commission Bulletin**  
**250 South King Street, Room 702**  
**Honolulu, Hawaii 96813**

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