

CONDOMINIUM 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: October 9, 2013

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

Place: West Hawaii Civic Center
Community Meeting Hale
74-5044 Ane Keohokalole Hwy., Building G
Kailua-Kona, 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
Laurie A. Lee, Broker / Honolulu Commissioner

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

Others: Rollie J. Litteral, Hawaii Island Board of REALTORS®
Karen Ostlie, West Hawaii Association of REALTORS®
Kehau Costa, Hawaii Island Board of REALTORS®
John A. Ervin, Maunaloa Shores AOA
Sherry Arndt, Maunaloa Shores AOA
Linda Swanson, West Hawaii Association of REALTORS®
Chris Sprague, Regulated Industries Complaints Office – Kona
Barbara Dolton, Governor's Liaison
Penny Sherley, REAL Class, Inc.
Rep. Faye P. Hanohano, State House of Representatives, District 4
Leslie Julian

Absent: Scott Arakaki, Public / Honolulu Commissioner

Call to Order: Chair Sherley called the meeting to order at 9:51 a.m., at which time quorum was established.

Chair's Report: Chair Sherley reported that the Specialists' Office for the Day is ongoing and those with condominium questions desiring to meet with Condominium Specialist

Yee, will be able to individually meet with her at the conclusion of the Condominium Review Committee meeting.

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

SEO Fujitani introduced District 4 Representative, Faye Hanohano and thanked her for attending the meeting.

Condominium
Specialist's
Report:

Minutes

Upon a motion by Commissioner Faulkner, seconded by Commissioner Lee, it was voted on and unanimously carried to accept the minutes of the September 11, 2013 Condominium Review Committee meeting as circulated.

Condominium
Governance and
Management:

AOUO Registrations

It was reported that as of September 30, 2013, 1,299 AOUOs have successfully registered.

Condominium Seminars and Symposium - CAI Hawaii "Hoarders, Boarders & Boomers" - October 17, 2013

Staff announced the upcoming CAI Hawaii seminar "Hoarders, Boarders & Boomers" to be held on October 17, 2013 at the Japanese Cultural Center. The seminar is a Condominium Education Trust Fund subsidized seminar.

Case Law Review Program

The following articles were distributed for informational purposes: "*Association of Apartment Owners of Waikoloa Beach Villas ex rel. Bd. of Directors v. Sunstone Waikoloa, LLC* - Supreme Court of Hawai'i June 28, 2013 295 P.3d. 987" and "*Narayan v. Ritz-Carlton Development Co., Inc.* Intermediate Court of Appeals of Hawai'i August 23, 2013 Slip Copy." Condominium Specialist Yee noted for the committee the courts respective discussion about HRE, §514B-105(a) and arbitration.

Condominium Related Articles

The following articles were distributed for informational purposes: *Community Association Manager Insider* (Oct. 2013) "Take Two Steps to Keep Up With Community's Changing Demographics" and "Condos Not Mentioned in Governing Documents Must Pay HOA Fees;" and "Condominium Window Replacement Project Considerations" CAI Hawaii (Aug. 2013).

Condominium Project Registration - Public Reports Issued

Project Registration: A list of those condominium projects issued effective dates during the month of September 2013 were distributed for informational purposes.

PROJ #	PROJECT NAME	PROJECT ADDRESS	TMK #	UNITS	RPT	DATE
4537	2040 ALEWA DRIVE HONOLULU	2040 ALEWA DR HI	118027003 96817	2	SUPPL 2	9/10/2013
4944	63 KUAHIWI AVENUE WAHIAWA	63 KUAHIWI AVE HI	174003033 96786	2	SUPPL	9/17/2013
7396	HALE ALEA PUKALANI	185 & 185A ALEA PL HI	223027029 96768	2	B REPT	9/11/2013
7409	HALEIWA OCEAN VIEW ESTATES HALEIWA	66-496 PAALAA RD HI	166017014 96712	4	B REPT	9/24/2013
6903	HO'OLE' A TERRACE AT KEHALANI WAILUKU	KEHALANI MAUKA PKWY HI	235001067 96793	174	B AMD 8	9/17/2013
7411	JOY-SARA HANAPEPE	1-3871 KAUMUALII HWY HI	419005012 96716	2	B REPT	9/20/2013
7415	KA MILO AT MAUNA LANI PHASE 9 KOHALA COAST	68-1122 N KANIKU DR HI	368022041 96743	7	B REPT	9/23/2013
7350	KAULANA HALE ESTATES KAPAA	341 KAULANA RD HI	441011014 96746	2	B AMD	9/11/2013
7355	KOKOLEKA FARMS KAPAA	LOT 79 KAPAA HOMESTEADS HI	446007017 96746	5	B AMD	9/23/2013
7377	KULEANA HUI ESTATES HANAPEPE	3686 AKEA RD HI	419012043 96716	3	B REPT	9/27/2013
7271	LANAI CITY APARTMENTS LANAI	615 GAY ST HI	249006010 96763	24	B AMD 2	9/24/2013
7323	LEIALOHA PARKSIDE HONOLULU	2738 LEIALOHA AVE HI	127031004 96816	9	B AMD 2	9/26/2013
7420	M & MKB GARDENS KANEOHE	45-589 PALEKA RD HI	145022022 96744	5	B REPT	9/20/2013
7407	MAILI BEACH PLACE PHASE 5-7 WAIANA	87-176 MAIPALAOA RD HI	187023060 96792	15	B REPT	9/26/2013
7412	MANANA VILLAGE PEARL CITY	1260 KUALA ST HI	197024055 96782	5	B REPT	9/27/2013
6131	MENEHUNE LOT 2 CONDOMINIUM WAIMEA	5121 MENEHUNE RD HI	415001046 96796	2	SUPPL	9/4/2013
5737	OCTAVIO ESTATES KOLOA	LOT 47-H HI	424001050	2	SUPPL 2	9/24/2013
6752	WAIALUA BEACH COLONY MAKAI WAIALUA	69-435 WAIALUA BEACH RD HI	167013035 96791	5	B AMD	9/13/2013
6753	WAIALUA BEACH COLONY WAENA WAIALUA	69-435 WAIALUA BEACH RD HI	167013034 96791	3	B AMD	9/13/2013
0	Preliminary Reports					
0	Contingent Final Reports					
0	Final Reports					
4	Supplementary Reports					
8	B Reports					
7	B Amendment Reports					
19	TOTAL REPORTS					

Program of Work: **Condominium Laws and Education**

DCCA's unofficial copy of HRS Chapter 514B, Condominiums, was distributed for informational purposes.

The Governor's Liaison, Barbara Dolton, noted that the Capitol's website is a good source for current legislative information and does include access to the Hawaii Revised Statutes.

Hawaii Condominium Bulletin

It was reported that the September 2013 issue of the Hawaii Condominium Bulletin has been posted to the Commission's website. Notification of the Bulletin's posting was emailed to all AOUO contact persons at their email address provided to the Commission during the most recent registration.

Commissioner Cobb noted how valuable the information presented in the Hawaii Condominium Bulletin is.

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.

Chair Sherley announced that following the Condominium Review Committee Meeting, Senior Condominium Specialist Cynthia Yee will meet with interested individuals.

CETF Budget & Finance Report: No report presented.

Next Meeting: November 13, 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

Adjournment: With no further business to discuss, Chair Sherley adjourned the meeting at 10:07 a.m.

Respectfully submitted:

/s/ Cynthia M. L. Yee

Cynthia M. L. Yee
Senior Condominium Specialist

October 14, 2013

Date

Minutes approved as is.
 Minutes approved with changes; see minutes of _____