

**CONDOMINIUM REVIEW COMMITTEE**  
REAL ESTATE COMMISSION  
Professional and Vocational Licensing Division  
Department of Commerce and Consumer Affairs  
State of Hawaii  
[www.hawaii.gov/hirec](http://www.hawaii.gov/hirec)

MINUTES OF MEETING

The agenda for this meeting was filed with the Office of the Lieutenant Governor as required by Section 92-7(b), Hawaii Revised Statutes.

Date: June 12, 2013

Time: Upon adjournment of the Laws and Rules Review Committee meeting scheduled to convene at 9:30 a.m.

Place: Lihue State Office Building  
3<sup>rd</sup> Floor Conference Room  
3060 Eiwa Street  
Lihue, Hawaii

Present: Scott Sherley, Chair, Broker / Hilo Commissioner  
Bruce Faulkner, Vice Chair / Maui Commissioner  
Nikki Senter, Public / Honolulu Commissioner  
Frances Gendrano, Broker / Honolulu Commissioner  
Walt Harvey, Broker / Honolulu Commissioner  
Rowena Cobb, Broker / Kauai Commissioner  
Aileen Wada, Broker / Honolulu Commissioner  
Scott Arakaki, Public / Honolulu Commissioner

Neil Fujitani, Supervising Executive Officer  
Cynthia Yee, Senior Condominium Specialist  
Diane Choy Fujimura, Senior Real Estate Specialist  
Shari Wong, Deputy Attorney General  
Lesley Matsumoto, Recording Secretary

Guests: Aron Espinueva, Hawaii Association of REALTORS®  
James Stone, Coldwell Banker  
Marsha Shimizu, Hawaii Association of REALTORS®  
Karen Ono, Kauai Board of REALTORS  
Dimples Kano  
Donna Apisa  
Louis Abrams

Absent: Stanley Kuriyama, Broker/Honolulu Commissioner

Call to Order: Chair Sherley called the meeting to order at 10:06 a.m., at which time quorum was established.

Chair's Report: Chair Sherley welcomed those in attendance.

The Chair announced that the Commission may move into executive session to consider and evaluate personal information relating to individuals applying for licensure in accordance with Section 92-5(a)(1), HRS, and/or to consult with the Commission's attorney on questions and issues pertaining to the Commission's powers, duties, privileges, immunities, and liabilities in accordance with Section 92-5(a)(4), HRS.

Commissioner Kuriyama was excused from the meeting. Prior notification of his non-attendance was received.

Condominium  
Specialist's  
Report:

### Minutes

Upon a motion by Commissioner Harvey, seconded by Commissioner Faulkner, it was voted on and unanimously carried to accept the minutes of the May 8, 2013 Condominium Review Committee meeting as circulated.

Condominium  
Governance and  
Management:

### AOUO Registrations

Specialist Yee reported that as of May 31, 2013, 1,145 AOUOs have submitted their reregistration application for the 2013-2015 biennium.

### Condominium Seminars and Symposium – CAI Hawaii May 14, 2013 Request for Approval of Expenses for Kona ABC's Seminar (June 28, 2013)

Upon a motion by Commissioner Gendrano, seconded by Commissioner Faulkner, it was voted on and unanimously carried to approve CAI Hawaii's request for expenses for the Kona ABC's seminar on June 28, 2013 subject to the availability of moneys in the Condominium Education Trust Fund and the terms and conditions of the existing contract.

### Case Law Review Program

The following Intermediate Court of Appeals of Hawaii case, *Association of Apartment Owners of Lihue Townhouse vs. McGrath Properties, LLC* was distributed for informational purposes.

Discussion followed about the courts conclusion and the availability of the arbitration for the condominium community. After discussion, the Commission recommended that staff monitor the case.

### Condominium Related Articles

The following articles from the April 2013 issue of *CAI Hawaii* were distributed for informational purposes: "Reasons to Explore Smoke-Free Housing" and "The Challenges of Aging Buildings – Your Electrical Distribution System".

The following article from the May 2013 issue of *Hawaii Bar Journal* was also distributed for information purposes: "Hot Topics in Hawaii Solar Energy".

Condominium  
Project  
Registration:

### Condominium Project Registration - Public Reports Issued

A list of those condominium projects issued effective dates during the month of May 2013 were distributed for informational purposes.

PROJ #	PROJECT NAME	PROJECT ADDRESS	TMK #	UNIT	REPORT	DATE
7334	801 SOUTH ST	801 SOUTH ST HONOLULU HI 96813	121047003	915	B REPT	5/31/2013
7098	BW VACATION SUITES	270 LEWERS ST HONOLULU HI 96815	126003001	133	FINAL	5/9/2013
7351	FIRST KALIE STREET CONDOMINIUM	57 A-1 KALIE ST WAHIAWA HI 96786	175007092	2	B REPT	5/16/2013

Condominium Review Committee  
 Minutes of the June 12, 2013 Meeting  
 Page 3

7125	GREEN HOMES AT LUALUALEI (INCREMENT 1)	87-1720 FARRINGTON HWY WAIANA E HI 96792	187033011	25	B AMD	5/29/2013
7374	HANA BAY VIEW CONDOMINIUM	4873 & 4875 HANA HWY HANA HI 96713	214014030	2	B REPT	5/24/2013
7045	HANAMALIA CONDOMINIUM	342-344 KULIKE RD HAIKU HI 96708	228004082	2	B AMD	5/22/2013
6289	HO'ONANEA AT LAHAINA	KEAWE ST LAHAINA HI 96761	245011010	100	B AMD 5	5/24/2013
4414	KALOKO VIEW ESTATES	73-1408 KALOKO DR KAILUA-KONA HI 96740	373024056	2	SUPPL	5/28/2013
7283	KULALANI AT MAUNA LANI (PHASE 3)	68-1118 N KANIKU DR KAMUELA HI 96743	368022007	10	FINAL	5/22/2013
7368	LAULANI XXII, PHASE 30	91-1001 KEAUNUI DR EWA BEACH HI 96706	191149043	12	B REPT	5/17/2013
7323	LEIALOHA PARKSIDE	2738 LEIALOHA AVE HONOLULU HI 96816	127031004	9	B AMD	5/8/2013
7348	MAILI BEACH PLACE PHASES 2-4	87-150 MAIPALAOA RD WAIANA E HI 96792	187023060	25	B REPT	5/15/2013
7376	MILO COURT AT KEHALANI (PHASE 7)	OFF HONOAPIILANI HWY & WAILUKU HI 96793	235001081	8	FINAL	5/24/2013
7234	PUUPILO VALLEY ESTATES	6581 PUUPILO RD KAPAA HI 96746	442022020	4	B AMD	5/8/2013
7341	SILVA ESTATES	3097 LAUOHO RD KALAHEO HI 96741	423001030	2	B REPT	5/8/2013
7182	TOWN HOMES AT KA MAKANA AT HOAKALEI INCREMENT 7	OFF KEONE'ULA BLVD & EWA BEACH HI 96706	191134020	18	B AMD 2	5/3/2013
7359	TOWN HOMES AT KA MAKANA AT HOAKALEI INCREMENT 8	KEONE'ULA BLVD & WAIKAPUNA ST EWA BEACH HI 96706	191147164	12	B REPT	5/3/2013
6778	UNCLE ED'S	5-7383 KUHIO HWY WAINIHA HI 96714	458009004	2	B AMD	5/30/2013
7362	WAIALUA TOWNHOMES	66-170 & 66-178 WAIALUA BEACH RD HALEIWA HI 96712	166034076	2	B REPT	5/1/2013
0	<b>Preliminary Reports</b>					
0	<b>Contingent Final Reports</b>					
3	<b>Final Reports</b>					
1	<b>Supplementary Reports</b>					
8	<b>B Reports</b>					
7	<b>B Amendment Reports</b>					
19	<b>TOTAL REPORTS</b>					

Program of Work: **Rulemaking, Chapter 107**

Specialist Yee provided an updated status report.

Condominium Organizations Forum: No comments, recommendations or concerns were received from the following: Community Associations Institute Hawaii Chapter, Alakahi Foundation, Hawaii Council of Association of Apartment Owners, Hawaii Independent Condominium and Cooperative Owners, Hawaii State Bar Association/Real Property & Financial Services Section, Land Use Research Foundation, Condominium Council of Maui, Hawaii Association of Realtors/Institute of Real Estate Management Hawaii Chapter/ Oahu Arm Committee, others.

CETF Budget & Finance Report: Upon a motion by Commissioner Faulkner, seconded by Commissioner Harvey, it was voted on and unanimously carried to defer to the Real Estate Commission meeting the Condominium Education Trust Fund Financial Report for the period ending March 31, 2013.

Next Meeting: July 10, 2013  
 Upon adjournment of the Laws and Rules Review Committee meeting scheduled to convene at 9:00 a.m.  
 Queen Liliuokalani Conference Room  
 King Kalakaua Building  
 335 Merchant Street, First Floor  
 Honolulu, Hawaii

Condominium Review Committee  
Minutes of the June 12, 2013 Meeting  
Page 4

Adjournment:                   With no further business to discuss, Chair Sherley adjourned the meeting at  
10:26 a.m.

Respectfully submitted:

    /s/ Cynthia M. L. Yee      
Cynthia M. L. Yee  
Senior Condominium Specialist

June 25, 2013

\_\_\_\_\_  
Date

Minutes approved as is.  
 Minutes approved with changes; see minutes of \_\_\_\_\_

CV/lm/130614