

CONDOMINIUM 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: February 12, 2014

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 / Maui Commissioner
Nikki Senter, Public / Honolulu Commissioner
Frances Gendrano, Broker / Honolulu Commissioner
Rowena Cobb, Broker / Kauai Commissioner
Aileen Wada, Broker / Honolulu Commissioner
Scott Arakaki, Public / Honolulu Commissioner
Laurie A. Lee, Broker / Honolulu Commissioner

Neil Fujitani, Supervising Executive Officer
Miles Ino, Executive Officer
Cynthia Yee, Senior Condominium Specialist
Benedyne Stone, Condominium Specialist
Katherine Linster, 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

Others: None.

Absent: None.

Call to Order: Chair Sherley called the meeting to order at 9:15 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.

Condominium
 Specialist's
 Report:

Minutes

Upon a motion by Commissioner Faulkner, seconded by Commissioner Lee, it was voted on and unanimously carried to accept the minutes of the January 8, 2014 Condominium Review Committee meeting.

Condominium
 Governance and
 Management:

AOUO Registrations

Specialist Stone reported that as of January 31, 2014, 1,489 AOUOs have successfully registered.

Condominium Seminars and Symposium

Specialist Linster monitored CAI Hawaii's January 23, 2014 seminar "Avoiding Disasters at Annual Meetings" and submitted her evaluation for informational purposes.

Specialist Linster remarked for future consideration the providers might consider including a discussion on establishing protocols to handle unit owner inquiries to Boards and/or the managing agent.

Condominium Related Articles

The following articles were distributed for informational purposes: "Board of Director's Test" and "More Condos Opt to Snuff Out Smoking" *CAI Hawaii* (December 2013); "Trouble in Paradise: Hawaii Association Slapped with \$1.2 M Settlement" and "How to Deal with Member-on-Board Member Harassment" *Community Association Management Insider* (February 2014).

Condominium Project
 Registration:

Condominium Project Registration - Public Reports Issued

A list of those condominium projects issued effective dates during the month of January 2014 were distributed for informational purposes.

PROJ #	PROJECT NAME	PROJECT ADDRESS	TMK #	UNITS REPORT	DATE
7436	1922 AND 1922A 9TH AVENUE	1922 & 1922A 9TH AVE HONOLULU HI 96816	134001031	2 B REPT	1/3/2014
7456	1938 & 1938B CALIFORNIA AVENUE	1938 & 1938B CALIFORNIA AVE WAHIAWA HI 96786	175012060	2 B REPT	1/21/2014
7326	AWAKEA AT MEHANA	WAKEA ST KAKALA ST MANAWAI KAPOLEI HI 96707	191016212	124 B REPT	1/14/2014
7424	FERNANDES FAMILY	255 KAMOKILA RD KAPAA HI 96746	441010001	2 B REPT	1/29/2014
7226	FUJIMOTO CONDOMINIUM	WAHA RD KOLOA HI 96741	423009005	3 B AMD	1/31/2014
6903	HO`OLE`A TERRACE AT KEHALANI	KEHALANI MAUKA PKWY WAILUKU HI 96793	235001067	174 B AMD 9	1/29/2014
7469	KA MILO AT MAUNA LANI PHASE 10	68-1122 N KANIKU DR KOHALA COAST HI 96743	368022041	8 B REPT	1/24/2014
7440	KA`ILI`ILI CONDOMINIUM	3130 KAILIILI RD HAIKU HI 96708	227015004	3 B REPT	1/23/2014

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7461	KAUAI KAILANI	4-856 KUHIO HWY KAPAA HI 96746	443009050	59	B REPT	1/14/2014
7446	KEANU-PONO ESTATES CONDO	141 PUA NIU WAY LAHAINA HI 96761	247009073	2	B REPT	1/31/2014
7473	KIPUKA AT HOAKALEI INCREMENT 6	END OF KAIKOHOLA ST EWA BEACH HI 96706	191162005	10	B REPT	1/31/2014
6595	KOLOA CREEKSIDE ESTATES I	LOT 186 WELIWELI RD KOLOA HI 96756	428009001	9	B AMD 4	1/13/2014
7474	KULALANI AT MAUNA LANI (PHASE 5)	68-1118 N KANIKU DR KAMUELA HI 96743	368022007	6	CONT FINAL	1/31/2014
7420	M & MKB GARDENS	45-589 PALEKA RD KANEHOE HI 96744	145022022	5	B AMD	1/29/2014
7464	MAKENA SUNSET	5415 5417 5419 & 5421 MAKENA RD MAKENA HI 96753	221007066	4	B REPT	1/9/2014
7343	MAKILA RIDGE LOT 11 CONDO	LOT 11 MAKILA RIDGE SDIVSN LAHAINA HI 96761	247001054	2	B REPT	1/17/2014
6845	NIUMALU 2371 CONDOMINIUM	2371 E NIUMALU RD LIHUE HI 96766	432002031	3	B AMD3	1/31/2014
6869	PIERPAOLO CONDOMINIUM PROJ	WAIALUA BEACH RD HALEIWA HI 96712	166020012	2	B AMD	1/30/2014
2937	WAILELE `IKENA	6277 & 6277A PUUOPAE PL KAPAA HI 96746	444009024	2	SUPPL 2	1/7/2014

0 Preliminary Reports
 0 Contingent Final Reports
 0 Final Reports
 1 Supplementary Reports
 11 B Reports
 6 B Amendment Reports
 19 TOTAL REPORTS

Program of Work: **Rulemaking, Chapter 107**

The Blue Ribbon Panel members have been sent an initial draft of the proposed rules and asked to meet at least once a month for the next four to six months to discuss recommendations that each may have for proposed rules to implement Chapter 514B, HRS.

Government and Legislative Participation & Report

Specialist Yee reported on the status of the following bills:

HB 2017 – Relating to condominiums. Clarifies the applicability of section 205-4.6, HRS, relating to private restrictions on agricultural uses and activities to condominium projects on lands classified as agricultural. The measure House Agriculture Committee deferred the measure. Its companion, SB 2078 is still alive and has passed with amendments.

HB 2401 – Relating to condominiums. Requires condominium board members and managing agents to disclose potential conflicts of interest in the awarding of contracts. Requires annual report on complaints and enforcement actions. Grants the real estate commission enforcement powers over issues relating to the management of condominiums. The measure passed second reading with amendments as HD1. The current amendment appears to revive condo court. Its companion bill SB 2363 has been deferred.

Chair Sherley noted that HB 1923 required resident managers to keep a record of the email addresses of condominium association members. Discussion followed about the possible relation between the Commission's decision on a recent request for an informal non-binding interpretation of section 514A-83.3, HRS.

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: March 12, 2014
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 9:32 a.m.

Respectfully submitted:

/s/ Cynthia M. L. Yee

Cynthia M. L. Yee
Senior Condominium Specialist

February 13, 2014

Date

Minutes approved as is.

Minutes approved with changes; see minutes of _____