

**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: July 10, 2013

Time: Upon adjournment of the Laws and Rules Review Committee meeting scheduled to convene at 9:00 a.m.

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

Present: Scott Sherley, Chair, Broker / Hilo Commissioner  
Bruce Faulkner, Vice Chair / Maui Commissioner  
Nikki Senter, Public / Honolulu Commissioner  
Walt Harvey, Broker / Honolulu Commissioner  
Aileen Wada, Broker / Honolulu Commissioner  
Scott Arakaki, Public / Honolulu Commissioner  
Laurie Lee, Broker / Honolulu Commissioner

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

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

Absent: Rowena Cobb, Broker / Kauai Commissioner  
Frances Gendrano, Broker / Honolulu Commissioner

Call to Order: Chair Sherley called the meeting to order at 9:19 a.m., at which time quorum was established.

Chair's Report: No report was presented.

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 Cobb and Commissioner Gendrano were excused from the meeting. Prior notification of their non-attendance was received.

Condominium Specialist's Report: No report presented.

Minutes: Upon a motion by Commissioner Harvey, seconded by Commissioner Faulkner, it was voted on and unanimously carried to accept the minutes of the June 12, 2013 Condominium Review Committee meeting as circulated.

Condominium Governance and Management: **AOUO Registrations**  
 Specialist Stone reported that as of June 30, 2013, 770 AOUOs have successfully registered for the 2013-2015 biennium.

Condominium Project Registration: **Condominium Project Registration - Public Reports Issued**  
 A list of those condominium projects issued effective dates during the month of June 2013 were distributed for informational purposes.

PROJ #	PROJECT NAME	PROJECT ADDRESS	TMK #	UNITS	RPT	DATE
7372	1123 AND 1123-A 1ST AVENUE	1123 & 1123-A 1ST AVENUE	132001131	2	B REPT	6/3/2013
7106	1290 & 1290A ALEWA DRIVE	HONOLULU HI 96816 1290 ALEWA DR HONOLULU HI 96817	118033014	2	B AMEND 3	6/3/2013
7361	HAUULA BEACHFRONT COMMUNITY	54-327 KAMEHAMEHA HWY HAUULA HI 96717	154003003	14	B REPT	6/19/2013
22	ILIKAI APARTMENT BUILDING	1777 ALA MOANA BLVD HONOLULU HI 96815	126010007	1025	SUPPL 7	6/21/2013
7246	KA MILO AT MAUNA LANI, PHASE 6	68-1122 N KANIKU DR KOHALA COAST HI 96743	368022041	4	B AMEND	6/18/2013
6174	KOLOA LANDING AT POIPU BEACH - PHASE I	2641 POIPU RD KOLOA HI 96756	428015025	87	B AMEND 8	6/26/2013
6616	KOLOA LANDING AT POIPU BEACH - PHASE II	2641 POIPU RD KOLOA HI 96756	428015025	242	B AMEND 4	6/26/2013
7367	LILOA MOHALA CONDOMINIUM	2366 LILOA RISE HONOLULU HI 96822	129006009	2	B REPT	6/4/2013
7373	NOHEA FARMS	88 NOHEA PL HAIKU HI 96708	227028004	2	B REPT	6/12/2013
7379	NOHONA III AT KAPOLEI - PHASE IV	KAMA`AHA LP KAPOLEI HI 96707	191016219	14	B REPT	6/17/2013
7380	NOHONA III AT KAPOLEI - PHASE V	KAMA`AHA LP KAPOLEI HI 96707	191016218	15	B REPT	6/17/2013
7195	OPAEEKAA FALLS LOT 2 CONDOMINIUM	KUAMOO RD WAILUA HI 96746	442003012	8	B REPT	6/20/2013
7352	SYMPHONY HONOLULU	888 KAPIOLANI BLVD HONOLULU HI 96814	121044001	389	B REPT	6/3/2013
7321	ULU KAPAKA	4590 KAPAKA ST PRINCEVILLE HI 96722	453001016	10	B REPT	6/12/2013

0	Preliminary Reports
0	Contingent Final Reports
0	Final Reports
1	Supplementary Reports
9	B Reports
4	B Amendment Reports
14	TOTAL REPORTS

### **Case Law Review Program**

The following was distributed for informational purposes: Unpublished Summary Disposition Order-*Charles Memminger and Martha Memminger, Plaintiffs-Appellants, v. The Summit At Kaneohe Bay Association, Hawaiiana Management Co., Ltd., Defendants-Appelles, and Kaneohe Bay Venture LP, Sandra Smiley, Ernest Casell and Susan Casell, and DOE Entities 1-20, Defendants No. 30383 Intermediate Court of Appeals of the State of Hawaii May 17, 2013* (Haw.App.2013).

Bill 15 (2013) City and County of Honolulu-To Amend the Revised Ordinances of Honolulu 1990, As Amended Relating to Fees For Certain Permits and Services Administered by the Department of Planning and Permitting.

### **Condominium Related Articles**

The following articles from the Special Issue 2013 of *Community Association Management Insider* were distributed for informational purposes: "Take Five Qualities into Account When Assembling Board", "Check Documents, Applicable Law for Plumbing Repair"; and "Assessing Liability Issues Raised by Neighbor Watch Program".

The following articles from the April 2013 Wai Halana Hawaii Flood News were distributed for informational purposes: "Floodplain Management FAQ Condo Building-Top of Bottom Floor" and "FEMA Building Science Branch".

Program of Work:

### **Condominium Laws and Education**

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:

No report presented.

Next Meeting:

August 7, 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

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Adjournment:               With no further business to discuss, Chair Sherley adjourned the meeting at  
9:23 a.m.

Respectfully submitted:

/s/ Cynthia M. L. Yee

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Cynthia M. L. Yee  
Senior Condominium Specialist

July 10, 2013

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Date

Minutes approved as is.

Minutes approved with changes; see minutes of \_\_\_\_\_

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