

REAL ESTATE COMMISSION
Professional and Vocational Licensing Division
Department of Commerce and Consumer Affairs
State of Hawaii
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: Friday, May 24, 2013

Time: 9:00 a.m.

Place: Queen Liliuokalani Conference Room
King Kalakaua Building
335 Merchant Street, First Floor
Honolulu, Hawaii

Present: Nikki T. Senter, Chair, Public/Honolulu Commissioner
Rowena Cobb, Broker/Kauai Commissioner
Frances Gendrano, Broker/Honolulu Commissioner
Walter Harvey, Broker/Honolulu Commissioner
Bruce Faulkner, Broker/Maui Commissioner
Scott Arakaki, Public/Honolulu Commissioner
Scott A. Sherley, Broker/Hawaii Island Commissioner
Aileen Wada, Broker/Honolulu Commissioner

Neil K. Fujitani, Supervising Executive Officer
Miles Ino, Executive Officer
Diane Choy Fujimura, Senior Real Estate Specialist
Amy Endo, Real Estate Specialist
David Grupen, Real Estate Specialist
Cynthia Yee, Senior Condominium Specialist
Benedyne Stone, Condominium Specialist
Shari Wong, Deputy Attorney General
Lesley Matsumoto, Recording Secretary

Absent: Stanley Kuriyama, Vice Chair, Broker/Honolulu Commissioner

Others: Aron Espinueva, Hawaii Association of REALTORS®
John Dotten
Marsha Shimizu, Hawaii Association of REALTORS®

Call to Order: The Chair called the meeting to order at 9:03 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 the meeting. Prior notification of his non-attendance was received.

Executive Officer's Report:

The Executive Officer ("EO") informed the Commissioners that the original applications with any original associated documents to be considered at the meeting were available for review.

Additional Distribution

3. Executive Officer's Report
 - c. Correction to the February 22, 2013 Minutes
4. Committees and Program of Work
 - b. Condominium Review Committee – Procurement for Educational Services – Award of REC Solicitation Issued Tuesday, April 30, 2013

Minutes of Previous Meeting

Upon a motion by Commissioner Harvey, seconded by Commissioner Sherley, it was voted on and unanimously carried to accept the minutes of the April 26, 2013 meeting.

Correction to February 22, 2013 Minutes

Upon a motion by Commissioner Harvey, seconded by Commissioner Sherley, it was voted on and unanimously carried to accept the correction of the February 22, 2013 minutes based on the following:

Licensing – Applications:

Jeff R. LaFrance

After review of the information presented by the applicant, Commissioner Harvey moved to deny the real estate broker license of Jeff R. LaFrance based on sections ~~467-8, 436B-19(1), 436B-19(8) and 436B-19(12)~~, HRS **the following:**

"§467-8 Prerequisites for license, registration, or certificate. (a) No license, registration, or certificate under this chapter shall be issued to:

- (3) Any person who does not possess a reputation for or record of competency, honesty, truthfulness, financial integrity, and fair dealing;. . .;" and**

"§467-20 False statement. It shall be unlawful for any person or the person's agent to testify before or file with the commission, or the testing service agency designated by the commission, any notice, statement, or other document required under this chapter, that is false or untrue or contains any material misstatement of fact, or contains forgery.

"§436B-19 Grounds for refusal to renew, reinstate or restore and for revocation, suspension, denial, or condition of licenses. In addition to any other acts or conditions provided by law, the licensing authority may refuse to renew, reinstate or restore or may deny, revoke, suspend, or

condition in any manner, any license for any one or more of the following acts or conditions on the part of the licensee or the applicant thereof:

- (1) Failure to meet or maintain the conditions and requirements necessary to qualify for the granting of a license;. . .**
- (2) Engaging in false, fraudulent, or deceptive advertising, or making untruthful or improbable statements;. . .**
- (5) Procuring a license through fraud, misrepresentation, or deceit;. . .**
- (8) Failure to maintain a record or history of competency, trustworthiness, fair dealing, and financial integrity;. . .**
- (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;. . ."**
- (13) Revocation suspension, or other disciplinary action by another state or federal agency against a licensee or applicant for any reason provided by the licensing laws or this section;**
- (14) Criminal conviction, whether by nolo contendere or otherwise, of a penal crime directly related to the qualifications, functions, or duties of the licensed profession or vocation;**

Committees and
Program of Work:

Program of Work, FY 14

The draft of the fiscal year 2014 Program of Work was distributed to the Commissioners. Upon a motion by Commissioner Sherley, seconded by Commissioner Gendrano, it was voted on and unanimously carried to accept the 2014 draft Program of Work as distributed.

Laws and Rules Review Committee – Interactive Participation with Organizations - ARELLO report

A copy of Chair Senter and SEO Fujitani's report from the Association of Real Estate License Law Officials Mid-Year Meeting and District 4 Conference was distributed to the Commissioners for their information.

Condominium Review Committee – Procurement for Educational Services – Award of REC Solicitation Issued Tuesday, April 30, 2013

Upon a motion by Commissioner Sherley, seconded by Commissioner Gendrano, it was voted on and unanimously carried to accept CAI Hawaii's bid for \$44,000 for Educational Services.

Licensing –
Ratification:

Upon a motion by Commissioner Harvey, seconded by Commissioner Faulkner, it was voted on and unanimously carried to ratify the attached list.

Chapter 91, HRS,
Adjudicatory
Matters:

The Chair called for a recess from the meeting at 9:23 a.m., to discuss and deliberate on the following adjudicatory matters, pursuant to Chapter 91, HRS:

In the Matter of the Real Estate Licenses of Kalea Freda, a Real Estate Salesperson; REC 2012-284-L

Upon a motion by Commissioner Harvey, seconded by Commissioner Arakaki, it was voted on and unanimously carried to accept the settlement agreement.

Following the Commission's review, deliberation, and decisions in these matters, pursuant to Chapter 91, HRS, the Chair announced that the Commission was reconvening its scheduled meeting at 10:25 a.m.

Next Meeting:

Friday, June 28, 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 10:25 a.m.

Reviewed and approved by:

/s/ Miles I. Ino

Miles I. Ino
Executive Officer

May 29, 2013

Date

[X]
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Approved as circulated.

Approved with corrections; see minutes of _____ meeting.

APPROVED APPLICATIONS FOR REAL ESTATE
REAL ESTATE COMMISSION MEETING ON MAY 24, 2013

<u>Brokers – Limited Liability Companies and Partnerships</u>	<u>Effective Date</u>
Hawaii Business Realty, LLC Takahiro Kono, PB	4/18/2013
Realty Pacific, LLC Michelle Okura-Danailov, PB	4/23/2013

<u>Brokers – Corporations and Partnerships</u>	<u>Effective Date</u>
Okura & Associates Realty Corp. dba Sanford K. Okura Realty Sanford K. Okura, PB	3/21/2013
Sandalwood Management USA, LP	4/16/2013
Hawaii Hideaways Real Estate, Inc. Richard G. Clayton, PB	5/1/2013

<u>Brokers – Sole Proprietor</u>	<u>Effective Date</u>
Linda J. Moran	4/15/2013
Cindy Lee Hamilton dba Kauai Custom Properties	4/22/2013
Katie Colby Mancuso	5/10/2013

<u>Trade Name</u>	<u>Effective Date</u>
Blue Rock Partners, LLC dba Blue Rock HI	4/18/2013
Beach Bum Realtors dba Beach Bum Realty	4/19/2013
Buyers and Sellers 1 st Choice Realty, Inc. dba Assist-2-sell Buyers and Sellers 1 st Choice Realty	5/14/2013

<u>Educational Equivalency Certificate</u>	<u>Expiration Date</u>
Katherine Sue Muhs	4/17/2015
Emma Lazo Ladendecker	4/19/2015
Kai Luong Hobbs	4/19/2015
Robert Joseph Reed	4/24/2015
Alan Perry Mark	4/24/2015
Armando Israel Lazcano	4/30/2015
Judy P.Y. Dempsey	4/30/2015
Jason Ian Hector	4/30/2015
Eric Canby Sacks	4/30/2015
Camilo Arturo Landinez	4/30/2015
Debra Louise Comeaux	4/30/2015
Joyce M. Liberman	5/3/2015
Candace Lyn Dunn	5/3/2015
Denise Adelia Stumbough	5/3/2015
Jeffrey Scott Hughes	5/3/2015
Angela Leann Hardy	5/3/2015
Gregory Neil McMurray	5/3/2015
Claudia Pamela Rivera	5/3/2015

Jeffrey Donald Reed	5/8/2015
Laura Lynn Clayson	5/13/2015
Jody L. Woods	5/13/2015

<u>Equivalency to Uniform Section of Examination Certificate</u>	<u>Expiration Date</u>
Katherine Sue Muhs	4/17/2015
Robert Joseph Reed	4/24/2015
Alan Perry Mark	4/24/2015
Lara Videna Luis	4/30/2015
Jason Ian Hector	4/30/2015
Camilo Arturo Landinez	4/30/2015
Debra Louise Comeaux	4/30/2015
Joyce M. Liberman	5/3/2015
Candace Lyn Dunn	5/3/2015
Denise Adelia Stumbough	5/3/2015
Jeffrey Scott Hughes	5/3/2015
Angela Leann Hardy	5/3/2015
Gregory Neil McMurray	5/3/2015
Claudia Pamela Rivera	5/3/2015
Jeffrey Donald Reed	5/8/2015
Laura Lynn Clayson	5/13/2015
Jody L. Woods	5/13/2015

<u>Real Estate Broker Experience Certificate</u>	<u>Expiration Date</u>
Leslie Rumiko Lewis	4/18/2015
Alexandra Anne Martin	4/18/2015
Alan Perry Mark	4/24/2015
Jason Ian Hector	4/30/2015
Camilo Arturo Landinez	4/30/2015
Debra Louise Comeaux	4/30/2015
Massy Cashen	5/3/2013
Denise Adelia Stumbough	5/3/2015
Angela Leann Hardy	5/3/2015
Gregory Neil McMurray	5/3/2015
Berneicea Aleana Worrell	5/3/2015
Keenan James Shunichi Sue	5/3/2015
Jeffrey Donald Reed	5/8/2015
Jody L. Woods	5/13/2015

<u>Real Estate Broker</u>	<u>Effective Date</u>
Harvey Colin Hodges	4/1/2013
Linda J. Moran	4/15/2013
Attilio K. Leonardi	4/15/2013
Carol L. Kage	4/16/2013
Glenn A. Ikeda	4/17/2013
Reynold J. Uehara	4/17/2013

Lena L. Ching	4/18/2013
Kimberly L. Y. Balisacan	4/19/2013
Dianne S. Bosworth	4/19/2013
Cindy Lee Hamilton	4/22/2013
Michelle Okura-Danailov	4/23/2013
Joshua A. Stone	4/23/2013
Hella Mitschke Rothwell	4/24/2013

Restoration – Real Estate Salesperson

Royalle Watanabe
Karen Marie Peel

Effective Date

4/24/2013
4/24/2013