REAL ESTATE COMMISSION

STATE OF HAWAII

FISCAL YEAR 2015

PROGRAM OF WORK AND BUDGET

PROGRAM OF WORK AND BUDGET

I. PROGRAM OF WORK

A. LAWS AND RULES REVIEW COMMITTEE

B. EDUCATION REVIEW COMMITTEE

C. CONDOMINIUM REVIEW COMMITTEE

I. PROGRAM OF WORK

A. LAWS AND RULES REVIEW COMMITTEE

PROGRAM OF WORK AND BUDGET
LAWS AND RULES REVIEW COMMITTEE

FISCAL YEAR 2015

REAL ESTATE RECOVERY FUND

- continuous program
- provide information and advice; process and administer claims; coordinate responsibilities with consultant attorneys; administer contracts with consultant attorneys; administer records management
- maintenance and review of budget, finance, and records for RERF; develop and adopt investment guidelines, administer any contract with consultant; provide quarterly and annual financial statements
- develop a collection program; continue to administer the State Tax Intercept Program; determine feasibility of contracting with collection agencies; consult attorney with assistance of private investigator to search for debtors of outstanding judgments
- administer contracts with consultant attorneys; consultant attorneys to make recommendations on whether to renew assigned judgments for collection purposes and periodically initiate collection efforts, such as researching conveyance and real property tax records
- provide annual statistical data about the claims/ payouts/issues; provide quarterly case summary reports and to include in bulletin/annual report/webpage; provide the aforementioned to any interested party
- administration and funding of staff position
- determine feasibility and recommendations of electronic administration, including scanning of documents for record purposes and electronic case tracking
- develop, print, and distribute simple plain language brochure on the requirements and procedures to file for the recovery fund; include on website

REAL ESTATE LICENSING, REGISTRATION & CERTIFICATION ADMINISTRATION

- continuous program

- review and recommend amendments to licensure requirements to improve consumer protection, continue exploration with Department/PVL of new online licensing application system, streamline the licensing program for new real estate licenses, including salespersons, brokers, corporations, partnerships, sole proprietors, branch offices, broker experience, including laws, rules, policies, procedures, forms, information, records management, review process, etc.; implement recommendations from "Review of Services and Organization" program of work, as applicable

- administer appeals for license/certification/ registration denials, including subpoenas, review, refer, and coordinate with Hearings Office, Special Deputy AG, AG's Office, PVL, testify at hearings

- administer subpoenas for records/documents, appearance, or deposition for civil or criminal cases before the courts or from government agencies, review, refer and coordinate with Licensing Branch, Special Deputy AG, AG's office, OIP, court reporter

- plan, implement, and administer any new Acts and rules amendments that affect real estate licensing

- review and prepare summaries of all disciplinary cases and application appeal cases for Bulletin/webpage/ annual reports; periodically research and present analysis of disciplinary cases

- research and report on the feasibility of consultant providing appropriate services to assist in licensing, including but not limited to provisional licensing at exam site, records management, and databases for certificates, joint program with ERC

CONDOMINIUM HOTEL OPERATOR REGISTRATION

- continuous program

- administer registration program; administer the biennial CHO re-registration program, participate in Batch Renewal Program

- review and recommend amendments to the administration of CHO registration, including forms, information, records management, fidelity bond, review process, etc.

- provide listing of all registered and include in REC webpage

- determine sources to locate unregistered CHOs, including county records, HVB, advertising, etc.; initiate initial compliance through education

- develop and distribute startup kits for CHOs, similar to CMAs

EDUCATION AND REFERRAL

- continuous program

- via telephone/correspondence/walk-in/fax/website/email, provide education, and referral to applicants, licensees, government officials, consumers, public, media/press, including research, mailing, etc.

- print or reprint and distribute REC educational materials, including PB/BIC distribution; provide educational materials through REC website

- administer and provide requestors with access to public information and records, including requests for copies, subject to compliance with the Uniform Information Practices Act and other related laws; work with the PVL Program Specialist and OIP

- respond to inquiries, requests, and constituency requests for the Congressional members, Governor, Lt. Governor, Director, Deputy Director, Licensing Administrator, DCCA Division Chiefs, Legislators, Mayor, Council Members, and other government officials, including research, troubleshooting, collaboration, mediation, and drafting response

- collect and provide quarterly statistical data on telephone, walk-in, correspondence, fax, website hits, and email assistance

- expand consumer information, especially on website, joint program with Technology and Website

RULE MAKING, CHAPTER 99

- carryover program

- study and evaluate Chapter 99, HAR, and Chapter 467, HRS, for possible rule making; REC decisions, informal and formal opinions, declaratory rulings, update criteria for qualifications of equivalency to salesperson and broker prelicensing education certificate, consumer-brokerage relationships, MCE, prelicensing matters, advertising, personal transactions of licensees, disclosure to consumers of services/costs/right to negotiate terms, restorations, principal broker, temporary principal brokers, CHO, all compensation issues in writing and prior to engagement, criteria for applicants and licensees on parole, probation, incarcerated, or other government supervision, referral fees, license recognition, internet advertising and websites, and deregulation where possible without reducing consumer protection and/or reducing State resources

- research, draft, review and comment, informal consultation with the Deputy Attorney General and initiate rule making; administer process, hearing process and approval procedures, public notices

- upon request, provide briefings to licensees and organizations

- provide informal notice of public hearing and proposed amendments through REC website; provide formal notice of public hearing and proposed amendments as per UIPA

- print and distribute a copy of any rule amendments to principal brokers and brokers in charge, if feasible in conjunction with amended law distribution; determine and recommend on the feasibility of electronic distribution

SUBCOMMITTEES

- carryover program

- subcommittee on applicants with criminal and other legal background issues: study and consult, provide report and any recommendations including rule and/or statutory amendments

- subcommittee on virtual office windows: study and consult, provide report and any recommendations including rule and/or statutory amendments

MEETINGS

- continuous program

- plan, coordinate, and conduct monthly LRRC meetings; including arrangement for facilities, agenda, testifiers, and minutes; pre- and post-meeting requirements, briefing of and coordination with Chair; provide agendas and meeting schedules to participants, HAR, and upon request, include on REC website

- joint program with Education Review Committee and Condominium Review Committee

- coordinate dates and times with HAR and Boards of Realtors to avoid conflicts

LICENSING RENEWAL

- continuous program

- develop and administer plan for license renewal, work with PVL on electronic renewal, distribution of renewal application forms, including coordination of MCE, initiate publicity program on the renewals, including bulletins, website, Board of Realtors bulletins, other organization newsletters, local media, notices to PBs

- conduct meetings with Licensing Branch on Electronic Renewal, and Batch Renewals, sites to include Honolulu, Lihue, Kahului, Hilo, and Kona, work with local boards of realtors and key organizations, in conjunction with Specialists Office for the Day

- work with Licensing Branch to distribute a licensing roster of all current real estate salespersons and brokers to principal brokers to update records at least 6 months prior to renewal deadline; educate principal brokers about PVLD's website's listing of all current licensees associated with principal broker, joint program with Technology and Website

- joint project with Licensing Administrator

LEGISLATIVE AND GOVERNMENT PARTICIPATION

- coordinate with Administration
- provide briefings to Legislators and staff, act as resource to Legislators, draft language, draft committee reports, etc.
- research, study, and draft written testimony on non-REC bills; provide oral testimony at hearings, etc.
- respond to and work on inquiries/complaints/requests for information/general assistance, including the Congressional Members, Governor, Lt. Governor, Legislators, Mayors, Council Members, and other government officials, including foreign governments, especially Pacific Rim

INTERACTIVE PARTICIPATION WITH ORGANIZATIONS

- continuous program
- continue active participation with Hawaii, Pacific Rim, National and International organizations and government agencies for the exchange of information and concerns, sharing of educational and research efforts, joint projects of mutual concern, training, etc., through attendance and participation at local, regional, international, and national meetings
- joint program with Education Review Committee

LEGISLATIVE ACTS AND RESOLUTIONS

- continuous program
- review legislative Acts; amend Chapter 467 public copy and work with ASO for publication; develop summary briefing for bulletin/website, Commissioners/Staff
- plan and implement requirements of Acts and resolutions
- purchase or reimburse ASO and distribute copy of amended Chapter 467 and rules to all principal brokers and brokers in charge, and new brokerage firms; reserve copies for future distribution, study feasibility of distribution through proposed PB/BIC email system

- upon request, provide legislative briefings

- joint program with CRC on condominium laws, workshops for real estate licensees, consider CE elective credit, include a copy of condominium education materials in the distribution to principal brokers and brokers in charge

- purchase or reimburse ASO and distribute copy of Chapters 514A and 514B to all principal brokers and brokers in charge, and new brokerage firms

NEIGHBOR ISLANDS OUTREACH

- continuous program

- hold a minimum of 3 LRRC meetings on neighbor island sites, with CRC and ERC; counties of Kauai, Maui, and Hawaii are the pre-selected sites with dates to be determined

- consideration to hold meetings in collaboration with local Board of Realtors, HAR, educational organizations, condominium organizations, etc.

- joint program with ERC and CRC

REVIEW OF SERVICES AND ORGANIZATION

- continuous program

- analyze and initiate steps to improve the services provided or amend processes without compromising consumer protection, to streamline for effectiveness and efficiency, amendments to laws, amendments to rules, amending forms, amending the system, staffing, equipment, reorganization, partnerships with consultants, etc.

- conduct meetings and exchanges with Licensing Branch to improve services, clarify and amend procedures/forms/policies/rules/public responses; conduct training sessions for Licensing Branch personnel

- development and implementation of improved and timely license verification and history program with disciplinary and complaint information, forms, computerization; work with DCCA's website on license information and complaints history

- collect computerized data on applications and provide periodic statistical reports including numbers of filings, processing time, etc.

- joint program with Licensing Administrator for overall REB and PVL services

APPLICATION PROCESSING AND FORMS

- continuous program

- continue study and evaluate the online processing of application forms, the wall and pocket card license; evaluate and amend forms and instructions; assist in computer programming issues

- develop user friendly applications and instructions in coordination with Licensing Branch and PVLD

- study and report on other electronic/computer methods to improve application processing and providing a database, including services offered by testing companies and others

- continue providing more application forms through website in coordination with PVLD. See ERC program of work under "New Technology Program"

ARELLO NATIONAL DISCIPLINARY ACTION DATA BANK

- continuous program

- continue participation in the ARELLO National Disciplinary Action Data Bank to assist in background review of applicants and assist in consumer protection nationally, prepare and provide periodic reports to ARELLO

- participation through testing contract whereby every exam applicant will be reviewed through data bank

- request and review applicants with data bank, follow-up negative reports with host jurisdiction and secure further information on the disciplinary matter

CASE LAW REVIEW PROGRAM

- continuous program
- monitor, collect, and report on case law, disciplinary actions on other licensing areas that are relevant to real estate licensees, judgments and decisions on Hawaii court cases, federal court cases, and other states court cases; material cases to be considered for Real Estate Bulletin and webpage
- report on Hawaii specific cases to ARELLO annually

RULE MAKING, CHAPTER 53, FEES

- continuous program
- monitor and review services provided in relation to fees charged, research/study, make recommendations, develop drafts, administer rule making, hearing, approval; in coordination with Licensing Administrator
- administer with Licensing Administrator any submission through review process, hearing, approval, and implementation

COMMISSIONERS EDUCATION PROGRAM

- continuous program
- research and draft amendments to REC Reference Book, July 2007
- hold training sessions for new Commissioners and provide educational opportunities for Commissioners
- continue usage of CLEAR Board Member Training Manual and ARELLO Commissioner Training Program
- participate in training of Commissioners as provided by ARELLO, REEA, CAI, CLEAR, and other organizations

DIVISION AND DEPARTMENT PROGRAMS

- continuous program
- coordinate and work with PVL, DCCA, and others on any program of mutual concern, joint program with ERC and CRC

- review, analyze, and coordinate positions on Chapter 436B as it relates to Chapters 467, 514A, and 514B with PVL and the AG's Office, including self-executing provisions

- RICO Advisory Panel: work, recommend, and coordinate with RICO

HUD/ARELLO FAIR HOUSING AGREEMENT

- continuous program

- administer the terms of the agreement and coordinate review by HUD officials

- participate with ARELLO Fair Housing Committee and work with ARELLO on the terms of the agreement

I. PROGRAM OF WORK

B. EDUCATION REVIEW COMMITTEE

PROGRAM OF WORK AND BUDGET
EDUCATION REVIEW COMMITTEE

FISCAL YEAR 2015

CONTINUING EDUCATION CORE COURSE

- carryover program
- research and report on recommendations on the future of the core course and justification for continuation, including course development through a consultant, utilization of existing courses, multiple options for licensees to meet core course requirement, feasibility of utilizing other courses as an equivalency to the core course, joint development program with HAR, review ARELLO jurisdiction's programs, electronic delivery and record keeping; consider contracting with a consultant
- administer REC core course and equivalent core courses, its certification; distribution of curriculum materials to providers, provide monitoring and evaluation
- administer contract with consultant for REC core course; including, among other areas, electronic delivery, feasibility of electronic database for certificates and record keeping, writing of articles and brochures, instructor orientation and/or IDW; finalize the procurement of services to develop the REC core course
- joint education program with the CRC on those issues that are pertinent to real estate licensees

SALESPERSON CURRICULUM AND RESOURCES

- carryover program
- administer and implement the salesperson curriculum in collaboration with prelicensing schools and instructors, PSI, and PVL; continuous consultation and review with ARELLO, REEA, and other jurisdictions
- determine feasibility of a consultant for the research and development of an expanded salesperson curriculum and also include a practicum module; conduct instructor orientations; provide periodic updates; develop electronic database for recordkeeping and certificates
- work with PSI on the salesperson's examination, including review of exam curriculum, items, cut scores, developing new items through item writing sessions, pretest items, etc.; conduct instructor briefings; initiate new salesperson's examination

- administer salesperson curriculum and provide updates

BROKER CURRICULUM AND RESOURCES

- carryover program
- administer and implement Broker curriculum in collaboration with prelicensing schools and instructors, PSI, and PVL; continuous consultation and review with ARELLO, REEA, and other jurisdictions
- determine feasibility of a consultant for the research and development of an expanded broker curriculum and also include a practicum module; conduct instructor orientations; feasibility of electronic database for recordkeeping and certificates
- administer broker curriculum and provide updates

EDUCATION AND REFERRAL

- continuous program
- provide education and referral to applicants, licensees, government officials, consumers, public, organizations, etc., including research, reproduction, mailing, etc.
- develop a distribution system of educational and informational products to each principal broker and broker in charge, consider utilizing an email service and/or special webpage for principal brokers and BICs
- procure vendor to create, publish and distribute educational and informational materials; provide educational materials through REC website; update agency educational materials and provide through website
- administer and provide requestors access to public information and records, including requests for copies; subject to compliance with the Uniform Information Practices Act and work with the PVL Program Specialist or the Office of Information Practices
- respond to inquiries, requests and constituency requests for the Congressional members, Governor, Lt. Governor, Director, Deputy Director, Licensing Administrator, DCCA Division Chiefs, Legislators, County Officials, and other government officials, including research, troubleshooting, collaboration, mediation, and drafting responses

- collect and provide statistical data on telephone, walk-in, and correspondence assistance

- study and report on the feasibility of providing information and advice with less resources, including participation in email and e-government

- maintain and improve the webpage

- joint program with LRRC

ADMINISTRATION OF PRELICENSE EDUCATION PROGRAM, SCHOOLS, AND INSTRUCTORS

- continuous program

- administration of prelicense school and instructors, applications, approval process, information, renewals, certification, records management, re-evaluation, etc.; periodic meetings, consider electronic delivery of records management and listing of schools and schedules through REC website

- coordination of instructor's examination program

- administration of evaluation system on schools and instructors

- research, development, printing, and distribution of quarterly "School Files", a bulletin for educators; a joint program with the Continuing Education Program

- periodic meetings with schools and instructors for exchange of concerns, information, amended laws and rules, etc.

ADMINISTRATION OF EXAMINATIONS

- continuous program

- administration of real estate licensing examination program, including contract administration with PSI, information, trouble shooting, review and amendments to application booklets, periodic reports, daily exams, examination at PSI sites out-of-state

- coordinate periodic PSI workshop for schools, instructors, Commissioners and REB staff, test site administrators

- administer instructor examination program

- monitor all exam sites (including neighbor islands) at least once per year, report, recommend, etc.

- participate in the national uniform test development programs

- continue participation in the ARELLO examination certification program and the ARELLO education fund fee

- coordinate, conduct, and administer test development sessions with PSI, including selection and coordination of subject matter experts and panel members, develop list of volunteers from various specialty areas in real estate

- monitor and review curriculum; provide timely laws and rules update report to PSI; coordinate the implementation of any amended curriculum for the salesperson and broker into the examinations; and assist with issues on exam content/curriculum/exam questions

- joint program with the LRRC/DCCA/PVL on the feasibility of procured vendor providing assistance in licensing, including an online reference file for prelicensing school certificates, prelicensing education equivalency certificates, uniform section equivalency of prelicensing examination certificates, broker prelicensing experience certificates that will eliminate the inspection of certificates at exam sites and submission to Licensing Branch

- provide statistical analysis of salesperson and broker candidates issued a prelicensing education certificate versus educational equivalency certificate (by category), broker experience certificate versus broker experience equivalency certificate, uniform equivalency certificate versus passage of both parts, as to passage of licensing examination on initial attempt

ADMINISTRATION OF CONTINUING EDUCATION PROGRAM, PROVIDERS, AND INSTRUCTORS

- continuous program

- administration of continuing education program, providers, instructors, courses, information center, records management, etc.

- research, development, printing, and distribution of quarterly "School Files", a bulletin for educators; a joint program with the Prelicense Education Program, consider utilizing a special email system and/or webpage

- development, printing, and distribution of continuing education course schedules, consider as part of a proposed email program to principal brokers

- periodic meetings (including neighbor island sites) with providers and instructors for the exchange of concerns, information, amended laws and rules, etc.; consideration on providing these meetings in conjunction with Neighbor Island Outreach and Real Estate Specialists Office for the Day

- feasibility study into the delivery of CE courses through other means, including home study, interactive video and computer programs, HITS, television, cable TV, self study with challenge exams, internet, etc.

- study, develop, and report findings on criteria to determine equivalencies to continuing education courses

- study, draft, and implement any recommended amendments to the MCE program via legislative Act, including forms, instructions, and rule making

- continue to provide information on providers, courses, instructors, and class schedules to be distributed via REC webpage and hard copies

- continue to provide on REC website: CE course completion of each licensee, course schedules, list of approve providers/instructors/courses, core course equivalencies

ADMINISTRATION OF CONTINUING EDUCATION ELECTIVE COURSES

- continuous program

- provide administrative information to elective course providers and licensees, assist providers in submissions, review submission applications, review submitted curriculum, make recommendations, and records management

AD HOC COMMITTEE ON EDUCATION (ACE)

- continuous program

- administer advisory subcommittee consisting of various members of the real estate industry, HAR, Local Boards, etc.; review, study, and make recommendations to ERC on education issues and education program of work items; subcommittee to meet periodically

- study real estate education related issues, concerns, and recommendations, working with HAR and CE and prelicensing education providers/instructors/industry/ local boards, including considering special requirements for PBs and BICs, increasing hours, annual mandatory courses, course examination, and privatization

- consider expanded pre-licensing requirements for new salespersons and brokers, and special requirements for PBs and BICs, especially education which should be considered in conjunction with brokerage firms orientation/education programs

- continued review of administration and effectiveness of division of core course and its two part implementation

MEETINGS AND SYMPOSIUM

- continuous program

- plan, coordinate, and conduct monthly Education Review Committee meetings; including facilities arrangements, agenda, testifiers, and minutes; complete pre- and post-meeting requirements, briefing of Chair and SEO; provide agendas and meeting schedules to participants and upon request, include in REC website

- plan, coordinate, and produce symposium, when necessary, to develop or amend program of work and budget; including facilities arrangements, speakers, agenda, testifiers, etc.

- joint program with LRRC

ANNUAL REPORT AND QUARTERLY BULLETIN

- continuous program

- research, edit, printing, and distribution of quarterly REC bulletin; contract administration with consultant, procurement code management; provide for guest articles from the real estate community
  DEADLINE TO PRINT: End of July, October, January and April

- annual report shall include CETF annual report for completion by December 31 of which costs shall be divided evenly between REEF and CETF, for distribution to Legislature and Governor only, electronic distribution

- REC bulletin and annual report shall be placed on the REC webpage immediately upon completion either by completion of article or prior to distribution, and continue studying the feasibility of eliminating printing and distribution of hard copies, the goal is to provide the information on the webpage, including electronic delivery of bulletin to each licensee

- develop and conduct survey through bulletin for comments, recommendations, topics, internet usage, delivery by email or webpage, CE, prelicensing, etc.

- research and report on the feasibility of consultant providing appropriate services to assist in procurement, joint program with CRC

REAL ESTATE EDUCATION FUND (REEF)

- continuous program

- maintenance and review of budget, finance, and records for REEF; preparation of quarterly and annual financial statements; preparation of annual and biennial budgets; administration of fund investment programs including contract administration and procurement code management

NEIGHBOR ISLANDS OUTREACH

- continuous and carryover program

- hold a minimum of three ERC meetings on neighbor island sites, with CRC and LRRC; islands of Kauai, Maui, and Hawaii are the pre-selected sites with dates to be determined

- consideration to hold meetings in collaboration with local board of Realtors, HAR, educational organizations, condominium organizations, etc.

- special education or outreach work at neighbor island sites for issues of concern

- joint program with LRRC and CRC

INTERACTIVE PARTICIPATION WITH ORGANIZATIONS

- continuous program

- active participation with Hawaii, Pacific Rim, national, and international organizations and government agencies for the exchange of information and concerns, sharing of educational and research efforts, joint projects of mutual concern, training, etc. through attendance, membership and/or participation at local, regional, national and international meetings; including Real Estate Educators Association (REEA), Association of Real Estate License Law Officials (ARELLO), Council on Licensure, Enforcement, and Regulation (CLEAR), National Association of Realtors (NAR), Hawaii Association of Realtors (HAR), Board of Realtors, Hawaii State Bar Association, Institute of Real Estate Management (IREM), National Land Council, etc.

- Commissioner and staff member participants shall participate in all communications, attend all pertinent meetings/workshops, and take an active role in representing the interests of the Commission, PVL, DCCA, and the State, especially taking an assertive role in all certification programs, participants to provide a written report to Commission/PVL/DCCA of all participation

- joint program with LRRC

REAL ESTATE SEMINARS

- continuous program

- provide for statewide seminars for real estate licensees and/or consumers through a contractor via subsidy, sponsoring, assisting, or co-sponsoring

- priority to utilize existing REC educational materials, and produce cost effective programs utilizing State or public-type facilities

- cancellation policy based on minimum early registration requirement, complimentary admissions for Commissioners, staff members, RICO staff members

- administration of contract with consultant under procurement law, consider adding other consultants, including local board of realtors, government agencies, AARP, etc.

- develop and deliver seminars for PBs and BICs

- joint program with CRC on education on Condominium Laws and "Condominium Seminars and Symposium" as to those issues that are pertinent to real estate licensees

LEGISLATIVE PARTICIPATION, RESEARCH, AND REPORT

- continuous program

- research, participate, and/or report on any request by the Legislature, including resolutions, agreements, and issues of mutual concern

- joint program with LRRC

INSTRUCTOR'S DEVELOPMENT WORKSHOP

- continuous program

- development, sponsoring, coordination, and/or producing of instructor development workshops for prelicensing

and continuing education instructors to meet rule requirements; feasibility of video taping and/or HITS; study the feasibility of interactive video program

- research and administer requests for equivalency to other instructor development workshop

- development and production of a special instructor development workshop using continuing education core course

- administration of contract with consultant under procurement law

- consider partnership with REEA and/or with local board of realtors for an IDW

EVALUATION AND EDUCATION SYSTEM FOR CE AND PRELICENSING INSTRUCTORS, COURSES, PROVIDERS AND SCHOOLS

- continuous program

- in a collaboration with the Hawaii Association of Realtors, HARES, ACE Subcommittee, and other approved persons, continue to administer evaluation system of prelicensing and continuing education instructors which can provide an evaluation of teaching ability and subject knowledge; develop a system for student evaluation to REC that is handled independent of the instructor with consideration of electronic system; develop an evaluation system for a peer review system; the evaluation program must be in conjunction with an educational component to assist an instructor with substandard teaching ability and/or subject knowledge; the evaluation system shall provide for periodic reporting to REC

- research and report including an evaluation on the program and recommendations as to the continuance of the program and if continued, how it is to be administered, feasibility of peer review administration, volunteers, or contractor

- research and report on the feasibility of online/ electronic evaluation system

- include providers in the monitoring/evaluation system, administer on site monitoring/evaluation program that is unannounced and conducted by REB staff, Commissioners, ACE members, and others to be determined

REAL ESTATE SPECIALIST OFFICE FOR THE DAY

- continuous program

- real estate specialists set up office at RICO neighbor island offices or other sites to provide education and referral with advanced publicity, mail outs, and appointments; upon request, provide training to RICO investigators

- where possible, consider a joint program with the condominium specialist office for the day program and combining with other programs for the neighbor islands, including seminars, conventions/meetings, courses
- coordinate with local boards, holding it at the board's offices or in conjunction with a board function

REAL ESTATE SPEAKERSHIP PROGRAM

- continuous program

- subject to State government approvals and priorities, honor request to provide a speaker, resource person, or participant in a function related to real estate education. The participant to be either Supervising Executive Officer, Executive Officer, Real Estate Specialist, Commissioner, or other Staff member

PRELICENSING EDUCATION EQUIVALENCY ADMINISTRATION

- continuous program

- continue evaluating educational requirements of other States and jurisdictions in coordination with ARELLO; report findings and propose amendments to the prelicensing education equivalency, forms, instructions

- review, approve or deny, or present to REC applications for prelicensing educational equivalency; including coordination with Licensing Branch and applications for broker experience certificates

- continue research with consultant PSI/HIC to develop an electronic certification system and databases for use by exam sites, prelicensing schools, applicants, and Licensing Branch

UNIFORM SECTION EQUIVALENCY OF PRELICENSING EXAMINATION

- carryover program

- administer uniform section equivalency program which recognizes the passage of the uniform part of another jurisdiction's exam

- administer exam contract provision on utilizing either part of exam for different purposes

TECHNOLOGY AND WEBSITE

- continuous program

- administration of in-house and network computer system, coordination with DCCA, training of staff, purchases of hardware and software, programming, etc.

- utilization of laptop computer for screen projection at meetings, symposiums, training, etc.

- administer scanner for use with network and other programs

- shared with CETF budget

- work with DCCA and PVL on Department and Division plans on technology, computer systems, network, etc., including joint venturing projects and purchases

- administration and maintenance of REC website with long range goal that it be the main source of communication and information to licensees, applicants, and the consumers

- study feasibility of online services for applicants, licensees/registrants, and the public, which will include all applications and instructions, info sheets, etc., with consideration for joint venturing with PVL

- continue to work on the feasibility of placing all REC forms, applications, information sheets, change forms, education forms, licensing forms on REC website

- study and report on the feasibility of email service to PBs and BICs

- maintain comprehensive electronic delivery program for educational programs, courses, information, assistance to schools and providers, etc.; for licensees and candidates; including an electronic student evaluation system for prelicensing and CE; contract with consultant; (1) see below

- research and develop an electronic database for prelicensing school certificates, prelicensing educational equivalency certificates, uniform section examination equivalency certificates, broker experience certificates, continuing education certificates, continuing education equivalency certificates; data to be inputted by schools, providers, LB, REB; online review of eligibility by candidates, licensees, test sites, LB, REB; linkage or part of licensing database; contract with consultant; joint program with Administration of Examinations; (2) see below

- develop a system to collect the email addresses of licensees for administrative and educational purposes that is consistent with the OIP law

RECORDS MANAGEMENT

- carryover program

- evaluate, plan, reorganize, and implement a centralized, consistent, user friendly, computerized glossary of the existing and future records and files (documents and computer); administration with REB, PVL, and DCCA policies and other statutory requirements

- administration of Records Report System and Uniform Information Practices Act with consultation with the Office of Information Practices; user friendly access to public information

- research alternatives for records storage (computerization, scanning), and public information provided via local email systems or e-government; implement new scanning/CD of records and the delivery of public information through website

- consider consultant, or special training

INFORMATION DISTRIBUTION SYSTEM

- carryover program

- research, development, and implementation of a centralized information distribution system for all the education products produced by the REC and HREREC; a standardized policy and procedure for distribution, purchasing, copyright, specific permission copying or generic permission copying of brochures, reports, video tapes, etc.

NEW SALESPERSON AND NEW BROKER STARTUP KITS

- continuous program

- package and distribute startup kits to newly licensed salespersons, which will include but not be limited to past available bulletins, and special distribution materials with a cover letter, Chair's message, to include recommendation to initiate own reference library

- package and distribute startup kits to newly licensed sole proprietor, corporation, and partnership brokers, which will include but not be limited to PB/BIC Brochure, Advertising Brochure, Fair Housing Brochure,

RICO handout, Chapters (467, 436B, 99), REB Info Sheet, past available bulletins of interest, and other special distribution materials with a cover letter, Chair's message, to include recommendation to initiate own reference library, costs of printing, purchasing, and distribution of materials by Real Estate Education Fund

- revise contents of startup kits based on curriculum, costs of printing, distribution of materials

COOPERATIVE EDUCATION, RESEARCH, AND ADMINISTRATION PROGRAM

- continuous program
- actively participate and sponsor cooperative education, research and administrative programs for those persons, Branches, Divisions, Department personnel, Attorney General's Office that provide direct or indirect services to REC or are part of a real estate related program

DIVISION AND DEPARTMENT PROGRAMS

- continuous program
- coordinate activities and programs of mutual concern with PVL and DCCA.
- joint program with LRRC and CRC

STAFF AND COMMISSIONERS DEVELOPMENT

- continuous program
- development and training of staff and commissioners for better administration of the real estate programs
- participate in training and educational opportunities provided by REEA, ARELLO, CAI, CLEAR, and other organizations

REAL ESTATE REFERENCE LIBRARY

- continuous program
- subscribe and purchase real estate reference materials for public review, study and report on the feasibility of a program through the Hawaii State Library system, similar to the Condominium Review Committee's program
- organize all real estate reference materials, including periodicals, books, reports, seminar/workshop materials, other states information, etc., into a standardized system that is user friendly and computerized

- review and decide on pertinent reference materials, purchase and stock REB reference library and consider State Library System

- include in REC webpage a catalog of public reference materials available in REB office

I. PROGRAM OF WORK

C. CONDOMINIUM REVIEW COMMITTEE

PROGRAM OF WORK AND BUDGET
CONDOMINIUM REVIEW COMMITTEE

FISCAL YEAR 2015

CONDOMINIUM LAWS AND EDUCATION

- carryover program
- Act 164 (2004 SLH), Act 93 (2005 SLH), Act 273 (2006 SLH), Act 244 (2007 SLH)
- provide briefings, updates, and presentations to the condominium community, Administration, including the REB website, Condominium Bulletin, Real Estate Bulletin, etc.
- educational plan for the condominium laws and related Acts, utilizing volunteer presenters and/or contracted consultant for different audiences and/or through different mediums, conduct educational sessions in each county and through possible partnerships with various organizations/government agencies, explore delivery of educational sessions via video on website
- review, revise, and amend all affected forms, instructions, informational sheets as appropriate
- review and amend existing REC-developed educational materials, including distribution, printing, and posting to website

EDUCATION AND REFERRAL

- continuous program
- provide education and referrals to the condominium community, applicants, consumers, licensees, government officials, organizations, public, etc.; including research, reproduction, mailing, etc.
- amend, print, and/or distribute electronic copy of chapter 514A and chapter 514B, HRS, and Rules to each registered association and registered condominium managing agent
- administer and provide requestors access to review public information and records, including requests for copies; subject to compliance with the Uniform Information Practice Act and working with the Office of Information Practices

- collect and provide statistical reports on telephonic, walk-in, and correspondence on the above

- maintain and improve website through the internet; consider controlled use of email, including the education calendar and condominium database; update section to the website on frequently asked questions

- augment delivery of advice, education, and referral, including print, media and community-based interactive efforts, focusing on current condominium issues

- promote self governance by providing a forum for associations and/or owners to network and problem solve together

- study the feasibility of a grant program to board of directors to participate in Commission-approved education programs, the grant is to subsidize any fee associated with the education program

- upon request and subject to ground rules and the SEO's decision, Condominium Specialist may attend a registered Associations or Board of Director's meeting

CONDOMINIUM PROJECT AND DEVELOPER'S PUBLIC REPORTS

- continuous program

- administer the registration of condominium projects and the issuance of effective dates for developer's public reports

- continuous evaluation of the process, records, forms, information documents, rules, coordination with other governmental agencies, coordination with attorneys, etc., to ensure more timely processing and review time, update and amend all project forms and instructions

- administration of condominium consultants, examine contracts and Procurement Law with the initiation of any requirements, administer the evaluation system on consultants, which includes monitoring and providing reports to the REC on each condominium consultant's assignments, performance, and feedback from staff and developers, discuss evaluations with each consultant

- review and update checklists, send information and decisions to developers and attorneys

- administer and continue to provide public access to review the developer's public reports and other project documents, including requests for copies; subject to

compliance with the Uniform Information Practice Act and working with the Office of Information Practices; implement plan of providing access to developer's public reports electronically

- continue the compiling and indexing of all information/ decisions to developers, condominium consultants, and others; including periodic distribution

- plan, develop, and administer any legislative amendments into the registration program; especially collaboration with the Time Share Administrator on any Acts that impacts both Time Share and Condominiums

- continue plan of listing of projects with current developer's public reports on REC website

- provide quarterly statistics on CPR registration, developer's public reports, and the processing

- implement a plan of electronic administration, including the scanning of documents on CDs/DVDs and computerized project tracking, consider contracted vendors, consider the development of unalterable fillable developer's public report forms
- study, report, and recommend a comprehensive evaluation system on the registration and review process, including the use of evaluation forms by developers and attorneys

- continue to study, report, and recommend a strategic plan for the acceptance of electronically filing condominium project registration documentation; examine other agencies, analyze surveys, and report findings and recommendations

HAWAII CONDOMINIUM BULLETIN

- continuous program

- developing, writing, and editing bulletin to all registered condominium associations (board of directors) and CMAs; target board of directors and unit owners in the management of Associations; consider utilizing materials previously developed by the REC or others with permission; master education/meeting calendar, pertinent case law review, etc.; plan, develop and provide for guest articles on relevant topics; lead staff member to work with Commissioners to provide an advance plan, deadline dates, and topic outline at least 45 days in advance of distribution deadlines; DISTRIBUTION DEADLINES: 15TH of August, November, February and May

- upon completion bulletin shall be immediately submitted to the REC website

- administer the contract with the consultant and all services under the procurement law

- develop and include a periodic electronic survey-evaluation of bulletin, including surveys from various other programs

- develop and update articles on Associations utilizing technology for self-governance, information, discussion, exchanging, documents, etc.

- study feasibility of either increasing the bulletin up to 12 pages with the addition of a developer's section, or a developer's bulletin, or a special webpage for developers

- continue the electronic delivery of the bulletin to registered Associations and/or delivery solely by REC website with an increased number of bulletins

- consider "developers reference file" and consultants contributing articles

CONDOMINIUM MEDIATION AND ARBITRATION PROGRAM

- continuous program

- condominium governance mediation, evaluative and facilitative, continue program and administer contracts with condominium mediation subsidy program and training

- initiate and work with the Mediation Center of the Pacific to provide educational seminars to the board of directors, unit owners, CMAs on the purpose of alternative dispute resolution and mediation, as well as providing training to consultants

- administer consultant contracts; continue to review the demand for additional consultants

- collect data, monitor and consult with arbitration groups, including the American Arbitration Association and Dispute Prevention and Resolution

- development and collection of information and statistical data for education and annual report purposes, especially mediation under Act 232 (SLH 2001); in addition, provide periodic reports to CRC on material information on each case submitted for subsidy

programs which is to be utilized in education programs, including Condo Bulletin and REC website

- proactively promote REC-funded mediation programs, including the distribution of the condo mediation brochure, monitor mediation training

- coordinate joint complaint/mediation program with RICO with funding from CETF, see Division and Department Program

- study the feasibility of the CETF funding the filing of arbitration

CONDOMINIUM ASSOCIATION REGISTRATION

- continuous program

- review and monitor program for improvement of problem areas; records administration; administer biennial registration including fidelity bond requirement; provide statistics periodically

- develop a paperless fidelity bond review process

- outreach program with CMAs and Associations for "Steps to a Better Re-registration;" workshops, including neighbor island sites; administer re-registration filing deadline and providing numerous advance communications on the deadline

- study, report, and continue an electronic application processing recommendations, or computer generated forms with previous responses for recertification or amendments feasibility of internet re-registration process

- plan, develop, and administer any legislative amendments into registration program

- administer a public list of all registered Associations, including pertinent information for distribution upon request subject to copying fees, and via scanning including actual registration forms in REC website

- compile a biennial profile of registered Associations based on the data fields gathered from the registration information

CONDOMINIUM SEMINARS AND SYMPOSIUM

- continuous program
- produce seminars for the condominium community through contracts with various providers that provide for registration fee subsidies for unit owners of registered Associations; continue to encourage new providers
- administer a CRC educational advisory group to provide recommendations and input about CRC educational programs; group to include board members, resident managers, representatives from self managed Associations, CMAs, condominium organizations, and educators
- subject to resources and utilizing existing REC educational materials, produce cost effective seminars utilizing public facilities, staff, Commissioners and volunteer speakers; subsidized cost of registered Associations
- cancellation policy based on minimum early registration requirement, complimentary admission for Commissioners, staff members, RICO staff members
- produce a seminar on reserves, especially the cash flow funding method, collaborate with the local condominium association organization and any other interested parties
- proactively seek additional consultants, especially on the neighbor islands, consider AARP, local Boards of Realtors, Mililani Community Association, etc.
- joint program with "Condominium Laws and Education"

AD HOC COMMITTEE ON CONDOMINIUM EDUCATION AND RESEARCH

- carryover program
- administer the Ad Hoc Committee on Condominium Education and Research consisting of members of the condominium community who meet periodically to provide recommendations on condominium education
- develop a timetable for electronic consumer brochure for condo living
- consider the development of an electronic consumer brochure for seniors

- consider the development of an electronic brochure for real estate brokers to distribute to new owners and tenants of residential condominium units

CONDOMINIUM MANAGING AGENTS REGISTRATION

- continuous program

- with Licensing Branch, administer program, registration procedures, forms, instructions, deadlines, deficiencies, enforcement, fidelity bond, etc., for improvement and problem resolutions

- develop a paperless fidelity bond review process

- administer re-registration program, participate in Batch Renewal Program; work with Licensing Branch for internet re-registration

- listing of all registered CMAs in REC website, including information on PB, fidelity bond, and preprinted lists to be available upon request

RULE MAKING, Chapters 107/119

- carryover program

- study and evaluate Chapter 107, HAR, and Chapters 514A and 514B, HRS, for rule making; research, draft, review/comment by focus groups and other interested parties, informal consultation with Deputy Attorney General, include among others, REC decisions/informal opinions, formal opinions/declaratory rulings, deregulation without reducing consumer protection and reducing use of resources, etc.

- administer formal rule making process; submit to formal process, notice and formal hearing; upon request, provide a copy of proposed rules; consider including proposed rules and/or hearing notice in REC website

- provide informal briefings by staff and/or Commissioner

- consider recommendations received from the various participants in recodification, CRC, community workshops, government officials, organizations as to rulemaking

- plan, coordinate and conduct forum for developers and attorneys to receive feedback regarding project registration

MEETINGS

- continuous program

- plan, coordinate, and conduct monthly Condominium Review Committee meetings; including arrangement for facilities, agenda, testifiers, minutes, briefings to Chair and SEO, and pre- and post-meeting requirements; provide schedule of meetings and agendas to participants and include in REC website

GOVERNMENT AND LEGISLATIVE PARTICIPATION AND REPORT

- continuous program

- jointly with ERC and the Real Estate Bulletin, research, develop, print, and distribute annual report to the Legislature on condominium education trust fund, program of work, budget, and mediation program; immediately upon completion to be submitted to REC website DEADLINE TO COMPLETE CONDO REPORT: October 15

- coordinate with Administration, provide briefings to Legislators and staff, act as resource, researching and drafting legislative bills/committee reports, submit testimony, present oral testimony, bill tracking

- respond to elected officials inquiries/complaints/ requests for information/etc., including Governor, Lt. Governor, Director, Deputy Director, PVL Administrator, Congressional members, Legislators, Mayors, Council Members, and other government officials, including foreign governments and especially Pacific Rim countries; response to include research, troubleshooting, collaboration, mediation, and drafting response

LEGISLATIVE ACTS AND RESOLUTIONS

- review and carry out responsibilities of Legislative Acts and resolutions, provide summary of condominium and related Acts and resolution for REC/staff/bulletin, etc.

- research, draft, and print any reports required by legislative Acts or resolutions or agreement

- amend public copy of Chapters 514A and 514B, and work with ASO for its publication; study the feasibility of ramseyer format of public copy of Chapters 514A and 514B

INTERACTIVE PARTICIPATION WITH ORGANIZATIONS

- continuous program
- active participation with Hawaii, National, International and Pacific Rim organizations and government agencies for the exchange of information and concerns, sharing of educational and research efforts, joint projects of mutual concern, training, etc. through attendance, membership and/or participation at local, regional, national and international meetings, including, but not limited to: CAI, CAI Hawaii Chapter, HCAAO, HICCO, Condominium Council of Maui, IREM, ARELLO, Hawaii State Bar, Zenkauren (Japan), Condominium Management Center of Japan, NARCS, AARP, Senior living groups, etc.
- Commissioner and staff member participants shall actively participate in all communications, attend all pertinent meetings/workshops, and take an assertive role in representing the interests of the Commission, PVLD, DCCA, and the State, especially in all certification programs, participants to provide a written report to Commission/PVLD/DCCA of all participation

NEIGHBOR ISLANDS OUTREACH

- continuous program
- hold a minimum of three CRC meetings at neighbor island site with ERC and LRRC, counties of Kauai, Maui, and Hawaii are pre-selected sites and dates
- consider holding meetings in collaboration with the local boards, HAR, condominium organizations, etc.
- utilize the Department's Communication's Officer for press releases and newspaper advertisements

CONDOMINIUM EDUCATION TRUST FUND (CETF)

- continuous program
- maintenance and review of budget, finance, and records for the CETF; preparation of quarterly and annual financial statements; preparation of annual budgets; administration of fund investment through State Treasury
- plan and work with DCCA for funding of education and research programs, personnel compensation, and other

expenditures subject to revenue projections and approved budget

CONSUMER EDUCATION

- carryover program
- plan, coordinate and conduct owner's forum to educate in conjunction with condominium seminars and symposiums on "owners and board" rights and responsibilities guide
- develop a consumer education program targeting prospective purchasers of condominium units and new owners of condominium units, on initial project sales and resales
- study feasibility of developing an online survey to associations, boards, CMAs, management companies, brokerages, and unit owners to address problem issues and solutions
- consider a pamphlet or brochure on condominium living and governance in consultation with real estate professionals, condominium board members, condominium unit owners, and developers
- purchase existing brochures for distribution to initial purchasers or occupants of condominium units as to governance and the communal form of living

RULE MAKING, CHAPTER 53, FEES

- continuous program
- monitor and review services provided in relation to fees, research/study, make recommendations, develop drafts, assist in the formal rule making process, including public hearing, with the Licensing Administrator
- administer with the Licensing Administrator any submissions through review process, hearing, approval, and implementation
- study existing and new condominium services and determine appropriate fees, and recommend amendments to Chapter 53

CPR PROJECT WORKSHOP AND MEETINGS

- continuous program
- research and update CPR project workshop materials

- facilitate periodic workshops (at least two per FY) for consultants' informational purposes, new laws and rules orientation, amendments to policies and procedures, amended forms or forms development for consultants, consider consultant alternating as workshop lead and developing curriculum at least 30 days in advance

- orientation/informational session for new consultants

- facilitate a workshop with developers, attorneys, condo consultants, CMAs, Association focus groups for purposes of discussion on governance issues and how to address it early in the life of a CPR, from initial documents to the 1st Association meeting

- joint program with the "Condominium Law and Education"

CONDOMINIUM SPECIALIST OFFICE FOR THE DAY

- continuous program

- condominium specialists set up office at various neighbor island locations to meet and discuss condominium concerns with advanced publicity; upon request, consider informational sessions to RICO Investigators

- utilized for Association/CMA/CHO re-registration workshops
- consider a joint program with the Real Estate Specialist Office for the Day program

- consider and collaborate arrangements in conjunction with a function of a condominium organization and/or at a condominium organization office

CONDOMINIUM SPEAKERSHIP PROGRAM

- continuous program

- subject to resources and approvals, honor requests from condominium organizations, interested groups, colleges or universities, Legislators, government agencies, etc. for participation in some type of program as a speaker or resource concerning condominium issues; participant includes Condominium Specialist, Supervising Executive Officer, Executive Officer, or Commissioner

TECHNOLOGY AND WEBSITE

- continuous program

- administration of in-house and network system, coordination with DCCA, training of staff, purchases of hardware and software, programming, etc.

- utilize laptop computer with screen projection at meetings, symposiums, training, speakership, etc.

- utilize scanning for website, storage of public information, and other programs; provide PC for review and use of educational materials and courses by the public

- continue the electronic storage, review, and printing of condominium projects, public reports, association registration, etc., public information

- administer the website with a long range plan of including all condominium information, forms, database, etc., and online registrations

- study feasibility of providing condominium consultants with a confidential electronic bulletin board

- continue working with DCCA and PVL on plans on technology, computer systems, network, etc., including joint venturing on projects and purchases

- study the feasibility of providing Associations a central depository for all governing documents, minutes, etc., via voluntary participation, including the cost of such a program

CASE LAW REVIEW PROGRAM

- continuous program

- monitor, collect, and report on judgments and decisions on Hawaii court cases, federal court cases, and other states court cases; material cases to be considered for Condo Bulletin; report on governance case studies

START-UP KIT FOR NEW ASSOCIATIONS AND NEW CMAs

- continuous program

- distribute start-up kit to new condominium Associations and new CMAs; which includes a copy of Chapters 514A/514B, rules, budget and reserves guide, board of director guide or brochures, etc., with 3 ring binder

- including the reprinting of any necessary product

RECORDS MANAGEMENT

- continuous program
- administer and organize all records (paper and computer files), reference materials, reports, minutes, legislation, rules, AG opinions, contracts, etc.; consider distribution of expired records
- consider consultant, or special training for staff
- administration of Records Report System and Uniform Information Practices Act with consultation with the Office of Information Practices; user friendly access to public information
- research options/alternatives for electronic records storage and public information provided via local email systems or e-government site, including capability of making own copies
- scan and provide electronic storage of records, including minutes

COOPERATIVE EDUCATION, RESEARCH, AND ADMINISTRATIVE PROGRAM

- continuous program
- actively participating and sponsoring cooperative education research, and administrative programs for those Departments, Divisions, Branches that provide direct or indirect services

DIVISION AND DEPARTMENT PROGRAM

- continuous program
- coordinate activities and programs of mutual concern with PVL, RICO, and DCCA
- review, analyze, and coordinate positions on Chapter 436B as it relates to Chapters 514A and 514B with PVL and AG's Office, especially self-executing provisions
- coordinate and work with RICO on joint program on governance/management complaints and mediation, unified position; see Condominium Mediation and Arbitration Program

- provide REC sponsored condominium education to RICO, Time-Share Administrator, Subdivision EO, OAH, through complimentary registrations or CETF paid registrations

STAFF AND COMMISSIONERS DEVELOPMENT

- continuous program
- development and training of REB staff and Commissioners for better administration of the condominium programs and issues
- assist in amendments to REC Reference Book by researching and drafting amendments relative to CRC and its programs
- participate in training of staff and commissioners as provided by CAI, ARELLO, REEA, CLEAR, and other organizations

CONDOMINIUM REFERENCE LIBRARY

- continuous program
- develop and continue to provide materials for a condominium reference library at public libraries (State Library System and Makiki Library), REC office, mediation services offices and possibly institutions of higher learning, especially on the neighbor islands, stocked with purchased referenced materials, REC and HREREC materials; purchase and donate to specified public libraries condominium reference material, with REC name and CETF, and REC to initiate list of reference material and where located for associations; study and report on the feasibility of increasing and adding new educational materials at libraries, especially in high CPR concentrated areas, collaborate with a local condominium association organization, and consider an internet reference library system including links with REC website and possible licensing arrangements with national providers
- continuous publicity program upon development of the reference library
- study and report on the usage of the condominium reference library materials at the State Library System and REB office
- develop and continue to maintain on the REC website a catalog of all public reference materials provided to the State Libraries and at the REB office

- update all condominium library reference materials, including board of directors' chapters and its printing, and law amendments