Renewal Deadline is November 30, 2010

Remember, the renewal deadline for all real estate licensees is NOVEMBER 30, 2010. All real estate licensees, course certifications, prelicense school, instructor, and substitute instructor registrations, and continuing education provider registrations must be renewed by the renewal deadline to be assured that there is no break in the validity of the license or registration.

ON-LINE RENEWAL is already available, having gone LIVE on October 11, 2010. There will be a 25% discount on the Professional and Vocational Licensing Division portion of renewal fees for those licensees who choose the on-line renewal route. There will also be a full discount of the Real Estate Education Fund fee of $40.00 for all renewing licensees, no matter if renewing online or via a paper renewal application. Information will be posted on the Commission’s website, www.hawaii.gov/hirec, click on Real Estate License Renewals.

It is highly recommended that the licenses/registrations of the brokerage firm, PB, BICs, and RBOs be simultaneously renewed during early November and prior to renewals of all associating licensees to ensure sufficient time to correct any problems and to ensure successful renewals of associating licensees. If an associating licensee’s renewal application is submitted prior to the PB’s, BIC’s, and brokerage firm’s renewal applications, the associating licensee’s renewal application will be held in suspense until the PB, BIC(s), and brokerage firm have successfully renewed all licenses.

PBs and BICs should complete all CE requirements immediately as successful renewal includes completion of CE requirements prior to submission of a renewal application.

To re-register a branch office, a BIC’s license must also be successfully renewed in addition to the PB’s license and the brokerage firm’s license. If the PB’s, BIC’s, and/or the brokerage firm’s license are not successfully renewed prior to the associating licensees, the license renewal applications of all associating licensees will be placed on “suspense” and renewed on inactive status come January 1, 2011.

Whether license renewals are handled by the individual licensee or the brokerage firm, the PB is responsible for the associating licensee’s current and active status. It is recommended that PBs ensure all associating licensees are current and active by requiring all licensees to submit a photocopy of their 2011-2012 pocket license prior to December 31, 2010. REMEMBER, by January 1, 2011, licenses which are not renewed are converted to a forfeited status. If this conversion takes place, disciplinary action may occur and the consumer may recover all commissions and/or compensations paid.

RENEWING ON ACTIVE STATUS: Individual licensees who wish to renew their license on active status need to complete 10 hours of approved continuing education (CE) courses. Licensees are required to take the 2009-2010 mandatory core course, which consists of Part A and Part B. The CE completion certificates do not have to be submitted with the renewal application unless otherwise instructed. All CE courses should be completed in advance of the date of submission of the renewal application or the license may be renewed on an inactive status. Any individual licensee who has renewed but failed to complete the CE requirement will be renewed on an inactive status without further notice.

CE RECORDS: Upon completion of a CE core or elective course(s), the course completion information will be downloaded to the Commission’s Online Real Estate Continuing Education database by the CE Provider who

continued on page 2
Renewal Deadline is November 30, 2010  
(cont. from page 1)

offered the course. Course certificates may be printed by the licens­
see, if necessary.

http://pvl.ehawaii.gov/rece  A principal broker or licensee may ver­
ify if a licensee has completed the 10 hours CE requirement, the spe­
cific courses completed, the number of CE hours required, the num­
ber of CE hours earned, and the number of CE hours remaining to
complete the CE requirement.

RENEWING ON INACTIVE STATUS: Individual licensees who
renew their license on an inactive status do not have to complete the
CE requirement but must submit the renewal application and fees
by November 30, 2010. An inactive licensee desiring to change to
active status shall submit the CE certificates with a completed
Change Form and a reactivation fee of $25.00.

NEW SALESPERSON in 2010: If you were issued a new salesper­
son license in calendar year 2010 and renew your license by the
renewal application deadline of November 30, 2010, you will be
deemed to have completed equivalent to the CE requirement and
will not have to complete the CE requirement for this license renew­
al only. (Note: This does not apply to new brokers who received
their broker’s license in 2010.)

CANDIDATES FOR LICENSURE: Subject to compliance with the
license application deadline, a candidate for licensure may want to
consider being licensed as of January 1, 2011 rather than the remain­
ning months of 2010 and be subject to renewal requirements. Please
call the Real Estate Branch (808-586-2643) for additional information.

Use the Online Continuing Education System

The Department of Commerce and Consumer Affairs’ Professional
and Vocational Licensing Division and the Real Estate Commission
courages nearly 16,000 active licensed real estate professionals to
go online and view their continuing education information at

The “Online Real Estate Continuing Education” system (system)
provides Hawaii’s real estate licensees the ability to view the num­
ber of continuing education (“CE”) credit hours required and earned
for the current licensing period, their CE history, and to search for
future CE courses being offered by approved CE providers. Users
can search for courses by provider, by course name, or by download­
ing an Adobe pdf document which allows the user to print a list of
all available future courses. The Hawaii Administrative Rules,
Section 16-99-95, states that “…a licensee shall not take a continuing
education course that is substantially similar to a course for which
the licensee has already received a certificate.” This system allows
user to make sure they don’t take duplicate courses for which they
will not receive duplicate credit. To view the complete CE history of
an individual licensee, click on the “more” link in the bottom right­
hand corner of the “My CE” page. If you are not sure you took a
specific CE course previously, the CE history will list all of the CE
courses previously completed. At this time, a licensee may not take
that specific course again for CE credit.

Via the system, real estate licensees can also access and reprint their
own course completion certificates for the current and previous
biennia, whereas in the past this needed to be done through the CE
providers. Additionally, real estate broker entities can monitor and
view the current CE credit hours, CE history, and license status of all
their associated licensees. Since its release in August, 2008, a new
function also allows brokerages (entities) to download a Microsoft
Excel file which includes the license number, licensee name, and the
licensee’s next renewal date, core credits needed and elected credits
needed for all associated licensees. The information provided in this
database is especially helpful for monitoring associated licensees
during license renewals. The system is updated daily and simple to
use.

The development of this online service is part of the state’s cam­
paign to improve efficiency by implementing electronic government
services. Hawaii’s official Internet portal, eHawaii.gov, is managed
by Hawaii Information Consortium, LLC (HIC). HIC works with
the state agencies to enable them to conduct state business online
and improve public access to government information.

For questions or comments, please contact the Real Estate Branch at
telephone 808-586-2643, email to hirec@dcca.hawaii.gov, or by direct
mail to 335 Merchant Street, Room 333, Honolulu, HI 96813.
The Chair’s Message

Wow, 2010 is almost over! Here are a few reminders before you renew your license by the renewal deadline of November 30th.

- 10 hours of CE must be completed; this includes both Core A and Core B for a total of 4 hours, and 6 additional hours of elective continuing education courses
- Principal Brokers must renew their own license first, as well as the brokerage license and any registered branch office’s license, before any of the associated real estate licensees can renew their license
- On-line renewals are already available, effective October 11, 2010
- $40 across-the-board discount – the Real Estate Education Fund fee has been credited to all renewing licensees
- 25% discount of the Professional and Vocational Licensing Division’s portion of renewal fees for renewing online (exact amount varies according to the license being renewed)

You must report any liens, disciplinary sanctions, judgments, or convictions within thirty days of notification to the Real Estate Commission as required by Hawaii Revised Statutes Chapter 436B, Professional and Vocational Licensing Act. Recently, the Commission has seen an increase in sanctions against licensees for failing to report a conviction or other action within the thirty days.

The Commission’s Laws and Rules Review Committee headed by Chair, Commissioner Frances Gendrano, has the responsibility to oversee the amendments to Hawaii Administrative Rules, Chapter 99, “Real Estate Brokers and Salespersons.” The last rule-making took place in 2001. The public comment period for the current rule-making ended on August 31, 2010. Some of the proposed rule changes will permit licensees to take the same continuing education course as long as the course is not taken in consecutive biennia, the criteria for qualifying for the prelicense education equivalency for salesperson and broker candidates may be more limited, adjustments to administrative requirements for continuing education providers, record keeping requirements for continuing education providers, registration and operations responsibilities for condominium hotel operators, and bond requirements for transient lodging. The commission staff continues to work diligently to expedite the lengthy process of rule making.

The Condominium Review Committee and its Chair, Commissioner Michelle Loudermilk, is working with the Commission staff in drafting new rules for Hawaii Revised Statutes, Chapter 514B, Condominiums. Commissioner Loudermilk’s experience and knowledge of the condominium law has been instrumental in overseeing the development of the new rules, which is a tremendous task.

This has been a year for changes in laws that impact the real estate industry. The current Commission core courses, Parts A and B, covered lead-based paint and RESPA changes as well as important reminders of the 10 protected classes under the Hawaii State fair housing laws compared to the 7 protected classes under the Federal fair housing law. As the year draws to a close, please remember to renew your license by November 30th, which provides ample time for the licensing division to timely process the renewals before real estate licenses expire at the end of December. Wishing you all a prosperous year’s end and a bright new year.

[Signature]
### Administrative Actions

#### June 2010

<table>
<thead>
<tr>
<th>Name</th>
<th>License Type</th>
<th>Case No.</th>
<th>Dated</th>
<th>Allegations</th>
<th>Sanction</th>
<th>Violations</th>
</tr>
</thead>
<tbody>
<tr>
<td>Michael D. Volosin</td>
<td>Salesperson</td>
<td>REC 2009-44-L</td>
<td>6/24/10</td>
<td>On 10/28/08, a Judgment and Order (DUI or reckless driving) was entered against the Respondent in the Justice Court of Tahoe, County of Douglas, Nevada. The conviction was disclosed in writing to the Commission on 12/18/08 along with the Respondent’s license renewal application.</td>
<td>Pay an administrative fine of $500.00.</td>
<td>HRS §§436B-19(12), (14), (17)</td>
</tr>
<tr>
<td>Marshall H. Kaniho</td>
<td>Salesperson</td>
<td>REC 2008-226-L</td>
<td>6/24/10</td>
<td>The Respondent answered “No” on his January 2008 Application for License – Real Estate to the question, “During the past 20 years have you ever been convicted of a crime where there has not been an order annulling or expunging the conviction?” The Respondent answered the question untruthfully. Within a month of submitting the 2008 application to the Commission, the Respondent amended his answer, on his own and without any prompting, to reflect the truth. The Respondent also disclosed information about any prior convictions he could recall or was aware of (DUI and assault).</td>
<td>Pay an administrative fine of $1000.00.</td>
<td>HRS §§436B-19(1), (2), (5); HRS §§467-14(13), (20)</td>
</tr>
<tr>
<td>Peter D. Osborne</td>
<td>Broker</td>
<td>REC 2006-114-L</td>
<td>7/30/10</td>
<td>In or around 2002, Respondent registered the domain names “bndhawaii.com” and “hawaiihomes.cc” with Nework Solutions, LLC. The registration name for the above-referenced domain names with Network Solutions, LLC was changed from Respondent to “Hawaii’s 10 Best Vacation Rentals.” This web-site offered vacation rentals and list Respondent’s name, address and phone number. “Hawaii’s 10 Best Vacation Rentals” is not a registered trade name in the State of Hawaii and does not possess a real estate license. Respondent alleges that he is not affiliated with “Hawaii’s 10 Best Vacation Rentals.” Among the properties listed for rent were Respondent’s studio and house.</td>
<td>Voluntary license revocation and pay a fine in the amount of $5,000.00</td>
<td>HRS § 436B-19(6); HRS §§467-14(8), (20); HAR §16-99-3(b)</td>
</tr>
<tr>
<td>Nathalie C. Mullinix</td>
<td>Broker</td>
<td>REC 2009-94-L</td>
<td>7/30/10</td>
<td>On or about 1/2/2007, a no contest plea judgment was entered against the Respondent, in the District Court of the First Circuit, State of Hawaii (Kaneohe Division), for the crime of driving under the influence. Upon information and belief, the Respondent disclosed the conviction in writing to the Commission via a statement and documents submitted with Respondent’s 11/20/2008 license renewal application.</td>
<td>Pay an administrative fine of $500.00</td>
<td>HRS §§436B-19(12), (14) and (17)</td>
</tr>
</tbody>
</table>

**Settlement Agreement (Allegations/Sanction):** The respondent does not admit to the allegations set forth by the Regulated Industries Complaints Office (RICO) and denies having violated any licensing law or rule. The Respondent enters in a Settlement Agreement as a compromise of the claims and to conserve on the expense of proceeding with a hearing on the matter.

**Disciplinary Action (Factual Findings/Order):** The respondent is found to have violated the specific laws and rules cited, and the Commission approves the recommended order of the Hearings Officer.
Statutory/Rule Violations

(The laws and rules cited above as possible violations and actual violations found, as the case may be, are listed in an abbreviated form. To view the specific laws and rules in their entirety, please go to the Commission’s website at www.hawaii.gov/hirec)

§436B-19(1) Failure to meet or maintain the conditions and requirements necessary to qualify for the granting of a license.

§436B-19(2) Engaging in false, fraudulent, or deceptive advertising, or making untruthful or improbable statements.

§436B-19(5) Procuring a license through fraud, misrepresentation, or deceit.

§436B-19(6) Aiding and abetting an unlicensed person to directly or indirectly perform activities requiring a license.

§436B-19(12) Failure to comply, observe, or adhere to any law in a manner such that the licensing authority deems the applicant or holder to be an unfit or improper person to hold a license.

§436B-19(14) Criminal conviction.

436B-19(17) Violations of Chapter 467, HRS, or any other rule or order of the licensing authority.

§467-14(8) Conduct constituting fraudulent or dishonest dealings.

§467-14(20) Failure to maintain a reputation for or record of competency, honesty, truthfulness, financial integrity, and fair dealing.

§16-99-3(b) Licensee shall protect the public against fraud, misrepresentation, or unethical practices in the real estate field.

Real Estate Commission 2010 Renewal Workshops

The Real Estate Commission’s goal is to make this a successful renewal for the real estate licensees. The renewal workshops are one of the key elements to meet the goal. The workshops provide an opportunity for all real estate licensees, especially brokerage firms, to receive assistance with renewal applications through self-help sessions. Staff will discuss the renewal process, the applications, and red-flag areas with attendees. The workshops will also include a Specialist Office for the Day to answer condominium and other real estate questions not related to licensing renewals. The workshops will begin promptly and will continue until there is no more demand. The open workshops are as follows:

<table>
<thead>
<tr>
<th>Location</th>
<th>Institution</th>
<th>Address</th>
<th>Date</th>
<th>Time</th>
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</thead>
<tbody>
<tr>
<td>Maui</td>
<td>REALTORS Association of Maui, Inc.</td>
<td>441 Ala Makani Pl., Kahului</td>
<td>October 26, 2010</td>
<td>9:30 a.m. – 12:30 p.m.</td>
</tr>
<tr>
<td>Kauai</td>
<td>Kauai Board of REALTORS</td>
<td>4359 Kukui Grove, Suite 103, Lihue</td>
<td>November 16, 2010</td>
<td>9:30 a.m. – 12:30 p.m.</td>
</tr>
<tr>
<td>Kona</td>
<td>Kona Board of REALTORS</td>
<td>74-5620 Palani Court, # 106, Kailua-Kona</td>
<td>November 4, 2010</td>
<td>9:30 a.m. – 12:30 p.m.</td>
</tr>
<tr>
<td>Hilo</td>
<td>Hawaii Island Board of REALTORS</td>
<td>26 Waianuenue Avenue, Hilo</td>
<td>November 18, 2010</td>
<td>9:30 a.m. – 12:30 p.m.</td>
</tr>
<tr>
<td>Oahu</td>
<td>Honolulu Board of REALTORS</td>
<td>1136 12th Avenue, Suite 200, Honolulu</td>
<td>November 8, 2010</td>
<td>9:30 a.m. – 12:30 p.m.</td>
</tr>
<tr>
<td>Oahu</td>
<td>DCCA, King Kalakaua Building</td>
<td>Real Estate Branch, Room 333</td>
<td>November 22, 2010</td>
<td>9:00 a.m. – 11:00 a.m.</td>
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</tbody>
</table>

Completed applications with payment checks will be accepted at the workshops. No cash payments will be accepted. Note: There are other scheduled workshops, which are not included above that have been arranged with brokerage offices or other organizations.

This material can be made available for individuals with special needs. Please call the Executive Officer at 586-2643 to submit your request.
What is Rule-Making?

The Real Estate Commission is at the beginning of Administrative Rules Adoption Procedures, where the existing administrative rules as stated in Hawaii Administrative Rules (HAR) Chapter 99, Real Estate Brokers and Salespersons, are being reviewed, and recommendations made to amend, delete, or create new administrative rules.

The administrative rules apply to all real estate licensees, pre-license schools and instructors, continuing education providers and instructors, continuing education courses, condominium hotel operators, and all licensing procedures from obtaining a license and renewing the license in good standing each biennium.

There are many steps in the Administrative Rules Adoption Procedures (aka rule-making) and many agencies are involved in the review process including the Department of Commerce and Consumer Affairs, the Office of the Attorney General, the Legislative Reference Bureau, the Small Business Regulatory Review Board, Department of Budget and Finance, Department of Business, Economic Development and Tourism, the Lieutenant Governor and Governor’s offices, and the public via public hearings.

The Commission provided an open-comment period which expired on August 31, 2010. The proposed changes are currently being reviewed for inclusion in a draft which will then wend its way through the rule-making process. Rule-making may take as long as two years to complete. The last rule-making took place in 2001.

Some of the rules that are being considered include amending the duplicate CE rule, HAR, Section 16-99-95 to allow licensees to take the same continuing education course, but not in consecutive biennia, reducing the number of categories which would qualify a license candidate for the salesperson prelicense education equivalency to a current and active out-of-state license, graduate of an accredited law school, or a bachelor of arts or science degree from an accredited college or university with a major in real estate or business, limiting the broker prelicense education equivalency to a current and active out-of-state license, or graduate of an accredited law school, all prelicense and CE instructors may be required to complete an Instructors Development Workshop prior to teaching in any biennium, and emphasizing random monitoring of continuing education courses, providers, and instructors.

Check the Commission’s website at www.hawaii.gov/hirec for updates on rule-making.

Donna Apisa
Joins the Commission

Donna Apisa, Broker, Kauai, is the newest member of the Hawaii Real Estate Commission. She represents the island of Kauai. Ms. Apisa is the President and Principal Broker of Oceanfront Realty International, Inc. She obtained her broker’s license in 1981, the same year she relocated to Kauai from O’ahu. She holds the CRB, CRS, CFF, GRI, and CEC designations. She is currently the Kauai Director, CRS, Aloha Chapter, president of the Hale Moi Homeowners’ Association, and a member of the Legislative Affairs Committee of the Kauai Chamber of Commerce. She is a past president of the Kauai Board of REALTORS, 1993.

Welcome to the Hawaii Real Estate Commission!
Real Estate Commission Meetings
And Specialists’ Office for the Day

The Real Estate Commission will convene standing committee meetings at the REALTORS® Association of Maui offices located at 441 Ala Makani Place, Kahului, Maui.

Wednesday, November 10, 2010
Laws and Rules Review Committee – 9:30 a.m.
Condominium Review Committee – Upon adjournment of the Laws and Rules Review Committee meeting
Education Review Committee – Upon adjournment of the Condominium Review Committee meeting

The Commission will also be holding a Specialists’ Office for the Day while the meetings are in progress (from 9:30 a.m. to 11:30 a.m.) and by appointment. This will provide real estate licensees, condominium owners, educational providers, or anyone else interested in real estate licensing or condominium issues with an opportunity to meet with the Specialists to discuss their concerns.
(Times and locations may be subject to change.)

Continuing Education Providers

- Abe Lee Seminars 942-4472 Kauai Board of Realtors 808-245-4049
- Akahi Real Estate Network LLC 808-331-2008 KendallTodd Inc. 704-271-1285
- All Islands Real Estate School 564-5170 Kona Board of Realtors Inc. 808-329-4874
- Americas Best 888-910-5452 Levin & Hu, LLP 808-270-1096
- Brian R. Thomas dba Edventures 808-885-2117 Lorman Education Services 715-833-3940
- Career Webschool Cengage Learning, Inc. 800-532-7649 Lynn W. Carlson
- Carol Ball School of Real Estate 808-871-8807 Maui Community College-VITEC 808-984-3231
- Coldwell Banker Pacific Properties Real Estate School 597-5592 McKissock, LP 800-328-2008
- Continuing Ed Express LLC 866-415-8521 Michael A. Abrams 922-3456
- Continuing-Ed-online.org 800-925-1502 Pacific One Mortgage Inc. 360-654-4527
- Dower School of Real Estate 735-8838 Pacific Real Estate Institute 524-1505
- Ecobroker International 800-706-4321 ProSchools, Inc. 800-452-4879
- Eddie Flores Real Estate Continuing Education 951-9888 Ralph Foulger’s School of Real Estate 239-8881
- ERA School of Real Estate a Division of SRH Inc. 808-981-0711 Realtors Association of Maui Inc. 808-873-8585
- Fahmi School of Real Estate 486-4166 REMI School of Real Estate 230-8200
- Hawaii Academy of Real Estate 808-245-8169 Richard Daggett School of Real Estate 923-0122
- Hawaii Association of Realtors 733-7060 Russ Goode Seminars 597-1111
- Hawaii CCIM Chapter 528-2246 Seiler School of Real Estate 808-874-3100
- Hawaii Institute of Real Estate (HIRE) 561-7653 Servpro Industries Inc. 615-451-0200
- Hawaii Island Board of Realtors 808-935-0827 Shari S. Motooka-Higa 457-0156
- Hogan School of Real Estate 800-794-1390 The CE Shop, Inc. 888-827-0777
- Honolulu Board of Realtors 732-3000 The Seminar Group 206-463-4400
- Institute of Real Estate Management (IREM) 800-837-0706 University of Hawaii at Manoa Outreach College 956-8244
- Investment Property Exchange Services, Inc. 387-4140 Vitousek Real Estate Schools, Inc. 946-0505

State of Hawaii
Real Estate Commission

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This material can be made available to individuals with special needs. Please call the Senior Real Estate Specialist at 586-2643 to submit your request.
### 2010 - 2011 Real Estate Commission Meeting Schedule

<table>
<thead>
<tr>
<th>Committee</th>
<th>Dates</th>
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<tbody>
<tr>
<td>Laws &amp; Rules Review Committee</td>
<td>Wednesday, October 13, 2010</td>
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<tr>
<td>Condominium Review Committee</td>
<td>Wednesday, November 10, 2010</td>
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<td>Wednesday, December 8, 2010</td>
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<td>Wednesday, January 12, 2011</td>
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<td>Wednesday, February 9, 2011</td>
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<td>Wednesday, March 9, 2011</td>
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<td>Wednesday, April 13, 2011</td>
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<td>Wednesday, May 11, 2011</td>
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<td>Wednesday, June 8, 2011</td>
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<td>Wednesday, July 13, 2011</td>
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<td>Wednesday, December 7, 2011</td>
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<td>Real Estate Commission</td>
<td>Thursday, October 28, 2010</td>
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<td>Thursday, November 24, 2010</td>
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<td>Thursday, December 21, 2010</td>
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<td>Friday, December 16, 2011</td>
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</tbody>
</table>

All meetings will be held in the Queen Liliuokalani Conference Room of the King Kalakaua Building, 335 Merchant Street, First Floor, except the Wednesday, November 10, 2010, committee meetings, which will be held at the Realtors® Association of Maui, 441 Ala Makani, Kahului, Maui.

Meeting dates, locations and times are subject to change without notice. Please visit the Commission’s website at [www.hawaii.gov/hirec](http://www.hawaii.gov/hirec) or call the Real Estate Commission Office at (808) 586-2643 to confirm the dates, times and locations of the meetings. This material can be made available to individuals with special needs. Please contact the Executive Officer at (808) 586-2643 to submit your request.