

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: Friday, October 24, 2014

Time: 9:00 a.m.

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

Present: Nikki T. Senter, Chair, Public/Honolulu Commissioner
Scott Sherley, Vice Chair, Broker, Hawaii Island Commissioner
Bruce Faulkner, Broker/Maui Commissioner
Scott Arakaki, Public/Honolulu Commissioner
Rowena Cobb, Broker/Kauai Commissioner
Laurie Lee, Broker/Honolulu Commissioner
Aleta Klein, Broker/Honolulu Commissioner
Aileen Wada, Broker/Honolulu Commissioner
Michael Pang, Broker/Honolulu Commissioner

Neil Fujitani, Supervising Executive Officer
Miles Ino, Executive Officer
Diane Choy Fujimura, Senior Real Estate Specialist
Benedyne Stone, Condominium Specialist
Amy Endo, Real Estate Specialist
Shari Wong, Deputy Attorney General
Marilyn Antolin, Recording Secretary

Other: Lei Fukumura – Special Deputy Attorney General

Call to Order: Chair Senter called the meeting to order at 9:05 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.

Executive
Officer's Report

The Executive Officer (EO) informed the Commissioners that the original applications, with any original associated documents considered at the meeting, were available for review.

EO announced that the Commission shall afford all interested persons an opportunity to submit data, views, or arguments, in writing, on any agenda item and shall provide all interested parties an opportunity to present oral testimony on any agenda item subject to the conditions set forth in Section 16-99-83, HAR. The Commission may remove any person or persons who willfully disrupts a meeting to prevent and compromise the conduct of the meeting in accordance with Section 92-3, HRS.

Additional Distributions:

4. Committees and Program of Work
 - a. Laws and Rules Review Committee
 - 1) Licensing Renewal
 - 2) Report on the 2014 Annual Association of Real Estate License Law Officials (ARELLO) Meeting

Minutes of Previous
Meetings:

Upon a motion by Commissioner Sherley, seconded by Commissioner Faulkner, it was voted on and unanimously carried to accept the minutes of the September 26, 2014 meeting.

Committees and
Program of Work

Laws and Rules Review Committee

Licensing Renewal - Real Estate Branch (REB) is currently accepting renewals for 2-year period from January 1, 2015 through December 31, 2016. Effective October 20, 2014, PVL increased their initial and renewal licensing fees by an estimated 23%. Commissioner Wada questioned if the increase applies to other licenses. SEO Fujitani responded that all PVL Boards to eventually be affected by this increase, but REB is the first Board affected since its renewal went live on October 20, 2014. It was an administrative departmental decision made under the authority of §92-28 and §436B-15, HRS. This increase is to upgrade the current computer system and replace the existing phone system.

Deputy Attorney General (DAG) Wong inquired why the increase. Commissioner Klein indicated that it was noted on page 3 of the Memo dated September 25, 2014, Request for Approval to Increase Certain Fees from the Director. DAG Wong further inquired how the increase was approved without exercising the Rulemaking process. SEO Fujitani responded that it was done under the Authority of §92-28 as indicated in the memo.

Commissioner Arakaki inquired if a statement will be released by the Department to inform the licensees of the increase. SEO Fujitani responded that it will be published in the Minutes, an announcement will be posted on the website, and will be included in future bulletins.

Report on the 2014 Annual Association of Real Estate License Law Officials (ARELLO) Meeting – The report was consolidated by all attendees. Commissioner Arakaki shared that as a first time attendee, he found the meeting to be substantive. He received valuable information to make him a better commissioner and is now equipped to better help the public. On a personal level, Commissioner Arakaki felt that he is more knowledgeable on the trends and the similarities of Hawaii's market compared to others. Commissioner Arakaki highly recommends attendance at these meetings.

Commissioner Cobb continued to find these ARELLO meeting very interesting and felt that Hawaii, compared to other states, is well ahead of the game.

SEO Fujitani added that ARELLO developed a Fair Housing Development member resource online with a link to it on its website.

Licensing
Ratification:

Upon a motion by Commissioner Cobb, seconded by Commissioner Lee, it was voted on and unanimously carried to ratify the attached list.

Chapter 91, HRS,
Adjudicatory
Matters:

The Chair took the agenda out of order and called for a recess from the meeting at 9:20 a.m., to discuss and deliberate on the following adjudicatory matters, pursuant to Chapter 91, HRS:

In the Matter of the Real Estate Salesperson's License of Vinah Morales; REC 2013-89-L

Upon a motion by Commissioner Sherley, seconded by Commissioner Faulkner, it was voted on and carried to accept the settlement agreement.

Following the Commission's review, deliberation, and decisions in these matters, pursuant to Chapter 91, HRS, the Chair announced that the Commission was reconvening its scheduled meeting at 9:25 a.m.

Licensing
Applications:

EO informed the Commissioners that the information, provided to the Commissioners, is related only to the issue that is before the Commission for consideration. The other materials submitted are available for the Commissioners review should they desire to review it. If the applicants have an issue, which is personal in nature, they have the right to request that their application be considered in executive session.

Licensing
Applications:

Timothy B. Ambler

After review of the information presented by the applicant, Commissioner Pang moved to approve the real estate salesperson license of Timothy B. Ambler. Commissioner Sherley seconded the motion. The motion was voted on.

Commissioners Senter, Sherley, Faulkner, Lee, Arakaki, Wada, and Pang voted aye. Commissioners Klein and Cobb voted nay. The motion passed.

Jawdat Ihsan Bitar

After review of the information presented by the applicant, Commissioner Cobb moved to deny the real estate salesperson license of Jawdat Ihsan Bitar, unless, within sixty (60) days, he submits evidence of a payment plan or satisfaction of the court judgments.

The denial of his application is based on the following:

"§467-8 **Prerequisites for license, registration, or certificate.** No license, registration, or certificate under this chapter shall be issued to:

(3) Any person who does not possess a reputation for or record of competency, honesty, truthfulness, financial integrity, and fair dealing;..." and

"§436B-19 **Grounds for refusal to renew, reinstate or restore and for revocation, suspension, denial, or condition of licenses.** In addition to any other acts or conditions provided by law, the licensing authority may refuse to renew, reinstate or restore or may deny, revoke, suspend, or condition in any manner, any license for any one or more of the following acts or conditions on the part of the licensee or the applicant thereof:

(1) Failure to meet or maintain the conditions and requirements necessary to qualify for the granting of a license;. . .

(8) Failure to maintain a record or history of competency, trustworthiness, fair dealing, and financial integrity;. . .

(12) Failure to comply, observe, or adhere to any law in a manner such that the licensing authority deems the applicant or holder to be an unfit or improper person to hold a license;. . ."

The Commission concluded that the information submitted indicates that Mr. Bitar does not meet the requirements for licensure pursuant to the provisions cited above.

Commissioner Arakaki seconded the motion. The motion was voted on and unanimously carried.

Next Meeting: Wednesday, November 26, 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, Chair Senter adjourned the meeting at 9:31 a.m.

Reviewed and approved by:

/s/ Miles I. Ino

Miles I. Ino
Executive Officer

November 7, 2014

Date

- Approved as circulated.
 Approved with corrections; see minutes of _____ meeting.

APPROVED APPLICATIONS FOR REAL ESTATE
REAL ESTATE COMMISSION MEETING ON OCTOBER 24, 2014

<u>Brokers – Limited Liability Companies and Partnerships</u>	<u>Effective Date</u>
Royal Infinity Realty, LLC Cecilio D. Manalo, PB	09/08/2014
Evolution West Management Services, LLC Phillip Keipper, PB	09/08/2014

<u>Brokers – Corporations and Partnerships</u>	<u>Effective Date</u>
RAW Enterprises, Inc. Richard A. Williams II, PB	09/24/2014

<u>Brokers – Sole Proprietor</u>	<u>Effective Date</u>
Dennis P. Simoncelli	08/18/2014
Craig S. Becker	08/26/2014
Sanda L Lichner dba Palm Realty	09/12/2014

<u>Trade Name</u>	<u>Effective Date</u>
MauI Gold Condos, LLC dba Hawaii Gold Properties	09/12/2014
Home Managers, LLC dba Yoshida Realty Group	09/23/2014

<u>Educational Equivalency Certificate</u>	<u>Expiration Date</u>
Christopher Gaeta	09/15/2016
Holly Penny Wood-Tod	09/17/2016
James R. Barcelona	09/18/2016
Travis Tyler Alan Stancil	09/19/2016
Kimberly Bowne Rex	09/24/2016
Andrew Russell Apodaca	09/25/2016
Laura Huntington	09/25/2016
Courtenay S. Hetem	09/25/2016
Jason Zhanfan Say	09/25/2016
James J. Liptak	09/25/2016
Sydney W. Liptak	09/25/2016
Kayoko Kaumeyer	09/26/2016
Garrett Evan Sisson	09/26/2016
David Wayne Larson	09/30/2016
Gerald Steven Halpern	09/30/2016
Christopher Michael Lovvorn	09/30/2016
Michael James Browne	09/30/2016
David Peter Starr	09/30/2016
Lixian Chen Liu	09/30/2016
David Liu	09/30/2016
Hobart Lee Epstein	09/30/2016
Gary Keisuke Afuso	09/30/2016

Tonya Renee Johnson	09/30/2016
Michael Train Caldwell	10/03/2016
Randeaate Irene Gonsalves McEnroe	10/03/2016
James Peter Calandra	10/07/2016
Karl Bradford Holfeld	10/07/2016
Kevin Wesley Hicks	10/07/2016
Mark David Haley	10/07/2016
Larry Lee Manning	10/07/2016
Julie Ann Sparks	10/07/2016
Denise A. Ware	10/07/2016
Richard Donald Loveland	10/07/2016
Edward Wayne Greenlee	10/09/2016
Donald F. Griffin, Jr.	10/09/2016
Sherry Diane Quintana-Lopez	10/09/2016
Walter Monroe Coffey	10/09/2016

<u>Equivalency to Uniform Section of Examination Certificate</u>	<u>Expiration Date</u>
Christopher Gaeta	09/15/2016
Holly Penny Wood-Tod	09/17/2016
James R. Barcelona	09/18/2016
Kimberly Bowne Rex	09/24/2016
Andrew Russell Apodaca	09/25/2016
Laura Huntington	09/25/2016
Courtenay S. Hetem	09/25/2016
James J. Liptak	09/25/2016
Sydney W. Liptak	09/25/2016
Kayoko Kaumeyer	09/26/2016
David Wayne Larson	09/30/2016
Gerald Steven Halpern	09/30/2016
Michael James Browne	09/30/2016
David Peter Starr	09/30/2016
Hobart Lee Epstein	09/30/2016
Michael Train Caldwell	10/03/2016
James Peter Calandra	10/07/2016
Larry Lee Manning	10/07/2016
Mark David Haley	10/07/2016
Denise A. Ware	10/07/2016
Richard Donald Loveland	10/07/2016
Edward Wayne Greenlee	10/09/2016
Donald F. Griffin, Jr.	10/09/2016
Sherry Diane Quintana-Lopez	10/09/2016
Walter Monroe Coffey	10/09/2016

<u>Real Estate Broker Experience Certificate</u>	<u>Expiration Date</u>
Yuri Hoshino	09/15/2016
Ryota Seki	09/15/2016

Holden Kela Gannon	09/15/2016
Puanani Kim Harwick	09/15/2016
James R. Barcelona	09/18/2016
Andrew Russell Apodaca	09/25/2016
James J. Liptak	09/25/2016
Sydney W. Liptak	09/25/2016
David Wayne Larson	09/30/2016
Gerald Steven Halpern	09/30/2016
Michael James Browne	09/30/2016
Hobart Lee Epstein	09/30/2016
Deanne Marie Lind	09/30/2016
Michael Train Caldwell	10/03/2016
Robert B. Huber	10/03/2016
Jimmy Huang	10/07/2016
James Peter Calandra	10/07/2016
Larry Lee Manning	10/07/2016
Julie Ann Sparks	10/07/2016
Davin Takeshi Kazama	10/07/2016
Rex Ko'opualau Matsuo	10/07/2016
Donald F. Griffin, Jr.	10/09/2016
Walter Monroe Coffey	10/09/2016
Paula Louise O'Very-Saylor	10/10/2016
Donna Lee Yamagishi	10/10/2016
Lisette Oliver	10/10/2016

Real Estate Broker

	<u>Effective Date</u>
Robert John Hasson	08/28/2014
Clinton Leslie Hansen	09/02/2014
Stefanie Cruz	09/02/2014
Kathryn E. Petty-Tubman	09/03/2014
Lonelle Jen Newman	09/04/2014
Joreen Knox	09/05/2014
Rick Wyffels	09/15/2014
Jennifer Scott Uilani McLean	09/17/2014
Robert Winslow Cohen	09/22/2014
William Adam Dornbush	09/24/2014
Jennifer D. Stein	09/26/2014
Harold Joseph Clarke	10/07/2014
William Robert Froelich	01/01/2015

Restoration – Real Estate Salesperson

	<u>Effective Date</u>
Robert Thomas Edison	10/02/2014
Coletta Anzalone Edison	10/02/2014

Continuing Education Equivalency

	<u>Effective Date</u>
Joseph Reynolds	09/15/2014

William Cittadino	09/15/2014
Dennis Robert Fransen	09/15/2014
John C. Pinchiaroli	09/15/2014
Wayne S. Nishimoto	09/30/2014
Jonah Scott Kogen	09/30/2014
Elerina P. Ambrocio	10/03/2014
Kenneth H. Schultz	10/07/2014
Amy Fairbanks Morro	10/07/2014