

LAWS AND RULES REVIEW COMMITTEE
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: Wednesday, April 6, 2016

Time: 9:00 a.m.

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

Present: Scott Arakaki, Chair, Public / Honolulu Commissioner
Laurie Lee, Vice Chair, Broker / Honolulu Commissioner
Rowena Cobb, Broker / Kauai Commissioner
Bruce Faulkner, Broker / Maui Commissioner
Scott Sherley, Broker / Hawaii 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
Amy Endo, Real Estate Specialist
David Grupen, Real Estate Specialist
Dathan Choy, Condominium Specialist
Shari Wong, Deputy Attorney General
Tammy Norton, Recording Secretary
Torrie-ann Primacio, Office Assistant

Others: Suzanne Young, Honolulu Board of REALTORS®

Absent: Nikki Senter, Public / Honolulu Commissioner

Call to Order: The Chair 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.

Commissioner Senter was excused from today's meeting. Prior notice of his/her non-attendance was received.

SEO's Report:

Additional Distribution

The following material was distributed to the Commissioners prior to the start of the meeting:

- 4. Program of Work, FY16
 - d. Rulemaking, Chapter 99, HAR, Real Estate Brokers and Salespersons
 - f. Legislative and Government Participation Report

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 March 9, 2016, Laws and Rules Review Committee meeting as circulated.

Program of Work:

Rulemaking, Chapter 99, HAR, Real Estate Brokers and Salespersons

EO Ino reported that Draft 9 of the Chapter 99 rules retains all Commission approved revisions with the exception of §16-99-11. All revisions to §16-99-11 have been removed in keeping with the decision of the Real Estate Commission at its March 24, 2016 meeting.

Upon a motion by Commissioner Cobb, seconded by Commission Pang, it was voted on and unanimously carried to adopt Draft 9 of the Chapter 99 rule revisions and proceed through the administrative rule adoption process for approval by the Governor.

SEO Fujitani noted that Draft 9 will be sent back to the Governor through the Department's Director.

Legislative and Government Participation Report

Legislative Report No. 3 was distributed to the Commissioners for their information.

SEO Fujitani reported that a majority of the bills that the Commission has been monitoring have died. The Commission did provide testimony on HCR 152, HD1, which will be reported on in the Condominium Review Committee meeting.

ARELLO, Other Organizations And Jurisdictions:

No report presented.

Special Issues:

None.

Budget and Finance Report:

Specialist Grupen reported that on page 2, the third dollar amount, Fund Balance Unreserved should read \$747,452.

Upon a motion by Commissioner Sherley, seconded by Commissioner Klein, it was voted on and unanimously carried to accept the Real Estate Recovery Fund Financial Report for the period ending January 31, 2016 with the noted amendment.

Next Meeting: Wednesday, May 11, 2016
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, the Chair adjourned the meeting at 9:08 a.m.

Reviewed and approved by:

/s/ Neil K. Fujitani

Neil K. Fujitani
Supervising Executive Officer

April 11, 2016

Date

Approved as is.
 Approved with amendments. See minutes of _____ meeting.