

School Files

Hawaii Real Estate Commission

May 2000

<http://www.state.hi.us/hirec>

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License Renewal Deadline Moves Up to November 30, 2000

As a reminder, this year licensees are required to submit renewal applications by November 30, 2000. This is a one-month earlier renewal deadline (traditionally December 31st). The earlier renewal deadline is to ensure that licensees who submit their complete application and renewal fees receive their pocket cards by December 31st. Those with deficiencies will receive deficiency notices before the end of the year.

With a one-month earlier deadline, licensees expecting to renew on active status should start taking continuing education courses. Li-

licensees are required to complete ten hours of approved courses as required by Hawaii Revised Statutes §467-11.5. Of the required ten hours, four must be from a core course.

Please notify licensees of this earlier renewal deadline, since in the past, nearly a third of the licensees wait until November and December to take their courses. Providers should also be prepared to offer courses earlier to accommodate the licensees.

Keep an eye open for renewal applications; they will be mailed around the third week of October!



Instructor's Development Workshop

All prelicense and continuing education instructors are required to take the Instructor's Development Workshop once every biennium. The Real Estate Commission and the Hawaii Association of REALTORS® (HAR) are sponsoring the next Instructor's Development Workshop to be held on:

Date: July 18, 2000
Place: Ala Moana Hotel - Carnation Room
Time: Registration 8:30 a.m.
Workshop: 9:00 a.m.- 3:30 p.m.
Cost: \$55.00
Registration Deadline: July 14, 2000

Parking: Ala Moana Hotel \$2.00 with validation

Included in this issue is an insert to register for the Instructor's Development Workshop. Instructors, schools, and providers will also be receiving this insert by mail. For additional information or inquiries, please contact HAR at 733-7060 (new phone number).



Distance Learning

What is distance learning? Just a few years back people only equated distance learning with correspondence schools. People would mail away for courses and after completion, would mail them back. With the coming of the internet and the increasing advancements in computer technology, a lot has changed in a relatively short time frame. Presently, more options are available for distance education.

Distance education or distance learning is generally targeted toward adults who want to upgrade or maintain their knowledge, those desiring a change in careers, adults with physical disabilities, and adults with busy lifestyles.

The benefits to distance learning are the great flexibility in defining their own areas and methods of study, structuring their time, saving time from commuting, and providers may be more available to individual students because they are freed from preparing material and holding live lecturing.

The disadvantages of distance learning may be the difficulty in determining which providers are offering legitimate distance education programs, the cost for students and providers to invest in equipment and maintenance, the need for greater motivation and self-discipline to learn, lack of immediate feedback, and emphasis on written communication without developing the oral skills.

Distance education can vary in form from

virtual classrooms to the mail-and-learn method. The only commonality with all distance educators is that the learner is physically separated from the provider.

Both Hawaii Revised Statutes §467-4.5(a)(6) and the Hawaii Administrative Rules §16-99-100 allow for distance learning with the condition that it have interactive instructional techniques. Distance learning courses must be approved by the Commission and also satisfy the requirements for the traditional live-seminar continuing education courses.

The Commission approved the first distance learning courses over two years ago. The two interactive computer courses are offered by John Reilly and entitled Consensual Dual Agency and Tax Free Exchange of Residence.

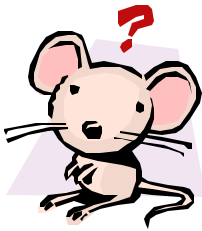
Until recently, these two courses were the only distance learning courses available to licensees for continuing education credit. In April,

the Education Review Committee certified eight online Internet based courses: Accredited Buyer Representative (ARELLO certified), Essentials of International Real Estate, Real Estate Practitioners and Models of Ethical Decision Making Skills, Applied Ethics, Lead Paint Disclosure: It's the Law, Creative Residential Finance, Fair Housing, and Commercial Investment Real Estate to be offered by the Hawaii Association of REALTORS®.

Regardless of whether distance learning should or shouldn't be the preferred method of teaching for the future, there is no disagreement that it does provide licensees with greater options.



What is REEA?



The Real Estate Educators Association (REEA) is an international organization serving real estate educators and providers with education programs, publications, and networking opportunities. For more information, contact REEA at www.REEA.org (e-mail); or write to: 320 West Sabal Palm Place, Suite 150, Longwood, FL 32779.



What's Happening at the Real Estate Branch?

We bid farewell to Real Estate Branch Executive Officer, Christine Rutkowski. Christine leaves the Branch after almost ten years of dedicated service since she started with the Branch on August 16, 1990.

She has accepted a position as Executive Officer for another Board and Commission with Professional and Vocational Licensing Division. The staff will surely miss her!



Implementation of the 4/3/3 Clock-Hour Format

Traditionally, every continuing education course was certified for 3 and 1/3-clock hours. However, the Commission recently implemented the 4/3/3 format for this licensing biennium with the certification of 3.0-clock hour courses.

Providers offering the 3.0-hour courses must note the number of credit hours on each certificate issued and also must stamp "3.0" onto the certificates issued. Rubber stamps will be sent to providers who have Commission approval to offer the 3.0-hour courses. Providers must clearly advertise that the course is a 3.0-hour course and also announce it to the students enrolled in the course.



Instructors should also inform students who are taking the 3.0-clock hour courses for the purpose of restoring or reactivating their license, that they may need to take four courses to meet the mandatory ten-hour education requirement.

Lastly, as an important note to all continuing education instructors and providers, if the Commission previously approved a course for 3 and 1/3-clock hours you must continue to teach it as a 3 and 1/3-clock hour course. This new 4/3/3 format does not retroactively change the clock hours of previously approved elective courses.

Change in Date of Real Estate Commission Meeting

The last issue of *School Files* included a calendar of the Real Estate Commission's Meeting Schedule for 2000. However, the following change has been made:

The Real Estate Commission Meeting originally scheduled for Friday, July 28, 2000, on Oahu has been changed to Thursday, July 27, 2000. Times and location remain unchanged.

Please replace the last calendar with the revised one inserted in this issue. Also, view the Master Calendar located at the Real Estate Commission's website (<http://www.state.hi.us/hirec>). The Master Calendar lists upcoming meetings, educational and other real estate and condominium related events for 2000.

IMPORTANT: Seminars and courses listed on the Master Calendar are not continuing education courses. Continuing education courses are listed separately on the Commission's website under the category entitled Real Estate Education.

A Word of Caution: Prohibited Advertising Practices

Prelicense schools and CE providers should be aware that Hawaii Administrative Rules §§16-99-68(h) and 114 prohibit schools and providers from advertising a course that has not been approved by the Commission unless the advertisement

clearly states that it is a “proposed” or “tentative” offering subject to the approval of the Commission.



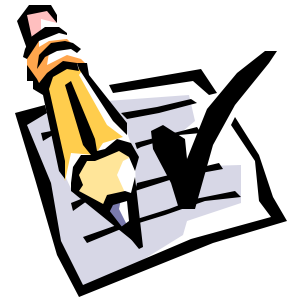
Similarly, Hawaii Administrative Rules §16-99-103 prohibits solicitation of students for any subsequent offering of a certified continuing education course without first obtaining Commission approval. Accordingly, course offering approval must be obtained prior to advertising (or listing) a course offering on a website or via other means of advertising.

Advertising means an announcement for the purpose of promoting the school or soliciting students and can be by various media sources including the internet. As a warning, Regulated Industries Complaints Office (RICO) frequently scans advertisements for compliance.

New ASI Handbook Lists Correct Fee

ASI has recently revised the Real Estate Candidate Handbook. The new handbook dated May 2000 correctly lists the real estate licensing examination fee as \$68.00. Payment must be in the form of a certified check, cashier’s check, or money order made payable to “Assessment Systems, Inc.”

Continuing Education Credit Given to Instructors for Teaching



Instructions for instructors interested in receiving continuing education credit for teaching:

1. After teaching the course, requests for continuing education credit must be made in writing to the Commission and include the course title and date of offering; and
2. The course must be taught within the same biennium as the biennium the instructor is receiving continuing education credit.

The Commission will issue the continuing education certificate. For questions, contact the Real Estate Specialists at 586-2645.

State of Hawaii
Real Estate Commission
SCHOOL FILES

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

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Commission's Decision on Legal Name and License Name

At its meeting on February 25, 2000, the Real Estate commission made decisions on requirements regarding license names. Under its February decision, the Commission granted licensees greater latitude while still protecting the public from misrepresentation or confusion. Its decision drew a distinction between a licensee's legal name and license name. The Commission decided to continue to require licensees to provide their legal names on license applications and report changes to legal names, but licensees will be allowed to choose their license name.

For new licensees wanting a license name that is different from their legal name, the applicant must provide the two names (license and legal) when completing the Application for License - Real Estate. A license name is provided when the applicant wants the license to be issued in a name other than the legal name. The applicant's legal name must appear on the first line of the application and the full license name in parenthesis below or after the legal name.

For those already licensed wanting a different license name, the licensee must complete a change form. To properly complete the change form, print the legal name and license name on the line above the name of licensee box, check the change individual name box, and write in "change in license name." There is a \$25 change fee. Licensees are not required to submit the wall certificate or pocket card.

Although the Commission is now allowing licensees to choose their license name, license names are still subject to the following conditions:

1. Individual brokers and salespersons:
 - a. The license name must include the licensee's full surname.
 - b. The license name may include the licensee's initials, the full first name, full middle name, full legal name, or nickname.
 - c. If after being licensed an individ-

ual's surname changes, that individual may continue to use the original surname but must report the change in legal name.

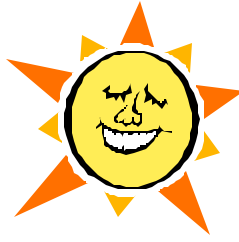
2. Sole proprietor brokers:
 - a. The provisions of paragraph 1 above apply.
 - b. Any trade names must be registered with Business Registration Division and the Commission. The provisions of Section 467-9, HRS, regarding trade names remain in force.
3. Corporation, partnership, LLC and LLP brokers:
 - a. They must use their legal names.
 - b. Any trade names must be registered with the Business Registration Division and the Commission.
 - c. The provisions of Section 467-9, HRS, regarding names and trade names remain in force.

With regard to advertising, licensees may advertise in the following manner:

1. Individual brokers and salesperson -either in their license name or legal name;
2. Sole proprietor brokers -either in their license name, legal name, or registered trade name; and
3. Corporation, partnership, LLC, and LLP brokers either in their legal name or registered trade name. Unless required by other laws, they may omit or abbreviate "corporation," "incorporated," "partnership," "limited," "general partnership," "LLC," or "LLP."

The Commission's adoption of allowing a different license name does not affect legal name changes. If at a later date the legal name changes, the Commission must be notified of the change by completing a "Change Form - Real Estate" with supporting documentation evidencing the change.

Specialists' Office for the Day Sessions



The Commission, in an effort to educate and assist neighbor island licensees and real estate educators with their individual issues of concern, conducted the semi-annual Neighbor Island Outreach Specialists' Office for the Day Sessions. Real estate and condominium specialists held three Specialists' Office for the Day sessions on Kauai, Maui, and Hawaii Island in late February and early March.

The specialists enjoyed personally servicing the outer island licensees and are looking forward to the event in the later half of this year. Notices of date, location, and time for the next Specialists' Office for the Day Session will be published in advance.

Approved Education Applications

Continuing Education Course Certification/Recertification

"Computers, Internet & the Licensee" (Provider: Abe Lee Seminars)

"Surveys, Termite & Home Inspections" (Provider: Abe Lee)

"CI 101: Financial Analysis for Commercial Investment Real Estate" (Provider: HAR)

"Fair Housing" (via the Internet) (3 hrs) (Provider: HAR)

"Real Estate Practitioners and Models of Ethical Decision Making Skills" (via Internet) (3 hrs) (Provider: HAR)

"Applied Ethics" (via Internet) (3hrs) (Provider: HAR)

"Lead Paint Disclosure: It's the Law" (via Internet) (3hrs) (Provider: HAR)

"Creative Residential Finance" (via Internet) (3hrs) (Provider HAR)

"Commercial Investment Real Estate" (via Internet) (3hrs) (Provider: HAR)

"CRB 502 Using Financial Management Systems Effectively" (Provider: HAR)

"Accredited Buyer Representative Course" (Provider: HAR)

"Accredited Buyer Representative" (via the Internet) (Provider: HAR)

"Essentials of International Real Estate" (via Internet) (Provider: HAR)

"Real Estate and Taxes! What Every Agent Should Know" (3hrs) (Provider: Seiler School of Real Estate)

"Buyer Representation in Real Estate" (3 hrs) (Provider: Seiler School of Real Estate)

"Risk Reduction: Protect Yourself and Your Client" (3hrs) (Provider: HAR)

"Oahu Zoning Districts and Classifications" (Provider: Dower School of Real Estate)

"Risk Reduction When Listing" (Provider: Gretchen Duplanty)

"RS205 Financial & Tax Applications for the Residential Specialist" (Provider: HAR)

"The Roots of Discrimination...the History of Fair Housing" (3hrs) (Provider: Kona Board of Realtors pending provider registration application)

"HUD, VA and (Non) Judicial foreclosures" (Provider: Abe Lee Seminars)

"1031 Tax Deferred Exchanges" (Provider: Dower School of Real Estate)

"Purchase, Ownership and Management of Condominiums" (Provider: Kenneth D.H. Chong)

Continuing Education Providers Certification/Recertification

Seiler School of Real Estate
Century 21 Real Estate School

