

EDUCATION 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 Lieutenant Governor's Office as required by Section 92-7(b), Hawaii Revised Statutes.

Date: September 10, 2014

Time: Upon adjournment of the Condominium Review Committee meeting, upon adjournment of the Laws and Rules Review Committee meeting, that convened at 9:00 a.m.

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

Present: Aileen Wada, Broker / Honolulu Commissioner
Bruce Faulkner, Broker / Maui Commissioner
Scott Arakaki, Public Member / Honolulu Commissioner
Nikki T. Senter, Public Member / Honolulu Commissioner
Laurie Lee, Broker / Honolulu Commissioner
Scott Sherley, Broker / Hawaii Island Commissioner
Aleta Klein, Broker / Honolulu Commissioner
Michael Pang, 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
Amy Fujioka, Recording Secretary

Absent: Rowena Cobb, Chair / Broker / Kauai Commissioner

Others: Aron Espinueva, Hawaii Association of REALTORS®
Catherine Lampton

Call to Order: Vice Chair Wada called the meeting to order at 9:33 a.m., at which time quorum was established.

Chair's Report: Vice Chair Wada stated the Committee 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 to consult with the Board's attorney on questions and issues pertaining to the Board's powers, duties, privileges, immunities, and liabilities in accordance with section 92-5(a)(4), HRS.

Commissioner Cobb was excused from the meeting. Prior notification of her non-attendance was received.

Upon a motion by Commissioner Lee, seconded by Commissioner Sherley, it was voted on and unanimously carried to approve the Certificate of Appreciation for Mr. Kenneth D. H. Chong.

Real Estate
Specialist's Report:

Minutes of Previous Meeting

Upon a motion by Commissioner Faulkner, seconded by Commissioner Sherley, it was voted on and unanimously carried to accept the minutes of the August 13, 2014 Education Review Committee meeting.

Continuing Education: Administrative Issues

2013-2014 Continuing Education Providers and Courses Ratification List

Upon a motion by Commissioner Arakaki, seconded by Commissioner Faulkner, it was voted on and unanimously carried to ratify the following list:

<u>Registration/Certification</u>	<u>Effective Date</u>
Course(s)	
"At Home with Diversity" (6 credits) (National/REALTORS Association of Maui, Inc.)	8/14/2014
"Virtual Brokerage: How to Do It V1.0" (3 credits) (ARELLO/Dearborn Publishing, Inc.)	8/20/2014
"At Home with Diversity" (6 credits) (National/West Hawaii Association of REALTORS)	8/28/2014
"e-PRO Certification Program: Day 1" (6 credits) (National/REALTORS Association of Maui, Inc.)	8/28/2014

Applications

Course - "Mediation and Arbitration for Hawaii Real Estate Professionals"; Author/owner: Catherine Lampton; Course Categories: Real Estate Law, Dispute Resolution; Clock Hours: 3

Ms. Catherine Lampton was present to answer any questions. Ms. Lampton introduced herself and stated that she was a realtor in Hawaii for 6 years and is a mediator/facilitator with 10 years of experience.

This course was developed to help licensees become familiar with the UMA (Uniform Mediation Act) and UAA (Uniform Arbitration Act). Also, the course will help licensees understand mediation, arbitration, and litigation, and provide information to licensees that will help them communicate with their client/customer.

Ms. Lampton explained that it is not an exciting subject to teach, but is important. She commented that she tries to incorporate pictures in her slides to keep her students interested.

The Commissioners had questions regarding tracking the use of mediation/arbitration vs. litigation and whether UMA has impacted mediation practices. The Commissioners commented that it is important that licensees consult with their principal brokers or brokers-in-charge regarding any potential involvement in mediation or other dispute resolution.

Upon a motion by Commissioner Klein, seconded by Commissioner Sherley, it was voted on and unanimously carried to approve "Mediation and Arbitration for Hawaii Real Estate Professionals" as a 3 credit-hour continuing education elective course under the course categories: Real Estate Law, Dispute Resolution.

Course – "Code of Ethics: Good for Your Clients and Your Business"; Author/Owner: The CE Shop, Inc.; Provider: The CE Shop, Inc.; Course Categories: Other - Ethics; Clock Hours: 3

Upon a motion by Commissioner Arakaki, seconded by Commissioner Sherley, it was voted on and unanimously carried to approve "Code of Ethics: Good for Your Clients and Your Business" as a 3 credit-hour continuing education elective course under the course category: Ethics.

Course – "Did You Serve? Identifying Homebuying Advantages for Veterans"; Author/Owner: The CE Shop, Inc.; Provider: The CE Shop, Inc.; Course Categories: Property Ownership and Development; Clock Hours: 3

Upon a motion by Commissioner Arakaki, seconded by Commissioner Sherley, it was voted on and unanimously carried to approve "Did You Serve? Identifying Homebuying Advantages for Veterans" as a 3 credit hour continuing education elective course under the course category: Property Ownership and Development.

Course – "Landlord Tenant Laws 2014"; Author/owner: Hawaii Island REALTORS® and County of Hawaii, Office of Housing and Community Development; Provider: Hawaii Island REALTORS®; Course Categories: Real Estate Law, Property Management, Property Ownership and Development; Clock Hours: 3

Senior Real Estate Specialist Fujimura stated that the County of Hawaii regularly offers a course related to the Hawaii Landlord Tenant Code. This time they are co-authoring the course with the Hawaii Island REALTORS®.

Commissioner Senter questioned the title of the course using "laws" vs. "code" as used in the course agenda. The Commissioners agreed that the author should change the heading on the agenda page to read "Landlord Tenant Laws 2014" to be consistent with the course title.

Upon a motion by Commissioner Klein, seconded by Commissioner Sherley, it was voted on and unanimously carried to approve "Landlord Tenant Laws 2014" as a 3 credit-hour continuing education elective course under the course categories: Real Estate Law, Property Management, Property Ownership and Development.

Course – “Understanding the Americans with Disabilities Act”; Author/Owner: Scott A. Sherley; Provider: Real Class Inc.; Course Categories: Real Estate Law, Property Management, Property Ownership and Development, and Risk Management; Clock Hours: 3

Commissioner Sherley recused himself from discussion and voting on this matter.

Mr. Sherley explained that this is a newly revised edition of his previous ADA course. This new edition adds in rules under Web Page Accessibility Guidelines, Design Guidelines including Fair Housing Multi-Family Design Guidelines and barrier-free housing. Also added is information on condominium rental pools and service animals. He explained that changes were made to 40-50% of the course because of the new laws going into effect in 2015-2016.

Upon a motion by Commissioner Arakaki, seconded by Commissioner Faulkner, it was voted on and unanimously carried to approve “Understanding the Americans with Disabilities Act” as a 3 credit-hour continuing education elective course under the course categories: Real Estate Law, Property Management, Property Ownership and Development.

Prelicense Education: Evaluation and Education Program

Copies of evaluations of the independent study courses from the following prelicense schools were distributed to the Commissioners for their information:

- Continuing Ed Express (5)
- Proschools, Inc. (9)

Administration of Examinations:

PSI

Licensing Examination Statistics – August 2014

Examination statistics for August 2014 were distributed to the Commissioners for their information.

School Pass/Fail Rates – August 2014

School pass/fail rate statistics for August 2014 were distributed to the Commissioners for their information.

School Summary by Test Category – August 2014

Copies of the August 2014 test category summary reports, by school, were distributed to the Commissioners for their information.

Budget and Finance Report:

Upon a motion by Commissioner Faulkner, seconded by Commissioner Arakaki, it was voted on and unanimously voted to accept the Budget and Finance report for the Fiscal Year ending June 30, 2014.

Next Meeting: Wednesday, October 8, 2014
 Upon adjournment of the Condominium Review Committee Meeting, which is upon
 adjournment of the Laws and Rules Review Committee meeting, which convenes at
 9:00 a.m.
 King Kalakaua Building
 Queen Liliuokalani Conference Room

 335 Merchant Street, 1st Floor
 Honolulu, Hawaii

Adjournment: With no further business to discuss, Vice Chair Wada adjourned the meeting at
 10:00 a.m.

Reviewed and approved by:

 /s/ Diane Choy Fujimura
Diane Choy Fujimura
Senior Real Estate Specialist

 9/15/2014
Date

[X] Minutes approved as is.
[] Minutes approved with changes, see minutes of _____