

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, March 27, 2015

Time: 9:00 a.m.

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

Present: Nikki Senter, Chair, Public/Honolulu Commissioner
Scott Sherley, Vice Chair, Broker, Hawaii Island Commissioner
Scott Arakaki, Public/Honolulu Commissioner
Rowena Cobb, Broker/Kauai Commissioner
Bruce Faulkner, Broker/Maui Commissioner
Laurie Lee, Broker/Honolulu Commissioner
Aileen Wada, Broker/Honolulu 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
Dathan Choy, Condominium Specialist
David Grupen, Real Estate Specialist
Amy Endo, Real Estate Specialist
Shari Wong, Deputy Attorney General
Marilyn Antolin, Recording Secretary

Other: Lei Fukumura, Special Deputy Attorney General
Patrick Kelly, Staff Attorney -Regulated Industry Complaints Office (RICO)
Ryan Allman

Call to Order: Chair Senter 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.

Executive Officer's Report: No report was presented.

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.

Minutes of the Previous Meetings: Commissioner Klein inquired about the possibility of audio recording the Commission meetings. EO Ino responded that there are technical issues involved and recordation of the meeting, at this time, is not attainable. There are issues that need to be further examined, including Office of Information Practices (OIP) requirements on recording, requirements by statute as to retention of data on external devices and production of government records, and procurement of professional services to transcribe audio recordings.

Deputy Attorney Wong noted that paraphrasing is allowable and an acceptable form of minute taking at the Commission meetings. Deputy Wong also noted that if the recording is used solely as a resource for the individual taking the minutes of the meeting, it is not government record and need not be retained and produced and can be discarded immediately after the meeting.

Commissioner Arakaki commented that if the system is working, there is no immediate need to change the current way that the minutes are taken.

Upon a motion by Commissioner Sherley, seconded by Commissioner Faulkner it was voted on and unanimously carried to accept the minutes of the February 27, 2015 meeting.

Committees and Program of Work: **Laws and Rules Review Committee – Legislative and Government Participation Report**

Title 16, Chapter 99 Public Hearing –

EO Ino reported that the current Draft 8 of the Proposed Amendments to Hawaii Administrative Rules, Title 16 Chapter 99, Real Estate Brokers and

Salespersons is progressing along the approval process. It will be forwarded to the Attorney General office for review and if appropriate, approved as to form. It will then be sent to the Governor's office for approval. EO Ino noted that there are some issues that have come up for discussion during this process. These issues will be addressed and incorporated in the next proposed amendments which will be initiated shortly after this current set of amendments is approved.

Supervising Executive Officer left the meeting @ 9:35a.m.

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

The Chair took the agenda out of order.

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.

Ryan Cristobal Allman

Mr. Allman was present to answer any questions the Commissioners had about his license application. Chair Senter asked Mr. Allman if he wished to have his application considered in executive session and Mr. Allman answered in the affirmative.

Executive Session: Upon a motion by Commissioner Sherley, 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 Arakaki, seconded by Commissioner Faulkner, it was voted on and unanimously carried to move out of executive session.

Licensing Applications: **Regina Chun-Ling Sha**
After review of the information presented, Commissioner Wada moved to approve the license application of Regina Chun-Ling Sha. Commissioner Lee seconded the motion, and the motion passed.

Ryan Cristobal Allman

After review of the information presented, Commissioner Sherley moved to most likely approve the real estate salesperson application of Ryan Allman. Commissioners Faulkner seconded the motion, and it passed unanimously.

Chapter 91, HRS,
Adjudicatory
Matters:

The Chair called for a recess from the meeting at 9:30 a.m., to discuss and deliberate on the following adjudicatory matters, pursuant to Chapter 91, HRS:

In the Matter of the Real Estate License of Judy J. Jakobovits, a.k.a. Judith S. Jakobovits, a Real Estate Broker: REC 2014-129-L

Upon a motion by Commissioner Cobb, seconded by Commissioner Faulkner, it was voted on and unanimously 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 9:40 a.m.

Commissioner Faulkner moved to add Regulated Industry Staff Attorney Patrick Kelly to the agenda of March 27, 2015. Commissioner Sherley seconded the motion, the motion passed.

Committees and
Program of Work:

Program of Work –

Patrick Kelly, Staff Attorney at the Regulated Industry Complaints Office (RICO) for over 10 years, was present to provide an overview of RICO's role as the enforcement agency responsible for over 44 boards, commissions and programs administratively handled by the Professional and Vocational Licensing (PVL) Division. RICO's intake center, Consumer Resource Center (CRC) receives consumer complaints through walk-ins, correspondences, interdepartmental referrals, and email for possible violation(s). After a thorough investigation, RICO legal department of which currently consists of 8 staff attorneys, prepare for further investigation if needed and/or disciplinary action(s). From the time the complaint is received, it may go through the field investigation process, then forwarded to legal for action which could take nearly 2-3 years.

Mr. Kelly further described the different tiers & how aggravating and mitigating circumstances may determine the fines and violation(s) for the case. The credibility and availability of witnesses may play a factor in pursuing a case. Mr. Kelly described different scenarios and explained when a warning letter may be generated. In some instances, cases are resolved prior to the filing of disciplinary action(s).

Next Meeting: Friday, April 24, 2015
 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
 11:00 a.m.

Reviewed and approved by:

/s/ Miles I. Ino

Miles I. Ino
Executive Officer

April 14, 2015

Date

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

APPROVED APPLICATIONS FOR REAL ESTATE
REAL ESTATE COMMISSION MEETING ON MARCH 27, 2015

<u>Brokers – Limited Liability Companies and Partnerships</u>	<u>Effective Date</u>
Roi Commercial Properties, LLC	02/17/2015
Gary R. Kenar, PB	
Rick Nakama Realty, LLC	01/28/2015
Rick Nakama, PB	
Maui Rentals & Realty, LLC	02/01/2015
Christine Huff, PB	
Hawaii Realty Group, LLC	02/04/2015
Joseph K. Ahina, PB	
Sunrise Properties, LLC	02/10/2015
Terry Schoneberg, PB	
Clifford Woo Realty, LLC	02/17/2015
Clifford SL Woo, PB	
Hawaii Lifestyle Retail Properties, LLC	02/18/2015
Scott K. Hayashi	
Hugh Starr & Co., LLC	02/19/2015
Hugh Y. Starr	
Hawaii Referral Network, LLC	02/26/2015
Paul Chicoine, PB	
Hawaii Real Estate Ohana, LLC	03/04/2015
Choon H. James, PB	
 <u>Brokers – Corporations and Partnerships</u>	 <u>Effective Date</u>
iHome Management, Inc.	02/23/2015
Miho Choo O’Grady, PB	
 <u>Brokers – Sole Proprietor</u>	 <u>Effective Date</u>
Gary R. Sweaney	01/07/2015
Edgar P. Miner	01/13/2015
Lawrence L. Dreffs	01/22/2015
Gregory P. Smith	01/27/2015
Michael Ford	01/28/2015
Deryck C. Wahl	01/29/2015
Sharon Knutson	02/02/2015
Donald D. Carroll Jr.	02/06/2015
Kelvin Elisary	02/23/2015
Ronald J. Howlett	02/11/2015
Alisa M Y Woo	02/13/2015
Charles F. Hosley	02/25/2015
Christina M. Bakeman	02/25/2015

<u>Branch Office</u>	<u>Effective Date</u>
Elite Pacific Properties, LLC Stephen Cipres, PB	02/02/2015
Waikiki Realty II Inc. Gwen Tanno, PB	02/12/2015

<u>Real Estate Broker</u>	<u>Effective Date</u>
Michael Ford	01/28/2015
Aaron Zane	01/29/2015
Matthew Gabriel	01/29/2015
Bobbin Tabalno	02/02/2015
Victoria E. Beaupre	02/12/2015
Holden K. Gannon	02/13/2015
Tomas Desset	02/18/2015
Paul J. Roy	02/19/2015
Irene L. Sands	02/20/2015
Jeff Wang	03/03/2015

<u>Limited Liability Companies and Partnerships Name</u>	<u>Effective Date</u>
iProperties Hawaii, LLC (fka Shirokiya Residential Estates)	02/09/2015

<u>Trade Name</u>	<u>Effective Date</u>
Luva LLC dba Luva Real Estate	02/06/2015
Dennis P. Simoncelli dba Simoncelli Group	02/19/2015
Locations Maui, LLC dba Locations Maui	02/23/2015
Edgar P. Miner dba Edgar P Miner Realty	02/25/2015

<u>Educational Equivalency Certificate</u>	<u>Expiration Date</u>
Tiffany M. M. B. Kekumu	02/17/2017
Philip Tansey	02/17/2017
Shelly Ann Curtis	02/17/2017
Daniela G. Hanna	02/17/2017
Yanjun Tao	02/17/2017
James T. Lee	02/17/2017
Kellie Lynn Mason	02/17/2017
Kimberly M. Nolasco	02/17/2017
Allen S. Lui	02/17/2017
Lilly R. Lund	02/17/2017
Josephine P. Schaaf	02/20/2017
Michael M. Sato	02/20/2017
Dennis S. Giompaolo	02/23/2017
Melvin O. Fleener	02/23/2017
Tara L. Wolper	02/23/2017
Adriana Teymouri	02/23/2017
Jason H. Lee	02/23/2017
Maria Y. Pacheco	02/23/2017
Kelly M. Hartman	02/23/2017

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Kenneth S. Goldblatt	02/23/2017
Lisa Y. Romelfanger	02/23/2017
Michael A. Polley	02/23/2017
Kelly M. Byrne	02/24/2017
Jlyne G. Oughton	02/26/2017
Richard Vollstedt	02/26/2017
Jimu Furuta	02/27/2017
Chantelle M. L. Zane	02/27/2017
Sheryl A. Shigemasa	02/27/2017
Abraham S. Kim	03/02/2017
Robert P. Oswald	03/05/2017
Chad T. Y. Shimabukuro	03/05/2017
Stephanie W. Oswald	03/05/2017
Timothy R. Myers	03/05/2017
Geoffrey M. Smith	03/05/2017
Gregg T. Yamanaka	03/05/2017
Christine D. Louie	03/05/2017
Sean M. Iwanski	03/05/2017
Robin Alise Hudson	03/10/2017
Krystle R. Moore	03/10/2017
Michelle Shuan Lin	03/10/2017
Christopher J. Woodard	03/11/2017
Leilani N. Randall	03/11/2017
Aaron B. Cuha	03/12/2017
Kirk N. Morris	03/12/2017
Charles Anthony Bennett	03/16/2017
Anthony Trovato	03/17/2017
Kimberly L. Portner	03/17/2017

<u>Equivalency to Uniform Section of Examination Certificate</u>	<u>Expiration Date</u>
Shelley Ann Curtis	02/17/2017
Daniela G. Hanna	02/17/2017
Kellie Lynn Mason	02/17/2017
Lilly R. Lund	02/17/2017
Allan S. Lui	02/17/2017
Josephine P. Schaaf	02/20/2017
Melvin O. Fleener	02/23/2017
Tara L. Wolper	02/23/2017
Adriana Teymouri	02/23/2017
Lisa Y. Romelfanger	02/23/2017
Michael A. Polley	02/23/2017
Kelly M. Byrne	02/24/2017
Jlyne G. Oughton	02/26/2017
Richard Vollstedt	02/26/2017
Chantelle M. L. Zane	02/27/2017
Sheryl A. Shigemasa	02/27/2017
Michael J Duffy	02/27/2017

Matthew A Kodama	03/04/2017
Pauline E. Empie	03/04/2017
Robert P. Oswald	03/05/2017
Chad T. Y. Shimabukuro	03/05/2017
Stephanie W. Oswald	03/05/2017
Timothy R. Myers	03/05/2017
Robin Alise Hudson	03/10/2017
Krystle R. Moore	03/10/2017
Michelle Shuan Lin	03/10/2017
Leilani N. Randall	03/11/2017
Aaron B. Cuha	03/12/2017
Kirk N. Morris	03/12/2017
Charles Anthony Bennett	03/16/2017
Kimberly L. Portner	03/17/2017

Real Estate Broker Experience Certificate

Expiration Date

Daniela G. Hanna	02/17/2017
Lilly R. Lund	02/17/2017
Allan S. Lui	02/17/2017
Melvin O. Fleener	02/23/2017
Adriana Teymouri	02/23/2017
Michael A. Polley	02/23/2017
Kelly M. Byrne	02/24/2017
Tai Gibson	02/24/2017
Kekaiokona K Kanehele	02/27/2017
Scott B. Villard	03/02/2017
Robert P Oswald	03/05/2017
Chad T Y Shimabukuro	03/05/2017
Stephanie W. Oswald	03/05/2017
Timothy R. Myers	03/05/2017
Kamalani Duerksen	03/05/2017
Robin Alise Hudson	03/10/2017
Krystle R. Moore	03/10/2017
Charles H. Kobayashi III	03/10/2017
Michelle Shuan Lin	03/10/2017
Aaron B. Cuha	03/12/2017
Erin Clapper	03/12/2017
Brian K. Yano	03/12/2017
Toni Rae Mello-Mendez	03/13/2017
Charles Anthony Bennett	03/16/2017

Restoration – Corporation

Effective Date

R D Salyer Inc.	02/05/2015
Ideal Properties Inc.	02/09/2015
Sun-West Properties and Development Inc.	02/09/2015
Island Properties Sales, Dev., Mgmt. Corp.	02/17/2015
Dream Castle Consultants	02/17/2015

Lowell D. Funk Inc.
Ogawa Realty and Management, Inc.

02/23/2015
03/04/2015

Restoraton – Limited Liability Company

Effective Date

4% Real Estate Hawaii, LLC
Blue Hawaii International, LLC
2 Papayas, LLC
Real Estate Strategies International, LLC
Hawaiian Estates Realty, LLC
Ferreira Properties, LLC
Sunrise Realty, LLC
Pacific Hawaii Realty, LLC

02/09/2015
02/10/2015
02/23/2015
02/17/2015
02/17/2015
02/13/2015
02/20/2015
03/09/2015

Restoration – Sole Proprietor

Effective Date

Angelita M. Pasion dba Aloha Hawaii Realty
Edwin D. Yost dba Midpac International
Stephanie K. Coble dba Molokai Real Estate

02/10/2015
02/11/2015
03/09/2015

Restoration – Real Estate Broker

Effective Date

Daniel Macalutas

03/09/2015

Restoration – Real Estate Salesperson

Effective Date

Karen Allen
Aida Macalutas

03/06/2015
03/09/2015