

**LAWS AND RULES 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: Wednesday, June 12, 2013

Time: 9:30 a.m.

Place: Kauai State Office Building  
3060 Eiwa Street, Room 303  
Lihue, Hawaii 96766

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

Absent: Stanley Kuriyama, Broker/Honolulu Commissioner

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

Call to Order: The Chair called the meeting to order at 9:45 a.m., at which time quorum was established.

Chair's Report: 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 today's meeting. Prior notice of his non-attendance was received.

SEO's  
Report:

SEO Fujitani welcomed those in attendance and introduced Louie Abrams, Donna Apisa, and Dimples Kano, past Real Estate Commissioners.

### **Minutes of Previous Meetings**

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, Laws and Rules Review Committee meeting.

Program of Work:

### **Legislative Acts and Resolutions**

SEO Fujitani reported on Senate Resolution No. 60, requesting the auditor to conduct a review of the professional and vocational licensing division's forty-eight licensing areas and recommend whether any of the licensing boards, commissions, or programs or their administrative functions could be streamlined or consolidated. The Licensing Administrator is asking for feedback from all Boards and Commissions regarding this resolution. SEO Fujitani asked the Commissioners to email their concerns and feedback and he will draft a memo by the next meeting.

ARELLO,  
Other  
Organizations  
And  
Jurisdictions:

### **ARELLO**

The articles entitled "Are Disclosure Forms Enough? California Court Examines Broker's Duty to Obtain 'Informed Consent' to Dual Agency" and "Speaking of Agency...Nebraska Interprets 'First Substantial Contact' for Brokerage Disclosures" was distributed for informational purposes.

Special  
Issues:

None.

Budget and  
Finance Report:

Upon a motion by Commissioner Faulkner, seconded by Commissioner Sherley, it was voted on and unanimously carried to accept the Real Estate Recovery Fund Financial Report for the period ending March 31, 2013.

Next  
Meeting:

Wednesday, July 10, 2013  
9:00 a.m.  
Queen Liliuokalani Conference Room  
King Kalakaua Building  
335 Merchant Street, First Floor  
Honolulu, Hawaii

Adjournment:               With no further business to discuss, the Chair adjourned the meeting at  
10:05 a.m.

Reviewed and approved by:

      /s / Neil Fujitani        
Neil Fujitani  
Supervising Executive Officer

      June 25, 2013        
Date

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