

**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](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: Wednesday, October 9, 2013

Time: 9:30 a.m.

Place: West Hawaii Civic Center  
Community Meeting Hale  
74-5044 Ane Keohokalole Hwy., Building G  
Kailua-Kona, Hawaii

Present: Frances Gendrano, Chair, Broker/Honolulu Commissioner  
Rowena Cobb, Vice Chair, Broker / Kauai Commissioner  
Bruce Faulkner, Broker/Maui Commissioner  
Nikki Senter, Public/Honolulu Commissioner  
Scott Sherley, Broker/Hawaii Commissioner  
Aileen Wada, Broker/Honolulu Commissioner  
Walt Harvey, Broker/Honolulu Commissioner  
Laurie Lee, Broker/Honolulu Commissioner

Neil Fujitani, Supervising Executive Officer  
Diane Choy Fujimura, Senior Real Estate Specialist  
Cynthia Yee, Senior Condominium Specialist  
Shari Wong, Deputy Attorney General  
Tammy Norton, Recording Secretary

Others: Rollie J. Litteral, Hawaii Island Board of REALTORS®  
Karen Ostlie, West Hawaii Association of REALTORS®  
Kehau Costa, Hawaii Island Board of REALTORS®  
John A. Ervin, Maunaloa Shores AOA  
Sherry Arndt, Maunaloa Shores AOA  
Linda Swanson, West Hawaii Association of REALTORS®  
Chris Sprague, Regulated Industries Complaints Office – Kona  
Barbara Dolton, Governor's Liaison  
Penny Sherley, REAL Class, Inc.

Absent: Scott Arakaki, Public/Honolulu Commissioner

Call to Order: The Chair called the meeting to order at 9:45 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 Arakaki was excused from today's meeting. Prior notice of his non-attendance was received.

SEO's  
Report:

SEO Fujitani welcomed and thanked all those in attendance. The Commission also thanked Ms. Linda Swanson of WHAR for her assistance in helping staff arrange the meeting facilities.

#### **Minutes of Previous Meetings**

Upon a motion by Commissioner Faulkner, seconded by Commissioner Cobb, it was voted on and unanimously carried to accept the minutes of the September 11, 2013, Laws and Rules Review Committee meeting as circulated.

Program of Work:

#### **Rule Making, Chapter 99, HAR, Real Estate Brokers and Salespersons**

SEO Fujitani noted that the changes have been compiled and it remains with the Attorney General's office for review.

Deputy Attorney General Wong informed the committee that the rules have been read through once and a preliminary review done. The AG's office will go through several reviews including reviewing the comments received by LRB, reviewing for grammatical, formatting, and substantive corrections.

#### **Commissioners' Education Program**

A copy of the state Office of Information Practices (OIP) Part 2 in its series, "Quick Review: Who Board Members Can Talk To and When" was distributed for informational purposes. This Quick Review series helps the Commission members understand the Sunshine Law and what they can talk about with other board members or third parties when they are not in a public meeting.

Commissioner Sherley noted that when in doubt, he has always found it easy to contact staff for assistance or have the inquirer contact staff.

DCCA's unofficial copy of HRS Chapter 436B, Professional and Vocational Licensing Act, was distributed for informational purposes.

ARELLO, Other  
Organizations  
And Jurisdictions:

No report presented.

Special Issues:

None presented.

Budget and  
Finance Report:

No report presented.

Laws and Rules Review Committee  
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Next Meeting: Wednesday, November 13, 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 9:50 a.m.

Reviewed and approved by:

/s/ Neil K. Fujitani

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Neil K. Fujitani  
Supervising Executive Officer

October 14, 2013

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Date

Approved as is.  
 Approved with amendments. See minutes of \_\_\_\_\_ meeting.

NF:tn131014