

**CONDOMINIUM REVIEW COMMITTEE**  
REAL ESTATE COMMISSION  
Professional and Vocational Licensing Division  
Department of Commerce and Consumer Affairs  
State of Hawaii  
[www.hawaii.gov/hirec](http://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: July 8, 2015

Time: Upon adjournment of the Laws and Rules Review Committee meeting scheduled to convene at 9:00 a.m.

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

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

Neil Fujitani, Supervising Executive Officer  
Miles Ino, Executive Officer  
Cynthia Yee, Senior Condominium Specialist  
Dathan Choy, Condominium Specialist  
Diane Choy Fujimura, Senior Real Estate Specialist  
Amy Endo, Real Estate Specialist  
David Grupen, Real Estate Specialist  
Shari Wong, Deputy Attorney General  
Tammy Norton, Recording Secretary

Others: Rollie Litteral, American Dream Real Estate  
Aron Espinueva, Hawaii Association of REALTORS®  
John Dotten

Absent: None

Call to Order: Chair Sherley called the meeting to order at 9:40 a.m., at which time quorum was established.

Chair's Report: No report was presented.

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.

Condominium  
 Specialist's  
 Report:

**Minutes**

Upon a motion by Commissioner Lee, seconded by Commissioner Faulkner, it was voted on and unanimously carried to accept the minutes of the June 10, 2015 Condominium Review Committee meeting as circulated.

Condominium  
 Governance and  
 Management:

**AOUO Registrations**

Specialist Yee reported that as of June 30, 2015, 1,693 AOUOs have successfully registered for the 2013-2015 biennial registration.

**Mediation and Arbitration**

The following articles were distributed for informational purposes: "V. Mediation Concerns" excerpt from "Report of the 2014 Civil Law Forum" *Hawaii Bar Journal* June 2015; "Growing Mediation to Resolve Condominium Disputes" By Tracey Wiltgen *Hawaii Condominium Bulletin* June 2015; and "Where may I submit my condominium dispute to mediation" *Hawaii Condominium Bulletin* June 2015.

**Case Law Review Program**

The following case law was distributed for informational purposes: "Condo Member Has Power to Sue Over Building's Common Elements" *Canyon Vista Prop. Owners Assn. v. Laubach* (January 2014) *Community Association Management Insider* Special Issue.

**Condominium Related Articles**

The following articles were distributed for informational purposes: "Review Governing Documents for Compliance with Solar Statutes" *Community Association Management Insider* Special Issue); "Tips on Successfully Fulfilling Your Fiduciary Obligations", by Milton M. Motooka, Esq. *CAI Hawaii* (June 2015); and "Insurance Saving Tips For Condos and Homeowners Associations"- *CAI Hawaii* (June 2015).

Condominium  
 Project  
 Registration:

**Condominium Project Registration - Public Reports Issued**

A list of those condominium projects issued effective dates during the month of June 2015 were distributed for informational purposes.

PROJ #	PROJECT NAME	PROJECT ADDRESS	TMK #	UNIT	REPORT	DATE
7674	1100 ALA MOANA	1100 ALA MOANA BLVD HONOLULU HI 96814	123001005	127	B REPT	6/29/2015
7673	1328 AUPUPU STREET	1328-A & 1328-B AUPUPU ST KAILUA HI 96734	142030072	2	B REPT	6/30/2015
5224	2026 NINTH AVENUE	2026 NINTH AVE HONOLULU HI 96816	134001036	4	SUPPL 3	6/3/2015
7669	30 LINO PLACE CONDOMINIUM	30 AND 32 LINO PL PUKALANI HI 96768	223017017	2	B REPT	6/15/2015
7647	55-081 LANIHULI STREET	55-081-A & 55-081-B LANIHULI ST LAIE HI 96762	155017012	2	B REPT	6/17/2015
7602	931 AND 931-A 11TH AVENUE	931 & 931-A 11TH AVE HONOLULU HI 96816	132019020	2	B REPT	6/4/2015
7628	ALEKA CONDOMINIUM	2229 AINAKAHELE ST HILO HI 96720	324007105	2	FINAL	6/30/2015
7326	AWAKEA AT MEHANA	WAKEA ST KAKALA ST MANAWAI KAPOLEI HI 96707	191016212	124	B AMD 3	6/22/2015
7567	BELLA AINA CONDOMINIUM	9639 MAULE RD WAIMEA HI 96796	412008026	2	B AMD	6/2/2015
7677	EKEKELA-LILIIHA CONDOMINIUM	510 EKEKELA PL & 2308 LILIIHA ST HONOLULU HI 96817	118017056	2	B REPT	6/26/2015

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7658	FARRINGTON	67-028 NALUAHI ST & 67-466 WAIALUA HI 96791	167005084	2	B REPT	6/15/2015
6403	HONOKAHUA BEACH HOTEL	ONE RITZ CARLTON DR LAHAINA HI 96761	242004015	135	B AMD 3	6/12/2015
6873	JUNGLE CAMP	66-502A & 66-502B OAAKAA RD HALEIWA HI 96712	167017027	2	B AMD	6/15/2015
7648	KAHIKU AT MEHANA	724 KAKALA ST KAPOLEI HI 96707	191160051	22	B REPT	6/12/2015
7540	KALAHEO OCEAN VIEW ESTATES	KIKALA RD KALAHEO HI 96741	424002004	4	B REPT	6/4/2015
7645	KAPAHI AHE CONDOMINIUM	6413 KAWAIHAU RD KAPAA HI 96746	446007030	2	B REPT	6/30/2015
7653	KEALA O WAILEA	55 WAILEA GATEWAY PL WAILEA HI 96753	221028001	70	B REPT	6/15/2015
7659	KOELE SFRS CONDOMINIUM	30 & 34 KOELE WAY WAHIAWA HI 96786	173002097	4	B REPT	6/30/2015
4573	MAKANA HALE	LOT 7-A WAILUA HOMESTEADS WAILUA HI 96746	442021048	2	SUPPL	6/3/2015
7527	MANILA PALMS CONDOMINIUM	361 LUAWAI ST LAHAINA HI 96761	248003094	2	B REPT	6/3/2015
6298	PARKSIDE AT KILANI THE	1106 KILANI AVE WAHIAWA HI 96786	174009002	29	B AMD	6/8/2015
7639	RESIDENCES OF LAULE'A THE	68-1210 S KANIKU DR KAMUELA HI 96743	368022024	17	B REPT	6/24/2015
7667	TOWNHOMES AT THE COLLECTION	600 ALA MOANA BLVD HONOLULU HI 96813	121055043	14	B REPT	6/5/2015
7633	WEST KUIAHA MAUKA CONDOMINIUM	1658 & 1660 W KUIAHA RD HAIKU HI 96708	227012042	2	B REPT	6/8/2015
0	<b>Preliminary Reports</b>					
0	<b>Contingent Final Reports</b>					
1	<b>Final Reports</b>					
2	<b>Supplementary Reports</b>					
16	<b>B Reports</b>					
5	<b>B Amendment Reports</b>					
24	<b>TOTAL REPORTS</b>					

**§514B-83, HRS (a) (8), §514B-43, HRS, §514A-16, HRS "Notice of Completion"**

Specialist Yee reported that although the proponent made telephone contact with staff regarding this issue, the proponent did not follow up with a written request as promised. Therefore, no action is needed on this agenda item.

**Case Law**

The following case law was distributed for informational purposes: *Kellberg v. Yuen*, No. SCWC-12-0000266, April 15, 2015 reported in *the Hawaii Bar Journal* (June 2015).

Program of Work: **Advice, Education, and Referral**

Specialist Choy reported that staff has been made aware of association owners not receiving information from their designated contact person. To alleviate this, the Branch has started a direct subscribe email list. The site went live on May 28<sup>th</sup> and on June 30<sup>th</sup> the Real Estate Branch in collaboration with the department sent out a media release about the new subscription email service. The link to the subscribe webpage has also been added as a slider on the Commission's home page. Current subscription numbers stand at 94 as of July 7.

The first email was released on July 6 which discussed four areas: The June 2015 Hawaii Condominium Bulletin; RICO's new condo documents complaint form; a re-emphasis on board members' and owners' rights and responsibilities as well as links to the 2009 related booklets for board members and owners; and the new mediation contracts.

Future contemplated email blasts may include links to the Hawaii Condominium Bulletin, 2015 Acts that may impact condominiums, and surveys to collect data directly from owners about various condominium issues.

### **Interactive Participation with Organizations**

Specialist Yee reported that she received a call from an analyst with the local HUD office requesting support for an educational announcement relating to an informational forum on the new FHA Condominium Project Approval Process. The informational forum is scheduled for Wednesday, July 29 from 9:00 a.m. to 10:00 at the Honolulu Field Office. RSVP is required. To qualify for an FHA loan on a condo, the project must be on the FHA-Approved Condo list.

### **Neighbor Island Outreach**

The September 2015 committee meetings will be held in Kona, Hawaii on Friday, September 4, 2015.

Condominium Organizations Forum: No comments, recommendations or concerns were received from the following: Community Associations Institute Hawaii Chapter, Alakahi Foundation, Hawaii Council of Association of Apartment Owners, Hawaii Independent Condominium and Cooperative Owners, Hawaii State Bar Association/Real Property & Financial Services Section, Land Use Research Foundation, Condominium Council of Maui, Hawaii Association of Realtors/Institute of Real Estate Management Hawaii Chapter/ Oahu Arm Committee, others.

CETF Budget & Finance Report: Upon a motion by Commissioner Pang, seconded by Commissioner Faulkner, it was voted on and unanimously carried to accept the Condominium Education Trust Fund Financial Report for the period ending March 31, 2015.

Next Meeting: August 12, 2015  
Upon adjournment of the Laws and Rules Review Committee meeting scheduled to convene at 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 Sherley adjourned the meeting at 10:00 a.m.

Respectfully submitted:

/s/ Cynthia M. L. Yee

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Cynthia M. L. Yee  
Senior Condominium Specialist

July 13, 2015

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Date

Minutes approved as is.  
 Minutes approved with changes; see minutes of \_\_\_\_\_