

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: March 12, 2014

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
Frances Gendrano, Broker / Honolulu Commissioner
Rowena Cobb, Broker / Kauai Commissioner
Scott Arakaki, Public / Honolulu Commissioner

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

Others: Brent Suyama, Department of Commerce and Consumer Affairs

Absent: Laurie A. Lee, Broker / Honolulu Commissioner
Aileen Wada, Broker / Honolulu Commissioner

Call to Order: Chair Sherley called the meeting to order at 9:37 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.

Commissioners Lee and Wada were excused from the meeting. Prior notification of their non-attendance was received.

Condominium
Specialist's
Report:

Additional Distribution

The following materials were distributed prior to the start of the meeting:

8. Budget and Finance Report

Minutes:

Upon a motion by Commissioner Faulkner, seconded by Commissioner Cobb, it was voted on and unanimously carried to accept the minutes of the February 12, 2014 Condominium Review Committee meeting as circulated.

Condominium
Governance and
Management:

AOUO Registrations

Specialist Stone reported that as of February 28, 2014, 1,508 AOUOs have successfully registered.

Condominium Seminars and Symposium

CAI Hawaii's "Disaster Preparedness" seminar will be held on March 13, 2014 at the Neal Blaisdell Center. The seminar is partly funded by the condominium education trust fund.

Request from Carol Hong Re: Proposal to Amend Chapter 514B, Relating to Management of Condominiums to Require Owners Approval for Assessments Exceeding Some Multiple of Current Annual Maintenance Fees and Proxy Changes

Specialist Yee reported that the cutoff date for Administration Bills is the September prior to the start of the legislative session. There are no guarantees that the Administration will include the bill in its Administrative Package. Individuals may reach out to their respective Representative and Senator for assistance in bill proposal to amend the law.

It was noted that Ms. Lee's request does falls within the condominium governance area; of which the Commission has limited jurisdiction of.

The Committee directed staff to refer Ms. Lee to her Legislators for assistance.

Condominium
Project
Registration:

Condominium Project Registration - Public Reports Issued

A list of those condominium projects issued effective dates during the month of February 2014 were distributed for informational purposes.

PROJ	PROJECT NAME	PROJECT ADDRESS	TMK #	UNITS	REPORT	DATE
7349	383 KALAIMOKU	383 KALAIMOKU ST HONOLULU HI 96815	126018042	346	B AMD	2/28/2014
7453	5353 KALANIANAOLE HIGHWAY	5353 KALANIANAOLE HWY HONOLULU HI 96821	136003009	2	B REPT	2/5/2014
4848	8663 KAUMUALII HIGHWAY CONDO	8663 KAUMUALII HWY	413010004	2	SUPPL	2/27/2014

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7470	CLUB BUNGALOWS AT KUKUI'ULA THE	KEKAHA HI 96752 KE ALAULA KOLOA HI 96756	426019017	5	B REPT	2/25/2014
7409	HALEIWA OCEAN VIEW ESTATES	66-496 PAALAA RD HALEIWA HI 96712	166017014	4	B AMD	2/4/2014
7279	KREIS HOMES 1	94-031 NAWAAKOA PL WAIPAHU HI 96797	194011022	2	B AMD	2/11/2014
7280	KREIS HOMES 2	94-027 NAWAAKOA PL WAIPAHU HI 96797	194011063	2	B AMD	2/13/2014
7475	KULALANI AT MAUNA LANI (PHASE 6)	68-118 N KANIKU DR KAMUELA HI 96743	36802207	4	CONT	2/5/2014
7455	LOKAHI STREET CONDOMINIUM	843, 843A, 845 LOKAHI ST HONOLULU HI 96826	123027055	3	B REPT	2/14/2014
2575	PANORAMA ESTATES CONDOMINIUM	PUU RD KALAHEO HI 96741	423008003	4	SUPPL	2/26/2014
5476	RED TI CONDOMINIUM	5540 KAHILIHOLE ROAD KILAUEA HI 96754	452017001	2	SUPPL	2/7/2014
6199	VILLAS AT KEHALANI PHASE I THE	KEHALANI PKWY WAILUKU HI 96793	235001074	49	B AMD 9	2/21/2014
6712	VILLAS AT KEHALANI PHASE II THE	KEHALANI PKWY WAILUKU HI 96793	235001074	54	B AMD 7	2/21/2014

0	Preliminary Reports
1	Contingent Final Reports
0	Final Reports
3	Supplementary Reports
3	B Reports
6	B Amendment Reports
13	TOTAL REPORTS

Program of Work: **Rulemaking, Chapter 107/119**

A copy of the information provided to the Blue Ribbon Committee members, along with a timetable for comments to be received was provided to the Condominium Review Committee members for their information.

Government and Legislative Participation & Report

Legislative Report No. 2 was provided to the Commissioners during the Laws and Rules Review Committee meeting. Specialist Yee reported on the status of the following bills:

Senate Bill No. 2078, S.D. 1 – Relating to condominiums. Clarifies the applicability of §205-4.6, HRS, relating to private restrictions on agricultural uses and activities, to condominium projects on lands classified as agricultural. A hearing before the House Committee on Agriculture is scheduled for tomorrow.

House Bill No. 2401 – Relating to condominiums. It was also reported that staff, in connection with this bill, worked in collaboration with RICO to create a brochure on information for condominium owners. The brochure is available at both the Commission's and RICO's websites.

Condominium Laws and Education

Chair Sherley reported that he recently provided a presentation to Clark Realty on the role of the Real Estate Commission.

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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: Commissioner Faulkner questioned if the cash in State Treasury is federally insured to that amount.

Staff responded that they would further research that information.

Upon a motion by Commissioner Faulkner, seconded by Commissioner Arakaki, it was voted on and unanimously carried to accept the Condominium Education Trust Fund Financial Report for the period ending December 31, 2013.

Next Meeting: April 7, 2014
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 9:52 a.m.

Respectfully submitted:

/s/ Cynthia M. L. Yee

Cynthia M. L. Yee
Senior Condominium Specialist

March 14, 2014

Date

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

CY:tn/140314