

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

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, August 7, 2013

Time: 9:00 a.m.

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

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

Neil 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
Tammy Norton, Recording Secretary
Amy Fujioka, Office Assistant

Others: Aron Espinueva, Hawaii Association of REALTORS®
Marsha Shimizu, Hawaii Association of REALTORS®
Peter Hamasaki, McCorriston Miller Mukai MacKinnon LLP

Absent: Frances Gendrano, Chair, Broker/Honolulu Commissioner

Call to Order: The Vice Chair called the meeting to order at 9:00 a.m., at which time quorum was established.

Chair's Report: The Vice 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.

Chair Gendrano was excused from today's meeting. Prior notice of her non-attendance was received. It was reported that Chair Gendrano delivered a healthy baby girl in July.

SEO's
Report:

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 July 10, 2013, Laws and Rules Review Committee meeting as circulated.

Program of Work:

Rule Making, Chapter 99, HAR, Real Estate Brokers and Salespersons

Executive Officer Ino reported that in mid July a draft of Chapter 99, HAR, Rulemaking was posted to the Commission's website with a note stating that the rulemaking process will include public hearings on the proposed rules. The dates and times of the public hearing will be determined at a later date and public notice will be given. Input from interested parties will be accepted at these public hearings.

The proposed rules are currently under review by the Attorney General's office.

Deputy Attorney General Wong questioned whether the proposed rules were received back from LRB.

Executive Officer Ino responded in the affirmative. He noted that revisions from LRB were grammatical and formatting corrections.

Neighbor Island Outreach

It was reported that the October 9, 2013 Committee meetings will be held in conjunction with the Specialists' Office for the Day in Kona.

ARELLO,
Other
Organizations
And
Jurisdictions:

Professional Licensing Report

The following articles were distributed for informational purposes: "NAR Member Survey Provides Glimpse of U.S. Real Estate Brokers, Brokerage," "FTC: Timeshare Resale Complaints Tripled Over Last Three Years," and "Ohio Court Says Independent Contractor Agreement 'Irrelevant' to Broker's Vicarious Liability."

Special
Issues:

None.

Budget and
Finance Report:

No report presented.

Next
Meeting:

Wednesday, September 11, 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 Vice Chair adjourned the meeting at
9:12 a.m.

Reviewed and approved by:

/s/ Neil K. Fujitani

Neil K. Fujitani
Supervising Executive Officer

August 9, 2013

Date

Approved as is.
 Approved with amendments. See minutes of _____ meeting.