

**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: November 10, 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  
Scott Arakaki, Public / Honolulu Commissioner  
Laurie A. Lee, Broker / Honolulu Commissioner  
Aleta Klein, Broker / Honolulu Commissioner  
Michael Pang, Broker / Honolulu Commissioner

Neil Fujitani, Supervising Executive Officer  
Miles Ino, Executive Officer  
Cynthia Yee, Senior Condominium Specialist  
Benedyne Stone, 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  
Ruth Yamada, Office Assistant

Others: John Dotten

Absent: Aileen Wada, Broker / Honolulu Commissioner

Call to Order: Chair Sherley called the meeting to order at 10:54 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.

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

Condominium  
 Specialist's  
 Report:

**Minutes**

Upon a motion by Commissioner Faulkner, seconded by Commissioner Pang, it was voted on and unanimously carried to accept the minutes of the October 7, 2015 Condominium Review Committee meeting as circulated.

Condominium  
 Governance and  
 Management:

**AOUO Registrations**

Specialist Stone reported that as of October 31, 2015, 1,425 AOUOs have successfully registered.

**Mediation and Arbitration**

Specialist Stone reported that staff has received invoices for two completed evaluative mediations and are aware that one of the vendors also has two pending cases.

**Condominium Seminars and Symposium – CAI Hawaii "Learning from the Movies" October 16, 2015 Seminar Evaluation**

Commissioner Klein reported that it was a well-attended seminar. The speaker appeared very enthusiastic-and entertaining and provided good information on fiduciary duty.

**Case Law Review Program**

The following articles from the November 2015 issue of *Community Association Management Insider* were distributed for informational purposes: "Arbitration Award In Favor of Association Wasn't Appealable" *Cigar Factory Condo Assn. v. Cigar Factory*, October 2015; "New Unit Owner on Hook for Existing Special Assessment Debt" *Board of Managers of Cornell Columbian Condominium Assn. v. Smith*, September 2015; "Association Management Company Wasn't 'Debt Collector'" *Gonon v. Community Management Services, Inc.*, September 2015.

Condominium  
 Project  
 Registration:

**Condominium Project Registration - Public Reports Issued**

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

PROJ #	PROJECT NAME	PROJECT ADDRESS	TMK #	UNIT	REPORT	DATE
7721	1867 KAPIOLANI CONDOMINIUM	1867 1867A & 1867B KAPIOLANI HONOLULU HI 96826	123034019	3	B REPT	10/16/2015
7718	45-710 AND 45-710A KULUKEOE ST CONDO	45-710 & 45-710A KULUKEOE ST KANEOHE HI 96744	145024008	2	B REPT	10/26/2015
7626	AHOPUEO CONDOMINIUM	AHOPUEO DR KALAHEO HI 96741	423022014	6	B AMD	10/6/2015
2685	HALE O KE KOA MALUHIA	44-118 IKEANANI DR KANEOHE HI 96744	144013047	2	SUPPL 3	10/13/2015
6860	HANAIEI DREAM	5485 WEKE RD HANAIEI HI 96714	455004044	2	B AMD	10/15/2015
7682	HAUULA VILLAS	53-034 POKIWAHAI PL HAUULA HI 96717	153014031	2	B REPT	10/23/2015
7564	IHILANI AT KO OLINA THE	92-1001 OLANI ST KAPOLEI HI 96707	191057001	221	B AMD	10/30/2015
7648	KAHIKU AT MEHANA	724 KAKALA ST KAPOLEI HI 96707	191160051	140	B AMD	10/13/2015

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7725	KANALANI HALE	59-750 & 752 KANALANI PL HALEIWA HI 96712	159031021	2	B REPT	10/23/201
7709	KOALEO	94-536 & 94-536-A KOALEO ST WAIPAHU HI 96797	194035080	2	B REPT	10/27/201
7672	KOKOMO CONDOMINIUM	927 AND 929 KOKOMO RD HAIKU HI 96708	227011064	2	B REPT	10/20/201
7644	PUNANA IPO CONDOMINIUM	3294 WAIKOMO RD KOLOA HI 96756	428010005	2	B REPT	10/29/201

0	<b>Preliminary Reports</b>
0	<b>Contingent Final Reports</b>
0	<b>Final Reports</b>
1	<b>Supplementary Reports</b>
7	<b>B Reports</b>
4	<b>B Amendment Reports</b>
12	<b>TOTAL REPORTS</b>

Program of Work: **Rulemaking, Chapters 107/119**

Specialist Yee reported that she has been fine tuning the Commission's Blue Ribbon Committee's recommended changes to the Commission's administrative proposed draft condominium rules. She also reported that she has discovered that the redrafting process is taking more time than what was first estimated. Nevertheless she announced that at the end of November, she will be distributing to the Blue Ribbon Committee for their final review whatever redrafts she has completed.

**Legislative Acts and Resolutions**

Specialist Stone reported that as a representative of the Commission, she is participating in DBEDT's Hawaii Multi-Unit Dwelling EV Charging Working Group, (Act 164) by request of DCCA's Director. The purpose of the working group is to address the installation of electric vehicle charging stations at multi-unit dwellings which include condominiums. The working group is exploring barriers such as existing condominiums without infrastructure for EV charging stations. The working group has met twice. The report is due to the Legislature prior to the start of the upcoming session.

**Interactive Participation with Organizations**

Specialist Choy attended the October 20, 2015 workshop "Kaka'ako: Our Kuleana A Free Urban Planning Academy for Everyone." Specialist Choy provided a summary of his written report which was provided for the Committee's review. Discussion followed on the impacts, if any, the information may have on the condominium project registration process and the developer's draft public report.

Specialists Choy and Stone attended HCCA's seminar "Almost Free Legal Advice" on October 29, 2015. Speakers included RICO's Daria Loy-Goto, Jane Sugimura, John Knorek, and Scott Sherley. The seminar was well attended

Condominium  
 Project Registration: **Owner-Occupant**

Executive Session: Upon a motion by Commissioner Klein, seconded by Commissioner Faulkner, it was voted on and unanimously carried to enter into executive session, 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" relating to owner occupant violations of Chapter 514A, HRS and Chapter 514B, HRS.

Upon a motion by Commissioner Faulkner, seconded by Commissioner Lee, it was voted on and unanimously carried to move out of executive session.

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: No report presented.

Next Meeting: December 2, 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 10:16 a.m.

Respectfully submitted:

/s/ Cynthia M. L. Yee

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Cynthia M. L. Yee  
Senior Condominium Specialist

November 13, 2015

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Date

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