

**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](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: Monday, April 7, 2014

Time: 9:00 a.m.

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

Present: Scott Arakaki, Chair, Public/Honolulu Commissioner  
Laurie Lee, Vice Chair, Broker/Honolulu Commissioner  
Rowena Cobb, Broker/Kauai Commissioner  
Bruce Faulkner, Broker/Maui Commissioner  
Frances Gendrano, Broker/Honolulu Commissioner  
Nikki Senter, Public/Honolulu Commissioner  
Aileen Wada, 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  
Katherine Linster, Condominium Specialist  
Shari Wong, Deputy Attorney General  
Tammy Norton, Recording Secretary  
Amy Fujioka, Office Assistant

Others: Dan Purcell  
Douglas Chin, Carlsmith Ball LLP  
Kaimi Judd, Salesperson

Absent: Scott Sherley, Broker/Hawaii Commissioner

Call to Order: The Chair called the meeting to order at 9:00 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 Sherley was excused from today's meeting. Prior notice of his non-attendance was received.

SEO's Report:

**Additional Distribution**

The following material was distributed to the Commissioners prior to the start of the meeting:

4. Program of Work, FY14
  - b. Licensing, Registration, and Certification Administration

**Minutes of Previous Meetings**

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

Program of Work:

**Licensing, Registration, and Certification Administration**

Mr. Ian Kaimiloa Judd and his attorney, Mr. Douglas Chin of Carlsmith Ball, LLP, were present regarding Mr. Judd's request for equivalency to the broker experience certification application experience requirement.

Mr. Judd was asked if he wished to have his request for equivalency to the broker experience certification application experience requirement considered in executive session. He accepted the offer.

Executive Session:

Upon a motion by Commissioner Faulkner, seconded by Commissioner Lee, it was voted on and unanimously carried to enter into executive session, pursuant to section 92-5(a)(1), HRS, "To consider and evaluate personal information, relating to individuals applying for professional or vocational licenses cited in section 26-9 or both;" and pursuant to section 92-5(a)(4), HRS, "To consult with the board's attorney on questions and issues pertaining to the board's powers, duties, privileges, immunities, and liabilities."

Upon a motion by Commissioner Cobb, seconded by Commissioner Lee, it was voted on and unanimously carried to move out of executive session.

After a review of the information presented and supporting documentation submitted, Commissioner Cobb moved to deny the request for equivalency to the experience requirement pursuant to §467-9.5(a)(2)(B)(iii), HRS. Commissioner Senter seconded the motion. The motion was voted on and unanimously carried.

**Legislative and Government Participation Report**

Legislative Report No. 3 was distributed to the Commissioners for their information.

Commissioner Lee questioned the effective date noted on House Bill No. 2401.

SEO Fujitani responded that it is not unusual for a bill to have a defective effective date in order to facilitate further discussion.

Commissioner Senter questioned whether staff had a sense of which version of the bill would move forward, House Bill No. 2656 or its companion, Senate Bill No. 3127.

Staff noted that House Bill No. 2656 has passed third reading and may be the bill to move forward.

### Commissioners' Education Program

A copy of the state Office of Information Practices (OIP) Part 3 in its series, "Quick Review: Who Board Members Can Talk To and When" was re-distributed for informational purposes. This Quick Review series helps the Commission members understand the Sunshine Law and what they can talk about with other board members or third parties when they are not in a public meeting. Part 3 discusses an exception to the open meeting requirement for "permitted interaction groups" or "PIGs," as set forth in section 92-2.5, HRS, to investigate or to negotiate a matter.

SEO Fujitani announced that the State Ethics Commission Financial Disclosure Statements for State Officials are due by June 2, 2014. If you have not received your form, you can go to the State Ethics website to complete the financial disclosure form online.

EO Ino suggested if submitting online to ensure that you receive an email confirmation of your submission.

ARELLO, Other  
Organizations And  
Jurisdictions:

No report presented.

Special Issues:

None.

Budget and  
Finance Report:

No report presented,

Next Meeting:

Wednesday, May 14, 2014  
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 10:00 a.m.

Reviewed and approved by:

/s/ Neil K. Fujitani

\_\_\_\_\_  
Neil K. Fujitani  
Supervising Executive Officer

April 8, 2014

\_\_\_\_\_  
Date

Approved as is.

Approved with amendments. See minutes of \_\_\_\_\_ meeting.