What Is This? My PVL - https://pvl.ehawaii.gov/mypvl

The “MyPVL” site will be available when you receive this Bulletin. “MyPVL” will allow all professional and vocational licensees access to all information regarding their license(s), including continuing education information and status, and to ultimately renew a license. To access “MyPVL”, users will have to first create their own eHawaii.gov account. Go to the URL above and do this NOW!

For current licensees, you must then proceed to “link” your license to access your continuing education status. To link your license you must select the license type (salesperson or broker), enter your license number and the last 4 digits of your Social Security Number. Click “Link License” and you’re done! Now, click on the “MyCE” icon at the bottom left side. Your current, available continuing education information will be displayed.

ONLY PRINCIPAL BROKERS / BROKERS-IN-CHARGE AND BROKERAGES (ENTITIES) MAY LINK LICENSES. If any other types of real estate licenses are linked, these links will be administratively BROKEN and will not be permitted to remain.

The following screen shots show how to create “MyPVL” account.

**STEP 1.**

New User Sign Up
- Select Sign Up

- Create an Account
  - Name
  - Email
  - Password
  - Secret Question

(cont. page 4)
It’s that busy time of year at the “square building.” There are several measures going through the legislature this session that directly impact real estate licensees and developers. Some of the more salient ones are summarized below. Status and updates of the bills can be found at www.capitol.hawaii.gov/. Keep in mind that the session ends on May 1, 2014.

**HB 1503 HD1 SD1 – Relating to the Landlord Tenant Code.**

This measure voids rental agreement provisions that allow for the eviction of a tenant who has a valid certificate of the medical use of marijuana unless: (1) the rental agreement allows for the eviction for smoking tobacco and the medical marijuana is consumed by smoking, or (2) the articles of incorporation, declaration, bylaws, house rules or similar documents prohibit the medical use of marijuana.

**HB 2176 (SB 2964) – Relating to Zoning.**

This measure authorizes the counties to enact ordinances that provide for the amortization or phasing out of single-family vacation rental properties that constitute nonconforming uses in any zoning area.

**HB 2019 HD2 SD1 (SB 2480) – Relating to Time Share.**

This measure amends Chapter 514E, HRS, to: (1) allow prospective purchasers of time share interests to receive printed or electronic copies of the time share plan disclosure statement, and (2) simplify the developer registration renewal requirements to no longer require developers to furnish a title report on each unit in a time share plan or file a financial statement. The bill also clarifies that developers must include either the total number of time share interests registered for sale in each unit or the total number of points registered for sale in each property in an application for renewal of a developer registration. Collectively, these changes aim to streamline current industry practices and the renewal process for timeshare registrations.

**HB 2401 HD2 SD2 – Relating to Condominiums.**

This measure creates a new section in Chapter 514B, HRS, specifically intended to: (1) clarify the records that shall be made available to condominium unit owners upon request, and (2) require the disclosure of those requested records no later than 30 days after a written request from a unit owner is received. The bill serves a significant consumer protection function by clearly identifying all records available to unit owners and by ensuring their timely disclosure, allowing unit owners access to information and the opportunity to participate in the self-governance process.

**HB 2482 HD1 SD1 – Relating to Condominiums.**

This measure addresses certain inconsistencies and makes clarifying amendments within Chapter 514B, HRS, relating to condominiums. Specifically, the measure clarifies the process for cumulative voting as a method for minority representation on a condominium board of directors and with regard to filling vacancies on a board of directors. In addition, among other technical amendments, the measure clarifies that directors filling vacancies on the board must be elected at the annual or special meeting.

**HB 2656 HD1 SD1 (SB 3127 SD1) – Relating to Condominiums.**

The purpose of this measure is to establish provisions for the failure of a condominium association to obtain a quorum at the first annual meeting of the association. The measure also: (1) authorizes the board of an association managed by a managing agent to employ and terminate a managing agent and (2) authorizes the termination of a managing agent by a vote of a majority of the unit owners at an association meeting. In the event a managing agent is terminated, the managing agent’s contract shall continue for no more than 3 months from the date of termination and the board shall employ a different managing agent. This measure also exempts certain condominium projects in which a majority of units have been submitted to a time share plan under Chapter 514E, HRS.

**SB 41 SD1 HD1 – Relating to Real Estate.**

This measure clarifies the role of a local contact, which is required on the island where a transient accommodation is located when the owner does not reside on the same island. The measure describes notice requirements for the local contact and services which may be performed by the local contact which do not constitute activity for which a real estate broker’s license or salesperson’s license is required under Chapter 467, HRS.

In addition, the measure addresses the 3-year salesperson experience requirement for the broker experience certification. Chapter 467, HRS requires that a licensee have experience as a full-time Hawaii-licensed real estate salesperson associated with a Hawaii-licensed real estate broker for at least 3 years of the 5 year period immediately prior to the submission of the experience certificate application for a broker’s license. This measure gives the commission the authority to waive 1 of the 3-year experience requirement if at its discretion the commission determines such experience to be equivalent to the 1-year of experience waived.
SB 2078 SD1 – Relating to Condominiums.

Chapter 205, HRS does not allow private restrictions to be placed on agricultural uses and activities on agricultural condominium properties. This measure clarifies the applicability of Section 205-4.6, HRS by providing that the prohibition on private restrictions on agricultural uses and activities under current law applies to the condominium declaration, map, bylaws and other documents required under Chapters 514A and 514B, HRS.

SB 2483 SD1 HD1 – Relating to Condominium Associations.

The original purpose of this measure is to provide that a condominium association may assess unpaid maintenance fees against a purchaser, in addition to a mortgagee, who purchases a delinquent unit in a judicial or nonjudicial foreclosure power of sale foreclosure and to clarify terms related to condominium association fiscal matter and liens for assessments. The Committee on Consumer Protection and Commerce amended this measure by removing the provisions relating to priority of a condominium association’s lien for unpaid common expenses and by clarifying certain condominium board election rules.

Concurrent Resolutions. The following resolutions were passed by the House and Senate. A resolution is a measure expressing the will, wish, or direction of the Legislature; however, it does not have the effect of law.

HCR 169 (HR 128) – “Current Addresses” of Condominium Association Members.

This resolution urges the Department of Commerce and Consumer Affairs (“DCCA”) to issue an interpretation that includes email addresses in the overall meaning of “current addresses” of condominium association members pursuant to sections 514A-83.3 and 514B-153, HRS. Current law does not specify that an email address is an acceptable form of a current address of a condominium association member; however, some condominium association members interpret the meaning of “current addresses” to include email addresses.

HCR 171 (HR 130) – Hotel Conversions.

These measures urge the County Councils to enact legislation that addresses the concerns associated with the conversion of Hawaii’s traditional resort hotel rooms into condominiums, condominium hotels, timeshares, or individual vacation units. The resolutions would encourage the County Councils to remove incentives for the construction or renovation of those types of lodging, define the categories of lodging, and institute zoning ordinances that would further examine the actual benefits of conversion projects prior to their approval. The measure also asks that Department of Business, Economic Development, and Tourism, in coordination with the Hawaii Tourism Authority, provide a monthly public report that tracks the growth and loss of full stream equivalent jobs and average wages as an indicator of the health of the visitor industry.

(s) Nikki T. Senter
What Is This? My PVL - https://pvl.ehawaii.gov/mypvl (cont. from page 1)

- Address (including country, city, state, and zip code)
- Phone Number(s)
- Subscriber Account Username and Password (if applicable)
- Terms of Use and email selection (NOTE: select “Email me about important dates pertaining to services I use to receive notification about upcoming renewals).  
- Selected Create Account

STEP 2.
Log In using email and password used in creating your account

STEP 3.
Link License(s)
- Select Link License

- Choose License Type
- Input License Number
- Input Last 4 of SSN or file number

NOTE: File number applies to entities. To obtain the entities file number, please contact the Professional and Vocation Licensing Division at (808) 586-3000.
- Select Link

(cont. page 5)
STEP 4.

My Linked Licenses - Individual
- License ID – click to view license information
  - License Details
  - Renewal History
  - Employees – applicable to entities
  - Employers – applicable to individual licensee, (not entities)
  - License Class – not applicable to real estate licensees
  - Insurance Bond – not applicable to real estate licensees
  - MyCE

- Actions
  - Unlink – remove a license from your eHawaii Account
  - Renew – active link only available during license renewal
- + New License – not applicable
Congratulations to both Nikki Senter (right photo), public member, and Rowena Cobb (left photo), Kauai, for being reappointed by Governor Neil Abercrombie for a second four-year term on the Hawaii Real Estate Commission. Ms. Senter is the current Commission chair. Ms. Cobb is the current chair of the Education Review Committee.

STEP 5

My Linked Licenses – Entity (see number 3 above)
NOTE: Linking to additional real estate licenses should be limited to the following:
• Principal Broker (PB)/Broker in Charge (BIC) linking the Entities license if authorized by the entity to do so.
• Individual licensees should not link to other individual licensees. The following are examples of licenses that should not be linked:
  o Salespersons/Broker Salespersons should not be linked to other salespersons/broker salespersons.
  o Salespersons/Broker Salespersons should not be linked to associating brokerage.
  o PBs should not be linked to associating salespersons/broker salespersons.

STEP 6

Log Out

Re-Appointed Commissioners

Congratulations to both Nikki Senter (right photo), public member, and Rowena Cobb (left photo), Kauai, for being reappointed by Governor Neil Abercrombie for a second four-year term on the Hawaii Real Estate Commission. Ms. Senter is the current Commission chair. Ms. Cobb is the current chair of the Education Review Committee.
STOP! Do NOT SUBMIT a CHANGE FORM during the renewal cycle (mid-October through December 31, 2014) or just prior to submitting your real estate license renewal. If you submit a Change Form during the renewal cycle and there is a deficiency in the Change Form which delays the processing of the Change Form, you may not renew your license online. The pending Change Form will freeze the ability to renew online.

If you must submit a Change Form, and time permits, submit the Change Form WITH your license renewal. If submitting a Change Form with your license renewal, you will not be able to renew your license online. A paper renewal application must be obtained from the Licensing Branch. Remember that all changes to your license status and association must be reported to the Commission within 10 days of the change. So, please be aware of the time frames involved during this renewal year.

This renewal year, there will be NO PDF versions of the license renewal application available on the Commission’s website. Any “Yes” answer on the renewal application means a paper renewal application must be submitted. If a paper renewal application is needed, contact Licensing Branch (808-586-3000) to request the paper application.

The questions included in the renewal application are:

1) In the past 3 years has your license in this state or any other jurisdiction been formally disciplined by way of fine, suspension, restriction, or revocation? YES ___ NO ___

2) Are there any disciplinary actions pending against you in this state or any other jurisdiction? YES ___ NO ___

3) In the past 3 years have you been convicted of a crime in which the conviction has not been annulled or expunged? YES ___ NO ___

**PRINCIPAL BROKERS/BROKERS-In-CHARGE**

All REAL ESTATE BROKERAGES have a “BP ID #”. Don’t know the BP ID# for your brokerage? Only the PB or Broker-in-Charge should call the Real Estate Branch, 808-586-2643 or Licensing Branch, 808-586-3000, to request the number. You must have the BP ID# in order to set up the ehawaii.gov account.

**TO BE COMPLETED BY LICENSEE** (Check your answers and provide additional information where requested): If you never had any disciplinary actions or convictions to report OR if you previously reported disciplinary actions or convictions to the Licensing Authority AND you had no disciplinary actions or convictions since that time, answer “No” to questions 1 and 3.
Rule-Making Update

At its monthly meeting on Wednesday, March 19, 2014, the Small Business Regulatory Review Board deferred action on the Commission’s proposed rule changes to Chapter 99, Hawaii Administrative Rules because of lack of quorum. Two members were excused, and two other members recused themselves as they are Hawaii real estate licensees.

The next SBRRB meeting is scheduled for April 16, 2014. The Commission is verifying information that it may proceed to a public hearing prior to any review by the SBRRB.

As the Bulletin was going to press, the Real Estate Branch received word that the proposed rule changes for Chapter 99 will again be deferred by the SBRRB due to lack of quorum for its meeting scheduled for April 16, 2014.

For a complete copy of the proposed rule changes to Chapter 99, go to the Commission’s website at www.hawaii.gov/hirec.

Proposed rule amendments of the most interest to the general real estate license population are: (Note: underlined text is proposed language, [bracketed] text is proposed deletion from the existing rules.)

1. §16-99-11 – Advertising
   (a) All real estate advertising and promotional materials shall prominently and conspicuously include the legal name of the brokerage firm or a trade name previously registered by the brokerage firm with the business registration division and with the commission, and the license number of the brokerage. The license number of the brokerage shall not be required for all advertising and promotional materials that comply with paragraph (e).
   (e) All advertising and promotional materials that refer to the individual licensee’s name, including but not limited to business cards, shall:
      (1) Include the licensee’s legal name, name as licensed by the commission, or sole proprietor’s trade name as licensed by the commission;
      (2) Identify the licensee with the licensee’s associating or employing brokerage firm; and
      (3) [Specify that the licensee is a broker (B), or salesperson (S), or if a current member of the Hawaii Association of Realtors, Realtor (R) or Realtor Associate (RA).] Include the licensee’s license number as issued by the commission.

2. §16-99-3 – Conduct
   (o) . . . In case of prolonged illness or death where the principal broker or [broker in charge] broker-in-charge is unable to act, another broker shall be designated as the temporary principal broker or [broker in charge] broker-in-charge within thirty days of the illness or death with appropriate notification [to the commission.] and statement of a licensed medical doctor certifying to the commission the inability of the broker to practice. [A temporary principal broker or broker in charge arrangement shall not exceed a period of six months, with the right to extend prior to expiration for another six months for good cause and with the approval of the commission.]

   A temporary principal broker or broker-in-charge arrangement shall not exceed a period of six months unless, prior to expiration of the initial six-month period, the principal broker requests and obtains, upon a showing of good cause for such extension, approval of the commission to extend the temporary arrangement for up to an additional six months.
Administrative Actions

January 2014

Frank Violi, Jr.
Salesperson - RS 66833
Case No: REC 2013-185-L
Dated 1/24/14

Allegations: On or about 11/14/12 Respondent pled no contest in the District Court of the Second Circuit, State of Hawaii, to the crime of driving under the influence (hereafter “Conviction”). The Respondent disclosed the Conviction in writing to the Commission and fulfilled all Court-imposed terms and conditions of the Conviction.

Sanction: Pay a $500.00 administrative fine.

Violations: HRS §§436B-19(12), (14) and (17)

February 2014

Sean S. Takamori
Salesperson-RS 72402
Case No: REC 2013-106-L
Dated 2/28/14

Allegations: On or about 5/11/11, Respondent pled no contest in the District Court of the First Circuit, State of Hawaii, to the crime of driving under the influence (hereafter “Conviction”). The Respondent disclosed the Conviction in writing to the Commission and fulfilled all Court-imposed terms and conditions of the Conviction.

Sanction: Pay a $500.00 administrative fine.

Violations: HRS §§436B-19(12), (14) and (17)

Robert E. Wills
dba Bob Wills
Broker-RB 20826
Case No: REC 2013-61-L
Dated 2/28/14

Allegations: On or about 1/4/11, Respondent pled guilty in the District Court of the Ninth Judicial District, Criminal Division, County of Beltrami, State of Minnesota, to the crime of driving while impaired (hereafter “Conviction”). The Respondent disclosed the Conviction in writing to the Commission and fulfilled all Court-imposed terms and conditions of the Conviction.

Sanction: Pay a $500.00 administrative fine.

Violations: HRS §§436B-19(12), (14) and (17)

Jessica L. Zeller
Salesperson-RS 72227
Case No: REC 2013-59-L
Dated 2/28/14

Allegations: On or about 7/8/11, Respondent pled no contest in the District Court of the First Circuit, State of Hawaii, for the crime of driving under the influence (hereafter “Conviction”). The Respondent disclosed the Conviction in writing to the Commission on or about 11/11/12 by letter and the license renewal process and fulfilled all Court-imposed terms and conditions of the Conviction.

Sanction: Pay a $500.00 administrative fine.

Violations: HRS §§436B-19(12), (14) and (17)
Administrative Actions (cont. from page 9)

February 2014 (cont.)

Carolyn Y. Ko
nka Carolyn Y. Landon
Salesperson – RS 70042
Case No: REC 2008-102-L
Dated 2/28/14

Factual Findings: On 1/4/08, Respondent transferred her license to Prince Properties, Inc. On 1/6/08, Respondent submitted a purchase contract as an offer to purchase property on behalf of a buyer. Respondent submitted said offer without the consultation or approval of her principal broker. The offer contained irregularities, including that buyer’s agent waives her commission. As a result of Respondent’s offer, the listing agent contacted Respondent’s principal broker to ask about the format of the offer. Respondent was told by her principal broker that she was not to write a contract, negotiate a contract, list a property, give an assessment of value or take any other action as a real estate licensee without first consulting with the principal broker. Notwithstanding the specific instructions by her principal broker, on 2/2/08, Respondent submitted an offer for the purchase of property without consulting her principal broker and without authorization. Respondent signed a Cooperating Broker’s Agreement misrepresenting herself as the cooperating broker. In or around January 2008, Respondent had business cards showing her name as “Carolyn Landon”. Respondent’s principal broker informed Respondent that she was not allowed to conduct real estate business under a different name unless approved by the Department of Commerce and Consumer Affairs. Notwithstanding the specific instructions by her principal broker, on 2/20/08, Respondent submitted an offer for the pur-

chase of property without consulting her principal broker and without authorization. Respondent signed a Cooperating Broker’s Agreement misrepresenting herself as the cooperating broker and using the name “Carolyn Landon”. On 12/18/09, the United States District Court for the District of Arizona granted Respondent’s Petition for Name Change, changing her legal name to Carolyn Yvonne Landon. Respondent did not notify the Commission of her name change. On or about 11/4/12, Respondent submitted an electronic renewal application under her former name. On or about 11/5/10, the IRS issued a notice of federal tax lien, indicating that Respondent had an unpaid balance of assessment totaling $125,967.84. Respondent failed to respond to Petitioner’s request for information about the status of the unpaid taxes.

Order: License revocation

Violations: HRS §§467-14(1), (3), (6), (8), (20); HRS §467-20; HRS §§436B-19(2), (5), (7); HAR §16-99-3

March 2014

Tiffany S. Bove
Salesperson – RS 60144
Case No: REC 2013-161-L
Dated 3/28/14

Allegations: On or about 5/12/10, Respondent pled no contest in the District Court of the First Circuit, State of Hawaii, to the crime of driving under the influence (hereafter “Conviction”). The Respondent disclosed the Conviction in writing to the Commission and fulfilled all Court-imposed terms and conditions of the Conviction.

Sanction: Pay a $500.00 administrative fine.

Violations: HRS §§436B-19(12), (14) and (17)

Andrew Ray Kress
Salesperson – RS 73293
Case No: REC 2013-217-L
Dated 3/28/14

Allegations: On or about 5/7/13, Respondent pled no contest in the District Court of the First Circuit, State of Hawaii, to the crime of driving under the influence (hereafter “Conviction”). The Respondent disclosed the Conviction in writing to the Commission and fulfilled all Court-imposed terms and conditions of the Conviction.

Sanction: Pay a $500.00 administrative fine.

Violations: HRS §§436B-19(12), (14) and (17)

Denelle L.K. Valiere
Salesperson – RS 68199
Case No: REC 2013-151-L
Dated 3/28/14

Allegations: On or about 1/29/13, Respondent pled no contest in the District Court of the Second Circuit, State of Hawaii, to the crime of driving under the influence (hereafter “Conviction”). The Respondent disclosed the Conviction in writing to the Commission and fulfilled all Court-imposed terms and conditions of the Conviction.

Sanction: Pay a $500.00 administrative fine.

Violations: HRS §§436B-19(12), (14) and (17)
Prelicense Schools

Abe Lee Seminars 808-942-4472
Akahi Real Estate Network LLC 808-331-2008
Carol Ball School of Real Estate 808-871-8807
Coldwell Banker Pacific Properties Real Estate School 808-597-5550
Continuing Ed Express LLC 866-415-8521
Dower School of Real Estate 808-735-8838
Fahmni School of Real Estate 808-486-4166
Hawaii Institute of Real Estate, LLC 808-589-0550
Inet Realty 808-955-7653
Property Merchants, Inc. dba All Islands Real Estate School 808-564-5170
ProSchools, Inc. 800-452-4879
Ralph Foulger’s School of Real Estate 808-239-8881
REMI School of Real Estate 808-230-8200
Seiler School of Real Estate 808-874-3100
University of Hawaii Maui College - OCET Real Estate School 808-984-3231
Vitousek Real Estate Schools, Inc. 808-946-0505

State of Hawaii
Real Estate Commission

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This material can be made available to individuals with special needs. Please call the Senior Real Estate Specialist at 586-2643 to submit your request.

Continuing Education Providers

Abe Lee Seminars 808-942-4472
Akahi Real Estate Network LLC 808-331-2008
American School of Real Estate Express, LLC 866-739-7277
Carol Ball School of Real Estate 808-871-8807
Carol M. Egans, Attorney at Law 808-222-9725
Charfen Institute dba Distressed Properties Institute, LLC 800-482-0335
Coldwell Banker Pacific Properties Real Estate School 808-597-5550
Continuing Ed Express LLC 866-415-8521
Dower School of Real Estate 808-735-8838
Eddie Flores Real Estate Continuing Education 808-951-9888
Green Building LLC 808-873-2040
Hawaii Association of Realtors 808-733-7060
Hawaii Business Training 808-250-2384
Hawaii CCIM Chapter 808-528-2246
Hawaii Institute of Real Estate, LLC 808-589-0550
Hawaii Island Realtors 808-935-0827
Honolulu Board of Realtors 808-732-3000
Institute of Real Estate Management – Hawaii Chapter No. 34 808-536-4736
Institute of Real Estate Management – National 312-329-6058
Investment Property Exchange Services, Inc. 808-387-4140
Kauai Board of Realtors 808-245-4049
Key Realty School LLC 800-472-3893
Lorman Business Center, Inc. dba Lorman Education Services 715-833-3940
McKissock, LP 800-328-2008
OnCourse Learning Corporation dba Career WebSchool 800-532-7649
Pacific Real Estate Institute 808-524-1505
Property Merchants, Inc. dba All Islands Real Estate School 808-564-5170
ProSchools, Inc. 800-299-2207
Ralph Foulger’s School of Real Estate 808-239-8881
Real Class, Inc. 808-981-0711
Realtors Association of Maui, Inc. 808-873-8585
REMI School of Real Estate 808-230-8200
Rusk Goode Seminars 808-597-1111
Shari S. Motoooka-Higa 808-457-0156
The CE Shop, Inc. 888-827-0777
The Seminar Group 206-463-4400
TM Education Services 808-268-7473
University of Hawaii Maui College - OCET Real Estate School 808-984-3231
Vitousek Real Estate Schools, Inc. 808-946-0505
West Hawaii Association of Realtors 808-329-4874
2014 Real Estate Commission Meeting Schedule

Laws & Rules Review Committee – 9:00 a.m.
Condominium Review Committee –
Upon adjournment of the Laws & Rules Review Committee Meeting
Education Review Committee – Upon adjournment of the Condominium Review Committee Meeting

Real Estate Commission – 9:00 a.m.

Wednesday, May 14, 2014
Wednesday, June 18, 2014
Wednesday, July 9, 2014
Wednesday, August 13, 2014
Wednesday, September 10, 2014
Wednesday, October 8, 2014
Wednesday, November 12, 2014
Wednesday, December 10, 2014

Friday, May 30, 2014
Friday, June 27, 2014
Friday, July 25, 2014
Friday, August 29, 2014
Friday, September 26, 2014
Friday, October 24, 2014
Wednesday, November 26, 2014
Friday, December 19, 2014

All meetings will be held in the Queen Liliuokalani Conference Room of the King Kalakaua Building, 335 Merchant Street, First Floor.

Meeting dates, locations and times are subject to change without notice. Please visit the Commission’s website at www.hawaii.gov/hirec or call the Real Estate Commission Office at (808) 586-2643 to confirm the dates, times and locations of the meetings. This material can be made available to individuals with special needs. Please contact the Executive Officer at (808) 586-2643 to submit your request.