



Hawaii Condominium Bulletin

Growing Mediation to Resolve Condominium Disputes By Tracey Wiltgen

contents

Growing Mediation to Resolve
Condominium Disputes
pages 1, 2

Message from the Chair
page 2

Minutes: Contents
page 3 - 6

Ask the
Condominium Specialist
page 6

Mediation Providers
page 7

Best Practices: Finding and
Selecting the Right Mediator
page 8

Mediation Case Summaries
page 9

2015 Real Estate Commission
Meeting Schedule
page 10

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submit your request.

To encourage the use of mediation in condominium-related disputes, in 2014 the Hawaii State Legislature amended the Hawaii Revised Statutes (HRS) §514B-72 to include an additional annual condominium education trust fund fee in an amount equal to the product of \$1.50 times the number of condominium units included in the registered project or association. HRS § 514B-71(a)(4) was also amended to require the Hawaii Real Estate Commission to “budget an amount and expend moneys from the condominium education trust fund specifically to support mediation of condominium related disputes utilizing professionally trained mediators for those parties and disputes specified in HRS § 514B-161.”

The changes to HRS §514B-72 and HRS § 514B-71(a)(4) conveyed two important messages. First, that mediation is a valuable process for addressing condominium related disputes and should be used more frequently. And second, that the mediators who mediate condominium disputes specified in section 514B-161, must have specialized training and knowledge to provide the participants with the best possible opportunity for reaching a resolution. In direct response to the statutory changes, starting on July 1, 2015, more options for accessing mediators with the requisite training will be made available and the costs of participating in mediation will be covered by the condominium education trust fund.

Prior to the changes to § HRS 514B-71 and 72, the cost of participating in mediation was defrayed by the condominium education trust fund for cases mediated through the community mediation centers located throughout the State. Parties who chose to use the services of a private mediator would be responsible for the entire cost. Despite the added expense, private mediators were used in some instances because they could be selected for their skills as a mediator, as well as for their subject matter knowledge of the laws governing condominium associations and the relevant case law. Having knowledge and expertise allowed these mediators to ask critical questions that helped move the parties towards productive problem solving, as well as enabled them to use an evaluative approach of assessing the strengths and weaknesses of each party's position when the parties were at an impasse.

The evaluative approach to mediation essentially provides a mediator with additional tools to help the parties reach a resolution. While mediators who adhere to a strictly facilitative approach to mediation can also be successful, particularly when relationships and high emotion are involved, the facilitative approach relies on interest based negotiation and reality testing to assist the participants in reaching agreements. It offers the parties more space and flexibility to come up with their own solutions rather than relying on the mediator's perspective of the strengths and weaknesses of each party's case.

Mediators who use evaluation as a strategy to move the parties towards a settlement, can do so in a variety of ways. For example, during a private session with each party, the mediator might serve as an agent of reality by discussing the areas of weakness that s/he sees in each party's case. A mediator may also offer a proposal that represents his/her independent and objective evaluation of the dispute and recommendation for a settlement that would be better for both parties rather than going to litigation. A mediator's evaluation or proposal will only be effective in convincing the parties to settle if the mediator has credibility with the parties as being knowledgeable of the relevant laws and case law.

(continued page 2)

Message from the Chair



Aloha,

Summer is upon us, and this edition of the Hawaii Condominium Bulletin is chock full of information on “Mediation”. In 2014 the Hawaii State Legislature amended Hawaii Revised Statutes § 514B-72 to include an additional annual condominium education trust fund fee to assist in more substantive mediation.

Mediation is an important part of condominium ownership in solving disputes between owners and associations and should be used more to solve those disputes. We see many times some very simple situations that end up in court, when in fact it could have been resolved in mediation.

There is also an excellent article on Meeting Minutes by Steve Glanstein a Professional Registered Parliamentarian. Over my 20+ years in Association Management I have seen many meeting minutes that spend more time on “opinions and/or discussions” than the actual motion and results. This article sets an excellent guideline for better minutes.

In July the Real Estate Commission will release the New Core Course Part A 2015 Mandatory Course for all real estate licensees as part of their required 20 hours of Continuing Education before renewal of their real estate license at the end of 2016. Both Core A 2015 and Core B 2016 will deal very heavily in the condominium law for Hawaii. These licensee courses are very detailed - on the creation of a condo to the management of an association. Condominium ownership in Hawaii is a very large percentage of all sales, and giving licensees state wide a better knowledge of the condominium statutes is a benefit to the consumer.

Aloha,

Scott A. Sherley

Growing Mediation to Resolve Condominium Disputes (cont. from page 1)

Irrespective of whether a mediator uses a facilitative or evaluative approach or both, there are key elements in common for all mediations. First, a foundation must be laid in the mediation process before any negotiating or problem solving can occur. This means that all relevant information is gathered and shared, concerns are heard and emotions de-escalated. While some mediators may ask for a pre-mediation statement outlining key information and points, all mediators will spend a certain amount of time listening to each party’s perspective. Second, interest based bargaining and a facilitated approach is often used first by all mediators, before using tools of reality testing, evaluating or proposals. Finally, whether or not a mediator offers an evaluation or proposal, the final decision is always up to the parties. And when mediation isn’t successful, the parties may go to litigation.

Mediation is an informal, confidential process for resolving disputes quickly. And while different mediators use different approaches and tools to assist parties in reaching a settlement, the final decision is always up to the parties themselves. It is the perfect process for addressing disputes that arise within condominiums. It can save an AOUO thousands of dollars in legal fees and may even help to restore a more harmonious relationship within a condominium community. Now thanks to HRS §514B-72 and HRS § 514B-71(a)(4), starting on July 1, 2015, condominium owners and board directors will have more opportunities to use mediation services offered by private mediators as well as community mediation centers, to resolve disputes specified in HRS § 514B-161, at minimal cost to the parties.

Tracey Wiltgen is the Executive Director of the Mediation Center of the Pacific, a 501(c)(3) nonprofit corporation that provides mediation and dispute resolution services for more than 5,000 people annually.

Introduction:

This explanation of minutes is based upon the current edition of *Robert's Rules of Order Newly Revised* 11th edition, (abbreviated RONR) pages 354-355 and 468-476.

This article was originally published in 1998 and was based upon the 9th edition of RONR. Although the 10th and 11th editions of RONR made only minor changes to the requirements for minutes, there has been an increased need to provide this information with updated references and a few examples to support the need for appropriate drafting of minutes. This article was recently printed in the CAI Hawaii's April 2015 Newsletter.

This article is oriented towards Hawaii's Condominium and Community Associations which are required to conduct their proceedings in accordance with RONR.

Minutes-Defined:

Minutes are the official records of the proceedings of a deliberative assembly. Hawaii's condominium property regimes, cooperatives, community associations, and the board of directors function as deliberative assemblies. **The minutes do not become the official record of the proceedings until they have been approved.**

The actions of an organization start immediately when a motion is adopted and not when the minutes are approved. Notwithstanding any official approval, minutes may be amended even years later by the motion to *Amend Something Previously Adopted*.

There is no requirement that an individual be present at a specific meeting in order to be eligible to vote to approve that particular meetings minutes. Even if the regular secretary was not present at a specific annual meeting, the secretary, if a voting member, may still participate and vote, if necessary, to approve the minutes.

RONR page 468 is definitive about the contents of minutes. It states in part, "In an ordinary society, the minutes should contain mainly a record of what was done at the meeting, not what was said by the members." The minutes are supposed to be a record of **what was done and not what was said!**

Minutes don't contain the following:

1. the engineer's opinion or report;
2. the lawyer's opinion or report;
3. the parliamentarian's opinion or report;
4. the community association manager's opinion or report;
5. the resident manager's opinion or report;
6. the secretary's opinion or report;
7. the treasurer's opinion or report;
8. the names of members speaking in favor of or opposed to a motion or their statements;
9. individual members' or non-members' demands for their remarks to be in the minutes; or
10. post-meeting comments such as owners' forum remarks.

Notice that the actual presentation of a report is recorded in the minutes (See Additional Tips Related to Minutes, Item 3).

Minutes don't need to contain the following:

1. an individual's apartment number;
2. the name of the seconder, unless **specifically ordered** by the group; or
3. the name of every guest who attends the meeting, unless **specifically ordered** by the group.

Each of the above items has appeared in minutes of more than one Hawaii community association or board. Many of these items have caused some form of conflict at either an association annual meeting or a board of directors' meeting. This handout will describe a few situations where minutes have negatively impacted association management. It will also provide information for a good set of minutes, and provide internet links to a sample set of meeting minutes for a fictitious annual association meeting and board meeting.

Incorrect Minutes can have unforeseen consequences:

(Generic names are used to protect the well-intentioned guilty! Each of the examples below except for the last court case has been found in the minutes of at least one association this past year.)

Minutes: Contents (cont. from page 3)

1. One set of annual meeting minutes included comments from the owners' forum. The minutes contained the statement, John and Jane Doe donated their time to plant the new palm trees at the back of the building.

Although this statement seems very helpful for the association, it has created a documented history of work being done by individuals on the common area. Their license status is unknown. Were they considered employees? What if somebody is injured by an improperly placed palm tree? Since it was in the annual meeting minutes, it is now available to future purchasers, owners, litigants, etc.

2. Another set of minutes contained the following, mistakenly included under New Business: Mrs. Roe requested clarification regarding the progress of the installation of a handicapped parking space on the premises. The president clarified that the association does not fall under ADA standards, but regardless is working to install a loading area suitable for handicapped vehicle requirements for the benefit of residents. Further, she noted that the main obstacle to the AOA's progress is finding sufficient space for a fully compliant parking/loading area.

Regardless of whether the president's ADA statement is correct, issues are created if there is no loading area installed. Even the explanation about a main obstacle can be used against an association if it can be shown in the future that there was sufficient space in some other area.

3. A set of board minutes described in detail an owner's concern about black mold on the property. Even though the board investigated, there was nothing in the minutes to indicate that a complete investigation was done and the problem resolved.
4. A real court case occurred several years ago. The minutes of a meeting consisted entirely of the notes of a secretary, paraphrasing various statements and motions. The attorney's argument, even referencing Robert's Rules, failed to dissuade the court from using the paraphrased statements as if they were official action, even though the statements differed from the real decisions of the group.

Minutes should contain the following basic information:

1. the name of the organization;
2. type of meeting, for example, annual, regular, special, etc.;
3. the date, time, and place, if not always the same;
4. the fact that the regular chairman and secretary were present, or the names of the persons who substituted for them; and
5. whether the minutes of the previous meeting were read and approved or first corrected and then approved with the corrections.

Minutes should contain the following information related to each subject matter:

1. all main motions or motions that bring a main question back to the organization (*Take from the Table, Rescind or Amend Something Previously Adopted, Discharge a Committee, and Reconsider*);
2. the disposition of main motions or motions that bring a main question back to the organization B if one of these motions is temporarily disposed of (for example, postponed to the next meeting, referred to a committee, etc.), then any motions directly related to the original motion must also be included in the minutes;
3. other motions that were not lost or withdrawn in cases where it is necessary to record them for completeness or clarity;
4. formal notices of motions to be brought up at a future meeting; and
5. the motions *Point of Order and Appeal* (demand for enforcement of the rules and an attempt to reverse the chair's ruling, respectively), whether sustained or lost, including the reason for the chair's ruling.

The *Point of Order* is one of the few motions where the minutes will have the chair's reason for a decision. Occasionally, a supportive opinion from the lawyer or parliamentarian becomes the basis for a chair's ruling. In these cases, some organizations include the document in the minutes because they relate to and form the basis for a particular ruling.

Minutes are also subject to several additional rules:

1. When a count is ordered or the vote is by ballot, the number of votes should be entered. In the case of an election, all votes must be disclosed both to the membership and in the minutes, **including improper votes and votes received by individuals who were not elected.**

Minutes: Contents (cont. from page 4)

2. When the voting requires the entering of the votes in the minutes (such as a regular or special board meeting conducted for an organization complying with HRS Chapters 421I, 421J, or 514B), then the names of those voting on each side should be entered in the minutes.
3. The name of a committee and the reporting member can be entered in the minutes when a committee report is provided. Do not attach or include the report as a part of the minutes unless **specifically ordered** by the group.
4. A Planned Community Association [reference HRS § 421J-5 (f)] has additional rules regarding content of board minutes relating to the appointment of committees or subcommittees.
5. The name and subject of a guest speaker can be entered but no effort should be made to summarize the remarks.

Additional tips related to minutes:

1. Make sure that the exact wording of adopted motions is placed in the minutes. There are numerous examples of disputes that have occurred regarding the actual wording of a specific motion.
2. Make sure that the minutes include items that may be legally required. (The attorney should be able to help in this area.)
3. The details of the officers' reports, resident manager's report, community association manager's report, etc. are rarely formally endorsed by an association or a board. Therefore, the minutes should simply state that the report was presented. Do not attach the report to the minutes unless it was formally endorsed.
4. Sometimes a *Point of Order* motion is **used erroneously** to provide information, debate, or ask a question. In this case it **is not** the true *Point of Order* motion. Therefore, questions or statements of this type should not be in the minutes. The proper motion for asking questions is a *Parliamentary Inquiry* or a *Request for Information*.
5. When the minutes are approved, the word Approved with the secretary's initials and date should be written at the bottom.

Executive session minutes:

1. Make sure that executive session minutes are maintained with very tight secrecy and confidentiality.
2. Minutes should be taken of *all official board meetings*. The failure to take proper minutes of executive session meetings can lead to disputes about whether certain decisions were actually authorized. It can also be used to demonstrate that a board has a history of taking action that has never been properly authorized in an appropriate set of minutes.
3. Motions in executive session do not go in the minutes of the regular meeting unless the board, in executive session, specifically orders their release.

For example, a motion authorizing the hiring of a resident manager at a specific salary may be approved in executive session.

However, the board, in executive session, could also authorize publication in the regular meeting minutes the decision to hire the resident manager, redacting any salary information.

Other examples which have actually occurred in Hawaii include motions authorizing settlement of a legal matter for not more than a specific amount or a confidential ADA settlement agreement. Disclosure of this information could damage the association or void an agreement.

4. Executive session minutes must have very limited distribution and the board should adopt a formal distribution policy. Here is a sample policy:
 - (a) Executive session minutes are not to be distributed in any other manner not specifically prescribed below. (This policy would *prohibit* e-mail, website, or snail-mail distribution.)
 - (b) Number the copies of the executive session minutes and distribute them for board approval in executive session only.
 - (c) Return all numbered copies to the secretary (if self-managed) or community association manager at the meeting immediately after their approval before anybody leaves.
 - (d) Destroy all copies except retain two originals. One original should be in a separately secured file with the secretary (if self-managed) or community association manager and another one at the attorney's office.
 - (e) Ensure that all executive session minutes are purged from any computer readable media and backup.
 - (f) The agreement by the community association management company to comply with these procedures should be in writing and filed with the association records.

Minutes: Contents (cont. from page 5)

A sample set of minutes in “Word” and “PDF” forms are available through the web-links:
<http://tinyurl.com/Steveghi-Minutes-doc> and <http://tinyurl.com/Steveghi-Minutes-pdf>

The reader is urged to consult appropriate legal counsel for applicability of current laws to the minutes.

Steve Glanstein is a past president of the Hawaii Chapter of CAI as well as the Hawaii State Association of Parliamentarians. He is on the board of the National Association of Parliamentarians⁷. He has an extensive resume as a professional registered parliamentarian for over 30 years and more than 1,400 meetings. He has served as an expert witness on parliamentary procedure for many years. He assists many associations in the State of Hawaii and is a frequent contributor for subjects on parliamentary procedure.

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Ask the Condominium Specialist

Q: I believe my board used proxy ballots illegally. What can I do about this?

A: The use of proxy ballots is governed by HRS § 514B-123. Should you believe proxies are invalid, e.g., invalid on their face pursuant to HRS § 514B -123, or illegally solicited, you may submit your concern to mediation or arbitration, or consult with a private attorney. Prior to submitting this issue to a form of dispute resolution, you may want to review the proxy ballots. The condominium law allows owners to inspect or examine items related to an association meeting, pursuant to HRS § 514B-154 (c).

The presumption of the statute with regard to records appears to be that copies of materials (including voting records) will be made available to take with you, thus there is also a provision relating to a “reasonable fee” and the maximum amount that may be charged to you (HRS § 514B-154 (j)).

Q: Where may I submit my condominium dispute to mediation?

A: The following providers conduct facilitative mediation. On Hawaii Island, Ku`ikahi Mediation Center, 101 Aupuni Street, Suite PH 1014 may be reached by telephone at 935-7844; West Hawaii Mediation Center may be reached at 885-5525. On Maui, Maui Media-tion Services is located in the J. Walter Cameron Center at 95 Mahalani Street, Suite 25 and may be reached at 244-5744. Kaua`i Economic Opportunity at 2804 Wehe Road, in Lihu`e, telephone number 245-4077, provides mediation for Kaua`i residents. On Oahu, The Mediation Center of the Pacific may be reached at 521-6767.

The following providers conduct evaluative mediation on all islands. The Mediation Center of the Pacific whose contact information is noted above; and beginning July 1, 2015, Dispute Prevention and Resolution, Inc., 1003 Bishop Street, Suite 1155, telephone 523-1234; Lou Chang, P.O. Box 61188, Honolulu 96839, telephone 384-2468; and Charles “Chuck” Crumpton, 745 Fort Street, Suite 702, telephone 439-8600.

The information provided herein is informal and intended for general informational purposes only. Consult with an attorney familiar with the Hawaii condominium law for specific legal advice regarding a particular situation.

Evaluative Mediation Providers

Lou Chang

Mediator, Arbitrator, Attorney
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Lou Chang serves as an independent and neutral mediator and arbitrator for business, commercial, condominium, design & construction, labor-management, employment, franchise, real estate, insurance, probate, family business, personal injury and civil disputes. He is on the panels of the Dispute Prevention & Resolution, Inc., American Arbitration Association (Mediation, Construction, Commercial, Large Complex Case Panel, Labor), Federal Mediation & Conciliation Service, Hawaii Labor Relations Board, Court and Appellate Mediation Panels (Hawaii) and other local, national and international organizations.

Mr. Chang has handled disputes involving a broad range of business, contract, commercial, insurance, financial, condominium and development matters. Construction industry design and construction matters have involved disputes over deficiencies, changed conditions, change orders, bond claims, insurance defense and coverage, product defects, petroleum and mold contamination and other issues. His practice includes labor and employment matters, property, corporate, hotel industry, professional liability, franchise, licensing, banking and financial services.

Teaching Experience

· Adjunct Faculty/Lecturer at the Matsunaga Institute for Peace, University of Hawaii, Manoa. Mediation Skills, Negotiation, Advanced Facilitation and Mediation, Peace & Conflict Education Program.

· Faculty trainer of Arbitrators and/or mediators for the American Arbitration Association, Center for Alternative Dispute Resolution, The Accord Group, Federal Mediation and Conciliation Service, Mediation Center of the Pacific, Australian Commercial Disputes Centre, Hong Kong International Arbitration Centre, Subordinate Court-Singapore, Kuala Lumpur Regional Centre for Arbitration, Supreme Court of the Republic of Palau and others.

Charles W. Crumpton

TOPA Financial Center, Suite 702, 745 Fort Street, Honolulu, Hawaii 96813 ; Tel: (808) 439-8600; Email: crumpton@chjustice.com; websites: www.acctm.org, www.nadn.org, www.accord3.com; and www.mediate.com

Charles W. ("Chuck") Crumpton has been a litigation attorney since 1978 and a mediator and arbitrator since 1985 in civil cases. He has been a teacher and trainer of international and US business executives, managers and undergraduate and graduate students in collaborative leadership and conflict resolution since 1995; a consultant on conflict resolution, mediation and arbitration laws, systems and practice since 2008 and a consultant, mediator and facilitator of complex public policy issues and conflicts with Accord 3.0 Consultants (www.accord3.com) since 2012.

He is the founder and President of the International Law Foundation developing international exchange programs in the above fields and strategic planning and conflict resolution for public policy issues and conflicts since 1996.

Mediation Center of the Pacific, Inc., 245 N. Kukui Street # 206, Tel: 521-6767, Email: mcp@mediatehawaii.org

Dispute Prevention and Resolution, 1003 Bishop Street, Suite 1155, Tel: 523-1234, <http://www.dprhawaii.com/>

Best Practices: Finding and Selecting the Right Mediator

By Lou Chang, Copyright, 2015

In a series of studies of the attributes of effective mediators (defined as one who frequently gets results), authors/researchers Stephen B. Goldberg and Margaret L. Shaw found that a mediator's ability to establish rapport and to earn the trust of the parties was the most significant attribute of successful mediators. Studies of mediators and parties who use mediators identify the following qualities, skills and characteristics of effective mediators:

- Ability to develop rapport (friendly, empathic, diplomatic, likable, relates to all, conveys sense of caring, desire to find solutions) and to earn the trust of the parties.
- Ability to listen and communicate empathetically, conveying that the mediator truly cares about the parties' feelings, needs, goals and concerns.
- High Integrity, honest, neutral, trustworthy, respects and guards confidences, non-judgmental, professional and ethical.
- Patience.
- Persistence.
- Creativity (the ability to help parties to identify and craft innovative solutions).
- Quick study, well prepared and knowledgeable about the substantive context and applicable law.
- Accessible and responsive to party schedules and needs.

[1] Stephen B. Goldberg and Margaret L. Shaw, The Secrets of Successful (and Unsuccessful) Mediators Continued: Studies Two and Three, Negotiation Journal, Oct, 2007.

What should you look for and how do you find and select a qualified mediator?

1. Determine the qualifications and experience of the mediator that you believe will be effective and suitable for your case and situation. Consider what experience, knowledge, training, technical, industry and/or legal background may be desirable.
2. Finding a competent mediator with the right mix of skills, training, education, experience and interpersonal skills depends on the context and needs of your particular dispute. Look for a mediator with proper training. Ask prospective mediators about their specific mediation training experience. See if the prospective mediator seeks continuing education and skills training and is a member of dispute resolution professional associations with codes of ethics.
3. Review your prospective mediator's website, resume and written qualifications. Do a "Google" search for potentially helpful information about your prospective mediator.
4. Ask for references and determine what other people who have experience with the prospective mediator have to say. You can check reputable organizations who maintain lists of experienced mediators. Some sources include: Mediate.com; American Arbitration Association (adr.org); Dispute Prevention & Resolution (dprhawaii.com). See www.courts.state.hi.us/cadr for an excellent Guide to Selecting a Mediator.
5. Get recommendations. Ask colleagues and friends about the reputation of the mediator and any experience they may have with your prospective mediator.
6. Interview your prospective mediator. If you do so, here are some good questions to ask:
 - Does your mediator have experience with the kind of case or matter? How much?
 - Has your mediator worked with or have any prior business, professional or social relationship with any of the parties or their representatives that might affect independence and impartiality?
 - Is the mediator skilled and able to provide flexible and adaptive mediation processes (facilitative, relationship focused, evaluative) to fit the circumstances and personalities involved?
 - Can the mediator manage the emotions and handle difficult situations that can arise in your matter? Is the mediator patient, calm, persistent?
 - Will your mediator be available to meet your schedule needs and timetable?
 - Will your mediator be able to earn the trust and respect of the other parties and representatives to be effective?
 - Will your mediator be proactive? Keeping parties at the table, coach and encourage resolutions and do more than transmit proposals and counterproposals?
 - Will your mediator push all sides to consider solutions? Is the mediator able and willing to offer a mediator's proposal or other "closing" strategies?
 - What ethical standards does your mediator subscribe to?
 - Does your mediator protect the confidentiality of the process and confidential information shared with the mediator?

Click this link for your complete issue of: [Mediation News for the 21st Century](#)

To Contact: LouChang@hula.net LouChang.com 808-384-2468

Life isn't tied with a bow but it's still a gift ~ Anonymous

Mediation Case Summaries

From March 2015 through May 2015, the following condominium mediations were conducted pursuant to Hawai'i Revised Statutes § 514B-161, and subsidized by the Real Estate Commission. Mediation Center of the Pacific conducted additional condominium mediations in Honolulu District Court.

On May 28, 2015, Maui Mediation Services held an open house and traditional Hawaii blessing of their office, welcoming the new executive director, Bevanne Bowers, while saying good bye to the departing executive director James Fiorino. A representative of the Maui Mayor's office was in attendance to support the importance of mediation as a means of dispute resolution in the community.

Ho'omaika'i MMS!

Mediation Center of the Pacific

Through Skype video conferencing capabilities, MCP has been conducting additional mediations with condominium owners who live part-time in Hawaii and are currently residing out of the state.

Board vs. Owner	Alleged violation of house rules.	Mediated; no agreement.
Owner vs. Board	Dispute over house rules and fines.	Board declined mediation.
Owner vs. Board	Alleged unequal enforcement of house rules.	Owner declined to follow up; no mediation.
Owner vs. Board	Alleged unequal enforcement of house rules; allegation that board not following bylaws in decision-making.	Board declined mediation.
Owner vs. Board	Dispute over definition of "fixtures" in declaration; alleged unauthorized removal of tiles from lanai.	Board declined mediation.

Mediation Services of Maui

Owner vs. Board	Issues involving landscape maintenance and alleged disability discrimination.	Mediated; no agreement.
Owner vs. Owner	Dispute between owners over common driveway.	Mediation declined by one of the owners.

West Hawaii Mediation Center

Owner vs. Board	Dispute over common elements.	Parties decided against mediation.
Owner vs. Board	Issue of alleged illegal vacation rentals	Mediation declined by the parties.

Ku'ikahi Mediation Center and Kaua'i Economic Opportunity did not report any condominium mediations for this period. They continue to reach out to the condominium communities to educate owners about the benefits of mediation as a dispute resolution tool, including being present at District Court for court-referred condominium mediation.

2015 Real Estate Commission Meeting Schedule

Laws & Rules Review Committee – 9:00 a.m.

**Condominium Review Committee – Upon adjournment of
the Laws & Rules Review Committee Meeting**

**Education Review Committee – Upon adjournment of the
Condominium Review Committee Meeting**

Real Estate Commission – 9:00 a.m.

Wednesday, June 10, 2015
Wednesday, July 08, 2015
Wednesday, August 12, 2015
Wednesday, September 09, 2015
Wednesday, October 07, 2015
Tuesday, November 10, 2015
Wednesday, December 02, 2015

Friday, June 26, 2015
Friday, July 24, 2015
Friday, August 28, 2015
Friday, September 25, 2015
Friday, October 23, 2015
Wednesday, November 25, 2015
Friday, December 18, 2015

All meetings will be held in the Queen Liliuokalani Conference Room of the King Kalakaua Building, 335 Merchant Street, First Floor.

Meeting dates, locations and times are subject to change without notice. Please visit the Commission's website at www.hawaii.gov/hirec or call the Real Estate Commission Office at (808) 586-2643 to confirm the dates, times and locations of the meetings. This material can be made available to individuals with special needs. Please contact the Executive Officer at (808) 586-2643 to submit your request.

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