

**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: Friday, August 23, 2013

Time: 9:00 a.m.

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

Present: Nikki Senter, Chair, Public/Honolulu Commissioner  
Rowena Cobb, Broker/Kauai Commissioner  
Walter Harvey, Broker/Honolulu Commissioner  
Bruce Faulkner, Broker/Maui Commissioner  
Scott A. Sherley, Broker/Hawaii Island Commissioner  
Aileen Wada, Broker/Honolulu Commissioner  
Scott Arakaki, Public/Honolulu Commissioner  
Laurie A. Lee, Broker/Honolulu Commissioner

Neil K. Fujitani, Supervising Executive Officer  
Miles Ino, Executive Officer  
Diane Choy Fujimura, Senior Real Estate Specialist  
Cynthia Yee, Senior Condominium Specialist  
Amy Endo, Real Estate Specialist  
David J. Grupen, Real Estate Specialist  
Benedyne Stone, Condominium Specialist  
Katherine Linster, Condominium Specialist  
Shari Wong, Deputy Attorney General  
Tammy Norton, Recording Secretary  
Marilyn Antolin, Secretary

Others: Lei Fukumura, Special Deputy Attorney General  
Bryce MacNaughton  
Dana Kenny  
Miho Haigler  
Enedina Juell  
Eric Juell

Absent: Frances Gendrano, Vice Chair, Broker/Honolulu Commissioner

Call to Order: The Chair called the meeting to order at 9:04 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 Gendrano was excused from the meeting. Prior notification of her non-attendance was received.

Executive Officers  
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.

#### **Additional Distribution**

The following materials were distributed prior to the start of the meeting:

4. Committees and Program of Work
  - c. Education Review Committee – Memo from Hawaii Association of REALTORS® regarding IDW for 2013-2014 Biennium – Inviting Technology Into the Classroom

#### **Minutes of Previous Meeting**

Upon a motion by Commissioner Cobb, seconded by Commissioner Faulkner, it was voted on and unanimously carried to accept the minutes of the July 26, 2013 meeting as distributed.

Committees and  
Program of Work:

#### **Education Review Committee – Memo from Hawaii Association of REALTORS® regarding IDW for 2013-2014 Biennium**

Specialist Fujimura noted that a 45 minute block is missing from the IDW Content Outline. The section entitled "Deliver Content in Story Form" is missing the timeframe for that specific section. Staff will work with HAR to have the content outline corrected to include the amount of time for each section. The IDW anticipated cost is under budget. The IDW will be offered on three islands, Oahu, Maui, and the Big Island. HAR will not be offering the IDW on Kauai due to an anticipated low enrollment, if Kauai was an offered location, the anticipated cost would increase by \$1,700. HAR is suggesting that the Commission allow HAR to waive the registration fees for those Kauai participants attending an IDW on another island.

Upon a motion by Commissioner Sherley, seconded by Commissioner Faulkner, it was voted on and unanimously carried to approve HAR's proposed Instructor Development Workshop 2013-14 "Inviting Technology Into the Classroom" subject to confirmation of the total 4 hour class time and allow the waiving of registration fees for instructors residing on the island of Kauai attending the IDW on a neighbor island.

Licensing –  
Ratification:

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

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.

Those applicants present, Miho Haigler, Enedina Juell, and Bryce R. MacNaughton, requested to have their applications considered in executive session.

Executive Session: Upon a motion by Commissioner Cobb, 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 Sherley, seconded by Commissioner Cobb, it was voted on and unanimously carried to move out of executive session.

#### **Richard Leonard Alkire**

Commissioner Arakaki moved to most likely approve the real estate broker license of Richard Leonard Alkire. Commissioner Sherley seconded the motion. The motion was voted on and unanimously carried.

#### **Miho Haigler**

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

#### **Enedina Juell**

After review of the information presented by the applicant, Commissioner Faulkner moved to deny the real estate salesperson license of Enedina Juell based on sections HRS §§467-8(a)(3), 436B-19(1), (8), (12) unless within sixty (60) calendar days, Ms. Juell submits written proof of payment, written proof of discharge, or an approved written payment plan with the IRS, and California Franchise Tax Board for all outstanding tax obligations. Commissioner Lee seconded the motion. The motion was voted on and unanimously carried.

#### **Delegation to Staff**

Upon a motion by Commissioner Arakaki, seconded by Commissioner Sherley, it was voted on and unanimously carried that for those applicants whose application for licensure is denied unless within sixty (60) calendar days show proof of payment plan, delegate to staff that if the applicant provides proof of a payment plan within sixty (60) calendar days, staff to issue a conditional license until such time that evidence is provided that debt has been paid in full and licensee requests that conditions be removed.

**Bryce R. MacNaughton**

After review of the information presented by the applicant, Commissioner Arakaki moved to approve the real estate salesperson license of Bryce R. MacNaughton subject to the following conditions:

1. That during the term of probation, any violation of the terms of the probation, by the Applicant, shall be grounds for revocation of license.
2. That any subsequent criminal conviction whether by nolo contendere or otherwise, of a penal crime directly related to the qualifications, functions, or duties of the licensed profession or vocation shall be grounds for revocation of license.
3. That failure to provide written notice within 30 days to the licensing authority of any judgment, award, disciplinary sanctions, order, or other determination, which adjudges or finds that the licensee is civilly, criminally, or otherwise liable for any personal injury, property damage, or loss caused by the licensee's conduct in the practice of the licensee's profession or vocation shall be grounds for revocation.
4. That the Applicant shall at all times be associated with and under the direct supervision of a principal broker or one or more brokers in charge, for all real estate transactions.
5. That the Applicant shall inform the principal broker or sole proprietor real estate broker (including a broker-in-charge of a real estate branch office) with whom the Applicant associates that such a conditional real estate salesperson license has been granted and the terms of the conditional license.
6. That **any** change of association and/or employment by Applicant to another real estate broker shall be submitted in writing to the Commission with the new broker, principal broker or sole proprietor, and if applicable the broker-in-charge, acknowledging the terms of the Applicant's conditional license within ten (10) days of the change.
7. That the Applicant shall advise the Montgomery County Community Supervision, through the Applicant's probation officer of the conditions set forth by the Commission.
8. And that the release of the Applicant from probation shall not imply any changes upon the conditions of the license.
9. Upon successful completion of probation, the Applicant must submit a written request to the Commission if the Applicant desires to have the conditions removed.

Commissioner Faulkner seconded the motion. The motion was voted on and unanimously carried.

**Kenneth A. Helppie**

Commissioner Sherley moved to remove the conditions from the conditional real estate salesperson's license of Kenneth A. Helppie. Commissioner Arakaki seconded the motion. The motion was voted on and unanimously carried.

Chapter 91, HRS,  
Adjudicatory  
Matters:

The Chair called for a recess from the meeting at 9:55 a.m., to discuss and deliberate on the following adjudicatory matters, pursuant to Chapter 91, HRS:

**In the Matter of the Real Estate License of Leslie Mackenzie Smith, a Real Estate Salesperson; REC 2013-146-L**

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

**In the Matter of the Real Estate License of Donald A. Wright, a Real Estate Salesperson; REC 2013-165-L**

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

**In the Matter of the Real Estate License of Matthew J. Aki, a Real Estate Broker; REC 2013-46-L**

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

**In the Matter of the Real Estate License of Richard Littlefield, a Real Estate Broker; REC 2013-4-L**

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

Chair Senter appointed Commissioner Scott Sherley, Chair Pro Tem. Commissioners Senter and Wada were excused due to a possible conflict of interest.

**In the Matter of the Real Estate Licenses of Maria White, Brian Benton, Helen Lindemann and Prudential Locations, Inc.; REC 2009-157-L**

Upon a motion by Commissioner Arakaki, seconded by Commissioner Cobb, it was voted on and unanimously carried to adopt the Hearings Officer's Findings Fact, Conclusions of Law except with regards to HRS Section 436B-19(9), which it also dismisses as to Maria White, and Recommended Order; and issue the Commission's Final Order.

Following the Commission's review, deliberation, and decisions in these matters, pursuant to Chapter 91, HRS, the Chair Pro Tem announced that the Commission was reconvening its scheduled meeting at 10:25 a.m.

Next Meeting:           Friday, September 27, 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 Pro Tem adjourned the meeting at  
                              10:26 a.m.

Reviewed and approved by:

/s/ Miles I. Ino

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Miles I. Ino  
Executive Officer

August 29, 2013

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Date

[   X   ]       Approved as circulated.  
[       ]       Approved with corrections; see minutes of \_\_\_\_\_ meeting.

APPROVED APPLICATIONS FOR REAL ESTATE  
REAL ESTATE COMMISSION MEETING ON AUGUST 23, 2013

| <u>Brokers – Limited Liability Companies and Partnerships</u>       | <u>Effective Date</u>  |
|---|------------------------|
| Elicker Realty Advisors, LLC<br>Jay Elicker, PB                     | 6/28/2013              |
| Properties Referral, LLC<br>Sharlene Yamashita, PB                  | 7/01/2013              |
| Kokua Realty, LLC<br>Jason Dean, PB                                 | 7/10/2013              |
| Boundless Hawaii, LLC<br>Leonora Prince, PB                         | 7/19/2013              |
| Alohana Realty, LLC<br>Kevin D. Taylor, PB                          | 7/22/2013              |
| Hawaii Premier Homes, LLC<br>Berneicea Worrell, PB                  | 7/24/2013              |
| Real Estate Strategies, LLC<br>Yumi Benedicto-Dugger, PB            | 7/29/2013              |
| Montage Hotels & Resorts, LLC<br>Richard E. Lopez, PB               | 8/01/2013              |
| <br>  |                        |
| <u>Brokers – Corporations and Partnerships</u>                      | <u>Effective Date</u>  |
| Aloha Isle Properties Corporation<br>Wendell Grace, Jr., PB         | 6/25/2013              |
| Grand Pacific Resort Services, L.P.<br>Allyson Stebbins, PB         | 7/15/2013              |
| Hyatt Residential Management Corporation<br>Mitchell A. Imanaka, PB | 7/22/2013              |
| Shinn Properties, Inc.<br>Ginny Shinn, PB                           | 7/22/2013              |
| Savio Realty, Ltd<br>Dana G. Kenny, PB                              | 8/06/2013              |
| <br>  |                        |
| <u>Brokers – Sole Proprietor</u>                                    | <u>Effective Date</u>  |
| Joseph E. DeLucia   | 6/25/2013              |
| Gregory Keith Matthes   | 7/02/2013              |
| Laurie W. Nunez   | 7/11/2013              |
| Ligaya L. Rasmussen dba Ligaya Rasmussen Realty                     | 7/17/2013              |
| Angelita M. Pasion  | 7/23/2013              |
| Charles S. Portwood III, Honolulu Paradise Realty                   | 7/26/2013              |
| <br>  |                        |
| <u>Trade Name</u>   | <u>Effective Date</u>  |
| Tholco Real Estate Group, Inc. dba Green Team Realty                | 6/19/2013              |
| West Coast Pacific Realty dba Coast Pacific Properties              | 7/15/2013              |
| <br>  |                        |
| <u>Educational Equivalency Certificate</u>                          | <u>Expiration Date</u> |
| Chelsea Noelani Okamoto   | 7/15/2015              |
| Ernest Kwok Wai Lam   | 7/15/2015              |
| John Mark Atkinson  | 7/15/2015              |
| Khoi Vinh Phan  | 7/15/2015              |
| Ralph Hayes Hemphill  | 7/15/2015              |
| Gary Lee Davis  | 7/15/2015              |
| Jean Peek Nehls   | 7/15/2015              |
| Yuya Otani  | 7/18/2015              |

|                          |           |
|--------------------------|-----------|
| David K. Muraoka         | 7/18/2015 |
| Christopher James Foster | 7/18/2015 |
| Becky Lynn Ogata         | 7/18/2015 |
| Todd Adam Nathanson      | 7/18/2015 |
| Wanna Choy               | 7/19/2015 |
| Allison Lynn Mitchell    | 7/19/2015 |
| Mele Heresa              | 7/19/2015 |
| Daniel J. O'Meara        | 7/26/2015 |
| Gary Tibljas             | 7/30/2015 |
| Christine Marie Siville  | 8/01/2015 |
| Clifford Dale Jordan     | 8/01/2015 |
| Timothy Michael Caviezel | 8/01/2015 |
| Christine Marie Siville  | 8/01/2015 |
| Scott Akira Shiigi       | 8/01/2015 |
| Clifford Ken Ogata       | 8/05/2015 |
| Grace Michiyo Iwashita   | 8/05/2015 |
| Lawrence Lee Siville     | 8/05/2015 |
| Andrea Rachelle Michau   | 8/06/2015 |
| Jesse Lee Carvalho       | 8/07/2015 |
| Erickson Mark Baniaga    | 8/07/2015 |
| David R. Major           | 8/07/2015 |
| Kevin Lee Austin         | 8/07/2015 |
| Justin Keli'i Strassburg | 8/08/2015 |
| Carola Ann Intersimone   | 8/08/2015 |

Equivalency to Uniform Section of Examination Certificate

|                          | <u>Expiration Date</u> |
|--------------------------|------------------------|
| John Mark Atkinson       | 7/15/2015              |
| Ralph Hayes Hemphill     | 7/15/2015              |
| Gary Lee Davis           | 7/15/2015              |
| Khadija Ouardi Nabil     | 7/16/2015              |
| David K. Muraoka         | 7/18/2015              |
| Christopher James Foster | 7/18/2015              |
| Todd Adam Nathanson      | 7/18/2015              |
| Wanna Choy               | 7/19/2015              |
| Allison Lynn Mitchell    | 7/19/2015              |
| Daniel J. O'Meara        | 7/26/2015              |
| Gary Tibljas             | 7/30/2015              |
| Christine Marie Siville  | 8/01/2015              |
| Timothy Michael Caviezel | 8/01/2015              |
| Christine Marie Siville  | 8/01/2015              |
| Grace Michiyo Iwashita   | 8/05/2013              |
| Lawrence Lee Siville     | 8/05/2015              |
| Andrea Rachelle Michau   | 8/06/2015              |
| Jesse Lee Carvalho       | 8/07/2015              |
| Kevin Lee Austin         | 8/07/2015              |
| Justin Keli'i Strassburg | 8/08/2015              |
| Carola Ann Intersimone   | 8/08/2015              |

Real Estate Broker Experience Certificate

|                       | <u>Expiration Date</u> |
|-----------------------|------------------------|
| Jana K. T. Kaholoa'a  | 7/15/2015              |
| Ralph Hayes Hemphill  | 7/15/2015              |
| Kendra Kuuipo Okihiro | 7/15/2015              |
| Kathy Lynn Becklin    | 7/15/2015              |
| Pat Holt              | 7/15/2015              |



|                           |           |
|---------------------------|-----------|
| Wanna Choy                | 7/19/2015 |
| Mele Heresa               | 7/19/2015 |
| Daniel J. O'Meara         | 7/26/2015 |
| Gary Tibljas              | 7/30/2015 |
| Scott Akira Shiigi        | 8/01/2015 |
| Grace Michiyo Iwashita    | 8/05/2015 |
| Simona Winstone           | 8/05/2015 |
| Sandy Long                | 8/05/2015 |
| Andrew C. Kim             | 8/06/2015 |
| Jesse Lee Carvalho        | 8/07/2015 |
| Clifford Delano Carpenter | 8/07/2015 |
| Dean Masami Gushi, Jr.    | 8/08/2015 |
| Justin Keli'i Strassburg  | 8/08/2015 |

| <u>Real Estate Broker</u> | <u>Effective Date</u> |
|---------------------------|-----------------------|
| Nora Haraguchi            | 6/24/2013             |
| Joseph E. DeLucia         | 6/25/2013             |
| Jan M. Lap                | 6/25/2013             |
| Michael B. Romo           | 6/27/2013             |
| Gregory K. Matthess       | 7/02/2013             |
| Brian Chua                | 7/08/2013             |
| Donna M. Maier            | 7/11/2013             |
| James Farmer              | 7/12/2013             |
| Laurie A. Varholak-Madani | 7/15/2013             |
| Heidi Farmer              | 7/18/2013             |
| Allyn Uyehara             | 7/19/2013             |
| Ryan A. MacLaughlin       | 7/22/2013             |
| Joseph F. Murphy, Jr.     | 7/25/2013             |
| Krzysztof Borko           | 7/26/2013             |
| Martha Rodriguez          | 7/29/2013             |
| Thomas C. Tischer         | 7/29/2013             |
| Karen E. Texeira          | 7/30/2013             |
| Kat Daggett               | 8/01/2013             |
| Gregory A. Stuart         | 8/02/2013             |
| Rika Asanuma              | 8/07/2013             |

| <u>Restoration – Real Estate Salesperson</u> | <u>Effective Date</u> |
|--|-----------------------|
| Jaki Ives                                    | 7/22/2013             |
| Justin Uale                                  | 7/26/2013             |

| <u>Restoration – Real Estate Broker</u> | <u>Effective Date</u> |
|---|-----------------------|
| Nathan Choi                             | 8/07/2013             |