

**CONDOMINIUM 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: April 7, 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: Bruce Faulkner, Vice Chair / Maui Commissioner  
Nikki Senter, Public / Honolulu Commissioner – early departure  
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  
Amy Fujioka, Office Assistant

Others: Dan Purcell

Absent: Scott Sherley, Chair, Broker / Hilo Commissioner

Call to Order: Vice Chair Faulkner called the meeting to order at 10:01 a.m., at which time quorum was established.

Chair's Report: No report was presented.

The Vice 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.

Chair Sherley was excused from the meeting. Prior notification of his non-attendance was received.

Condominium  
Specialist's  
Report:

#### **Additional Distribution**

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

4. Condominium Governance and Management
  - d. Condominium Seminars and Symposium – Option to Renew Contract of Community Association Institute Hawaii Chapter For Up to One Fiscal Year
5. CPR Registration and Developer's Public Reports
  - a. Condominium Projects and Developer's Public Reports
    - 1) March 2014
  - c. Consultants - Option to Renew Contract For Up to Two Fiscal Years for Professional Services of Condominium Consultants Glenn M. Adachi, Kenneth D. H. Chong, Clay Chapman Iwamura Pulice & Nervell, Terry L. Day, Imanaka Asato, Jewell & Krueger, Kiefer & Garneau, Calvin Kimura, Michael H. Sakai, Lloyd K. Sodehani, Grant Tanimoto

Minutes:

Upon a motion by Commissioner Gendrano, seconded by Commissioner Cobb, it was voted on and unanimously carried to accept the minutes of the March 12, 2014 Condominium Review Committee meeting as circulated.

Condominium  
Governance and  
Management:

#### **AOUO Registrations**

Specialist Stone reported that as of March 31, 2014, 1,531 AOUOs have successfully registered.

#### **Mediation and Arbitration**

Specialist Stone announced that Act 187, SLH 2013, amended §514B-71 and 72. Beginning with the July 1, 2015 biennium registration, an additional annual condominium education trust fund fee in the amount of \$1.50 per condominium unit, totaling \$3.00 per unit per registration period to be dedicated to supporting an advanced level type mediation. Specialist Stone is currently working with interested stakeholders to implement the program and hopefully get more owners to take advantage of mediation.

#### **Condominium Seminars and Symposium – Option to Renew Contract of Community Association Institute Hawaii Chapter For Up to One Fiscal Year**

Vice Chair Faulkner noted the necessity to discuss item 4.d. in Executive Session along with items 5. c and 5. e of the agenda.

Mr. Dan Purcell questioned if this committee would be skipping agenda items as was done in the previous meeting.

Executive Session:

Upon a motion by Commissioner Arakaki, seconded by Commissioner Cobb, 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" on the following agenda items:

- 4.d. Condominium Seminars and Symposium – Option to Renew Contract of Community Association Institute Hawaii Chapter For Up to One Fiscal Year;
- 5.c. Consultants - Option to Renew Contract For Up to Two Fiscal Years for Professional Services of Condominium Consultants Glenn M. Adachi, Kenneth D. H. Chong, Clay Chapman Iwamura Pulice & Nervell, Terry L. Day, Imanaka Asato, Jewell & Krueger, Kiefer & Garneau, Calvin Kimura, Michael H. Sakai, Lloyd K. Sodetani, Grant Tanimoto; and
- 5.e. Condominium Project Registration Reminders 2014-1 dated 3/6/14 Issued by Staff Pursuant to §16-201-92, Hawaii Administrative Rules.

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

Condominium  
 Governance and  
 Management:

**Condominium Seminars and Symposium – Option to Renew Contract of Community Association Institute Hawaii Chapter For Up to One Fiscal Year**

Commissioner Senter was excused from the meeting at 11:42 a.m.

Upon a motion by Commissioner Wada, seconded by Commissioner Cobb, it was voted on and unanimously carried to exercise the Commission's option to renew Community Association Institute Hawaii Chapter's contract for up to one fiscal year subject to the same terms and agreements of the current contract.

**Condominium Related Articles**

The following articles were distributed for informational purposes: *CAI Hawaii* February 2014, "Now That You Own It, Don't Forget to Insure It" and "Top Tips For AOA's Planning Ahead For Emergency Preparedness & Recovery;" and *Hawaii Tribune – Herald* "Lights out at County Club condos?" – Posted February 26, 2014 and "Going Dark? Condo residents express helplessness about HELCO situation" - posted March 27, 2014.

Condominium  
 Project  
 Registration:

**Condominium Project Registration - Public Reports Issued**

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

PROJ #	PROJECT NAME	PROJECT ADDRESS	TMK #	UNITS	REPORT	DATE
7472	1023 15TH AVENUE, 1027 15TH AVENUE & 1029 15TH AVENUE	1023/1027/1029 15TH AVE HONOLULU HI 96816	132043025	3	B REPT	3/11/2014
7429	1108 AUAHI	1108 AUAHI ST HONOLULU HI 96814	123005013	320	B AMD	3/3/2014
7431	1118 ALA MOANA	1118 ALA MOANA BLVD HONOLULU HI 96814	123001001	178	B AMD 2	3/3/2014
7477	2062 AND 2062A MAKANANI DRIVE CONDOMINIUM	2062 & 2062A MAKANANI DR HONOLULU HI 96817	116011014	2	B REPT	3/28/2014
7257	2232 PANE ROAD	LOT 4 BACLE TRACT BLOCK C KOLOA HI 96756	428018005	2	B AMD	3/25/2014
7493	45-508 & 45-508A KAPALAI ROAD	45-508 & 45-508A KAPALAI RD KANEHOE HI 96744	145071137	2	B REPT	3/31/2014
7482	801 SOUTH ST - BUILDING B	801 SOUT ST HONOLULU HI 96813	121047004	789	B REPT	3/10/2014

Condominium Review Committee  
 Minutes of the April 7, 2014 Meeting  
 Page 4

7393	BEAUTIFUL BEACH HOMES OF KAAAWA	51-458 KAMEHAMEHA HWY KAAAWA HI 96730	151011039	2	B AMD	3/6/2014
7168	COVE WAIKIKI THE	1800 & 1820 KAIOO DR HONOLULU HI 96815	126012037	117	B AMD 3	3/19/2014
7478	FAIRWAY ALANEO	1619 & 1621 ALANEO ST HONOLULU HI 96817	117043026	2	B REPT	3/18/2014
7427	HAUULA HIDEAWAY	54-055 WAIKULAMA ST HAUULA HI 96717	154016018	8	B REPT	3/24/2014
7422	HO`OMALOLO I	902 HO`OMALOLO PL MAKAWAO HI 96768	228002012	2	B REPT	3/12/2014
7486	KA MILO AT MAUNA LANI PHASE 11	68-1122 N KANIKU DR KOHALA COAST HI 96743	368022041	4	B REPT	3/10/2014
4758	KIPAPA ESTATES	6631 KIPAPA RD KAPAA HI 96746	444002094	2	SUPPL	3/12/2014
7485	KUAIHELANI CONDOMINIUM	126 & 128 RAGSDALE PL HONOLULU HI 96817	122051036	2	B REPT	3/21/2014
7479	MAILI BEACH PLACE PH 8-12 AND 15	87-176 MAIPALAOA RD WAIANAE HI 96792	187023060	17	B REPT	3/14/2014
7487	MOUNT KA`ALA RANCH	67-290 FARRINGTON HWY WAIALUA HI 96791	167002034	6	B REPT	3/13/2014
7413	POMAIKAI AINA CONDOMINIUM	3379 PUNI RD KOLOA HI 96756	428011013	2	B REPT	3/6/2014
7068	PROJECT PUEO	7120 ALAMIHI RD HANALEI HI 96714	458011018	3	B AMD	3/14/2014
7451	PUNALUU OCEANVIEW	53-354B PUNALUU VALLEY RD HAUULA HI 96717	153007021	18	B REPT	3/31/2014
7291	WAHIAWA PLANTATION ESTATES	621 CLARK ST HONOLULU HI 96786	174010061	6	B AMD	3/21/2014

0	Preliminary Reports
0	Contingent Final Reports
0	Final Reports
1	Supplementary Reports
13	B Reports
7	B Amendment Reports
21	TOTAL REPORTS

**Consultants - Option to Renew Contract For Up to Two Fiscal Years for Professional Services of Condominium Consultants Glenn M. Adachi, Kenneth D. H. Chong, Clay Chapman Iwamura Pulice & Nervell, Terry L. Day, Imanaka Asato, Jewell & Krueger, Kiefer & Garneau, Calvin Kimura, Michael H. Sakai, Lloyd K. Sodehani, Grant Tanimoto**

Upon a motion by Commissioner Arakaki, seconded by Commissioner Wada, it was voted on and unanimously carried to defer the matter to the April 25, 2014 Real Estate Commission meeting.

Mr. Purcell then raised a question as to the reason for the deferral after the lengthy executive session.

Deputy Attorney General Wong provided the explanation that the Commission discussed the issue in executive session and will be deferring the item to the Real Estate Commission meeting at the end of the month.

**Condominium Project Registration Reminders 2014-1 dated 3/6/14 Issued by Staff Pursuant to §16-201-92, Hawaii Administrative Rules**

Upon a motion by Commissioner Arakaki, seconded by Commissioner Wada, it was voted on and unanimously carried to defer the matter to the April 25, 2014 Real Estate Commission meeting.

Program of Work: **Rulemaking, Chapter 107/119**

Commissioner Arakaki reported that the Blue Ribbon Committee met to review the initial draft of the proposed rules. The committee, consisting of different stakeholders, conducted a very constructive meeting.

**Government and Legislative Participation & Report**

Legislative Report No. 3 was distributed to the Commissioners during the Laws and Rules Review Committee meeting for their information. An update was provided.

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: May 14, 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, Vice Chair Faulkner adjourned the meeting at 11:51 a.m.

Respectfully submitted:

/s/ Cynthia M. L. Yee

\_\_\_\_\_  
Cynthia M. L. Yee  
Senior Condominium Specialist

April 9, 2014

\_\_\_\_\_  
Date

Minutes approved as is.

Minutes approved with changes; see minutes of \_\_\_\_\_