

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, June 28, 2013

Time: 9:00 a.m.

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

Present: Nikki T. Senter, Chair, Public/Honolulu Commissioner
Stanley Kuriyama, Vice Chair, Broker/Honolulu Commissioner
Rowena Cobb, Broker/Kauai Commissioner
Frances Gendrano, Broker/Honolulu Commissioner
Walter Harvey, Broker/Honolulu Commissioner
Bruce Faulkner, Broker/Maui Commissioner
Scott Arakaki, Public/Honolulu Commissioner
Scott A. Sherley, Broker/Hawaii Island Commissioner
Aileen Wada, Broker/Honolulu Commissioner

Neil K. 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
Cynthia Yee, Senior Condominium Specialist
Benedyne Stone, Condominium Specialist
Jay Paige, Deputy Attorney General
Lesley Matsumoto, Recording Secretary

Others: Philip A. Raya, Jr.
Ron Michioka, Esq.
Edward Brinkman
Lei Fukumura, Esq., Special Deputy Attorney General
Homer Tipton
Laurie Lee
Gwen Wagner
John Hassler, Esq., Regulated Industries Complaints Office

Call to Order: The Chair called the meeting to order at 9:07 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.

The Commissioners and staff bid aloha to Vice Chair Kuriyama. His term ends June 30, 2013. The Chair thanked Vice Chair Kuriyama for his 16 years of tireless/thankless work and especially leading the Commission through various transitions.

The Chair moved out of order of the agenda.

Committees and
Program of Work:

Program of Work, FY 14

The final of the fiscal year 2014 Program of Work was distributed to the Commissioners.

Condominium Review Committee - Budget and Finance Report Month Ending March 31, 2013

Upon a motion by Commissioner Harvey, seconded by Commissioner Faulkner, it was voted on and unanimously carried to accept the Condominium Education Trust Fund Financial Report ending March 31, 2013.

Laws and Rules Review Committee - Senate Resolution 60, S.D. 1

SEO Fujitani provided the Commissioners with a draft memorandum regarding Senate Resolution 60, S.D. 1, which requested the auditor to conduct a review of the professional and vocational licensing division's forty-eight licensing areas and recommend whether any of the licensing boards, commissions, or programs or their administrative functions could be streamlined or consolidated to effect greater efficiency and the optimal use of resources and licensing fees in order to better address issues, concerns, and changes.

The Commissioners discussed the memorandum as well as a staff recommendation for an audit of PVL operations to address continuing issues with staffing in the Licensing Branch. Upon a motion by Commissioner Gendrano, seconded by Commissioner Cobb, it was voted on and unanimously carried to accept SEO Fujitani's memorandum to the Licensing Administrator.

Executive Officer's
Report:

The Executive Officer ("EO") informed the Commissioners that the original applications with any original associated documents to be considered at the meeting were available for review.

Announcement

SEO Fujitani introduced Ms. Dorothy Aquino as the new Condominium Registration Office Assistant who started with the Real Estate Branch on June 3, 2013.

Minutes of Previous Meeting

Upon a motion by Commissioner Harvey, seconded by Commissioner Gendrano, it was voted on and unanimously carried to accept the minutes of the May 24, 2013 meeting.

Committees and
Program of Work:

**Education Review Committee – Printing Contract for Real Estate
Commission Bulletin 2013-2015**

Upon a motion by Commissioner Harvey, seconded by Commissioner Faulkner, it was voted on and unanimously carried to accept Valenti Print Groups bid for Printing and Typesetting Services for the Real Estate Bulletin for 2013-2015.

Licensing –
Ratification:

Upon a motion by Commissioner Harvey, seconded by Commissioner Sherley, it was voted on and unanimously carried to ratify the attached list.

The Chair took matters out of order of the agenda.

Real Estate
Recovery Fund:

Carol A. Bucauto, Country Lands & Homes, Inc.

Executive Session:

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

Real Estate
Recovery Fund:

Carol A. Bucauto, Country Lands & Homes, Inc.

Upon a motion by Commissioner Arakaki, seconded by Commissioner Gendrano, it was voted on and unanimously carried to approve the recommendation of counsel to enter into settlement with Ms. Carol A. Bucauto, Country Lands, & Homes, Inc.

Licensing –
Applications:

The 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.

Philip Andrew Raya, Jr.

The Chair asked Mr. Philip Raya if he wished to have his application for real estate salesperson license considered in executive session. He accepted the offer.

Executive Session:

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

Upon a motion by Commissioner Gendrano, seconded by Commissioner Faulkner, it was voted on and unanimously carried to take this matter under advisement.

Homer L. Tipton

The Chair asked Mr. Homer Tipton if he wished to have his application for real estate salesperson license considered in executive session. He declined the offer.

Mr. Tipton provided an additional letter to the Commissioners for their review. Mr. Tipton stated that he's sorry for his past mistakes and would like the Commission to give him an opportunity to move forward from his past mistakes.

Upon a motion by Commissioner Gendrano, seconded by Commissioner Sherley, it was voted on and unanimously carried to take this matter under advisement.

Alexandra Zachary Real Estate LLC

The Chair asked Mr. Edward Brinkman if he wished to have his application for real estate limited liability company license considered in executive session. He declined the offer.

Mr. Brinkman provided an additional letter of recommendations to the Commissioners for their review. Mr. Brinkman stated that he is a member of the LLC and will be the principal broker for his entity. In 1990, Mr. Brinkman was granted a sole proprietor license to use Alexandra Zachary Real Estate as a trade name. He also stated that he sold most of his property management accounts, but not the name Alexandra Zachary Real Estate.

Upon a motion by Commissioner Wada, seconded by Commissioner Harvey, it was voted on and unanimously carried to take this matter under advisement.

SEO Fujitani introduced Ms. Laurie Lee to the Commission. Ms. Lee's term will start in July.

Chapter 91, HRS,
Adjudicatory
Matters:

The Chair called for a recess from the meeting at 9:49 a.m., to discuss and deliberate on the following adjudicatory matters, pursuant to Chapter 91, HRS:

In the Matter of the Real Estate Licenses of Hope Lee Hatton, West Coast Island Properties Inc. and Michael D. Pugh; REC 2012-326-L

Upon a motion by Commissioner Harvey, seconded by Commissioner Arakaki, it was voted on and unanimously carried to accept the settlement agreement.

In the Matter of the Real Estate Brokers' Licenses of Tom Mukai, Brian Benton, Helen Lindemann and Prudential Locations, LLC; REC 2008-215-L

The Chair and Commissioner Wada recused themselves due to a conflict of interest.

Upon a motion by Commissioner Arakaki, seconded by Commissioner Harvey, it was voted on and unanimously carried to approve the final order.

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 10:40 a.m.

Licensing –
Applications:

Gwen R. Wagner

The Chair asked Ms. Gwen Wagner if she wished to have her application for real estate salesperson license considered in executive session. She declined the offer.

Ms. Wagner was present to answer any questions that the Commission may have. The Commission asked Ms. Wagner if she set up a payment plan with the IRS, Department of Taxation, or Castle Medical Center. Ms. Wagner stated she has not.

Upon a motion by Commissioner Wada, seconded by Commissioner Sherley, it was voted on and unanimously carried to take this matter under advisement.

Executive Session:

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

Licensing –
Applications:

Robert M. Hagen

After review of the information presented by the applicant, Commissioner Harvey moved to deny the real estate salesperson license of Robert M. Hagen based on sections HRS §§467-8(a)(3), 436B-19(1), (8), and (12). Commissioner Gendrano seconded the motion. The motion was voted on and unanimously carried.

Philip Andrew Raya, Jr.

After review of the information presented by the applicant, Commissioner Cobb moved to approve the real estate salesperson license of Philip Andrew Raya, Jr. Commissioner Gendrano seconded the motion. Commissioners Arakaki, Cobb, Faulkner, Gendrano, Kuriyama, Wada, Senter, and Sherley, voted aye. Commissioner Harvey voted nay. The motion passed.

Patrick J. Stimac

After review of the information presented by the applicant, Commissioner Sherley moved to approve the real estate salesperson license of Patrick J. Stimac. Commissioner Arakaki seconded the motion. The motion was voted on and unanimously carried.

Homer L. Tipton

After review of the information presented by the applicant, Commissioner Harvey moved to approve the real estate salesperson license of Homer L. Tipton. Commissioner Arakaki seconded the motion. The motion was voted on and unanimously carried.

Gwen R. Wagner

After review of the information presented by the applicant, Commissioner Arakaki moved to deny the real estate salesperson license of Gwen R. Wagner based on sections HRS §§467-8(a)(3), 436B-19(1), (8), (12) unless within sixty (60) calendar days, Ms. Wagner submits written proof of payment, written proof of discharge, or an approved written payment plan with the Hawaii State Department of Taxation, IRS, and Castle Medical Center for all outstanding obligations. Commissioner Gendrano seconded the motion. The motion was voted on and unanimously carried.

Miran Arakelian

After a review of the information presented by the applicant, Commissioner Arakaki moved to most likely deny the real estate salesperson's license of Miran Arakelian. Commissioner Cobb seconded the motion. The motion was voted on and unanimously carried.

Seth S. Gambee

After a review of the information presented by the applicant, Commissioner Arakaki moved to most likely deny the real estate salesperson's license of Seth S. Gambee. Commissioner Faulkner seconded the motion. The motion was voted on and unanimously carried.

Caryn H. Koga

After a review of the information presented by the applicant, Commissioner Faulkner moved to approve Caryn H. Koga's request to remove the conditions placed on her real estate salesperson license. Commissioner Shirley seconded the motion. The motion was voted on and unanimously carried.

Alexandra Zachary Real Estate LLC

After a review of the information presented by the applicant, Commissioner Harvey moved to deny the real estate limited liability company license for Alexandra Zachary Real Estate, LLC, based on Hawaii Revised Statutes section 467-9(b)(1). Commissioner Faulkner seconded the motion. The motion was voted on and unanimously carried.

Next Meeting: Friday, July 26, 2013
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
11:03 a.m.

Reviewed and approved by:

/s/ Miles I. Ino

Miles I. Ino
Executive Officer

June 28, 2013

Date

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

APPROVED APPLICATIONS FOR REAL ESTATE
REAL ESTATE COMMISSION MEETING ON JUNE 28, 2013

<u>Brokers – Limited Liability Companies and Partnerships</u>	<u>Effective Date</u>
Shirokiya Residential Service, LLC Kunifumi Onoe, PB	5/29/2013
Hulali Kai Realty, LLC Jill M. Federizo	6/14/2013
<u>Brokers – Corporations and Partnerships</u>	<u>Effective Date</u>
AMG Realty, Inc. Sandra M.Y. Ching, PB	5/21/2013
ATR Properties, Inc. Geri F. Stephens, PB	6/4/2013
Movoto, Inc. Michael R. Coyne, Jr., PB	6/18/2013
<u>Branch Office</u>	<u>Effective Date</u>
Hawaii Real Estate International, LLC – Hawaii Realty International Michael Styring, PB	4/23/2013
<u>Brokers – Sole Proprietor</u>	<u>Effective Date</u>
Palo Lockett	4/23/2013
Christine Jones Kim	4/30/2013
Debbie Wong dba Debbie Wong Real Estate	5/01/2013
Soren M.K. Seaver dba Kauai Nihon Properties	5/13/2013
Jay J. Hiraide dba Maui Central Realty	6/10/2013
<u>Trade Name</u>	<u>Effective Date</u>
Moon Goddess, Inc. dba Bev's Realty	5/3/2013
Mauileasings.com, Inc. dba Maui Leasings and Sales	5/29/2013
<u>Educational Equivalency Certificate</u>	<u>Expiration Date</u>
Robert W. Belcher	5/16/2015
Dana Y. Sparks	5/16/2015
Richard Dale Harter	5/16/2015
Ani Simonian	5/17/2015
Christy Liane Ho	5/17/2015
Gee Hyun Kong	5/22/2015
Sherryl Lynn Owen Garrett	5/29/2015
Anne Eliason	5/29/2015
John Frederick Carpenter	5/29/2015
Debora Sue Nielson	5/29/2015
Justin Joseph Hopkins	5/29/2015
Frederick L. Fisher	6/03/2015
Christopher Thach	6/05/2015
Brandi Nicole Williams	6/05/2015
Judy Ann Pedersen	6/05/2015
Robert Edward Gebhardt	6/05/2015
Kirstin M. Punu	6/05/2015
Danielle Leilani Kaheaku	6/07/2015
Gregory Matthess	6/10/2015
Lisa Antoinette Mallak	6/10/2015
Tyler William Hinderer	6/12/2015
Kimberly I. Kaloi	6/13/2015

Vanessa C. Riley 6/14/2015
Alexander Richard Iskenderian 6/14/2015

Equivalency to Uniform Section of Examination Certificate

Expiration Date

Richard Dale Harter	5/16/2015
Ani Simonian	5/17/2015
William Francis Gabrielli	5/23/2015
Sherryl Lynn Owen Garrett	5/29/2015
Anne Eliason	5/29/2015
John Frederick Carpenter	5/29/2015
Debora Sue Nielson	5/29/2015
Justin Joseph Hopkins	5/29/2015
Frederick L. Fisher	6/03/2015
Judy Ann Pedersen	6/05/2015
Robert Edward Gebhardt	6/05/2015
Danielle Leilani Kaheaku	6/07/2015
Gregory Matthess	6/10/2015
Lisa Antoinette Mallak	6/10/2015
Tyler William Hinderer	6/12/2015
Kimberly I. Kaloi	6/13/2015
Alexander Richard Iskenderian	6/14/2015

Real Estate Broker Experience Certificate

Expiration Date

Jeanne Fusae Melket	5/17/2015
Brian Chua	5/20/2015
Sherryl Lynn Owen Garrett	5/29/2015
John Frederick Carpenter	5/29/2015
Glenda R. Somera	5/30/2015
Celeste C. Borges	5/30/2015
Harry Sunson Newhart	5/30/2015
Judy Ann Pedersen	6/05/2015
Robert Edward Gebhardt	6/05/2015
Minoo Elison Timm	6/06/2015
Danielle Leilani Kaheaku	6/07/2015
Gregory Matthess	6/10/2015
Bobbin Tabalno	6/10/2015
Ben K. Tran	6/12/2015
Jan Michael Lap	6/13/2015
Vanessa C. Riley	6/14/2015
Kenneth Joseph Molina	6/14/2015
Laurie A. Varholak Madani	6/18/2015

Real Estate Broker

Effective Date

Julie S. Keller	4/29/2013
Christine Jones Kim	4/30/2013
Petra M. V. Zoeller	5/08/2013
Sean Montgomery	5/20/2013
Cynthia A. Wild	5/23/2013
Patrick T. Graham	5/24/2013
Berneicea A. Worrell	5/24/2013
Christianna N. Brown	6/10/2013
Michael R. Coyne, Jr.	6/18/2013

Restoration – Real Estate Salesperson

Richard J. Vidgen
Ruth Karen Reed

Effective Date

5/8/2013
5/21/2013

Restoration – Real Estate Broker

Roy Ogawa
Ogawa Realty & Management

Effective Date

5/10/2013
5/10/2013

Condominium Hotel Operators

Early Bird Maui LLC dba PMI Maui

Effective Date

05/15/13