

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: September 10, 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
Aileen Wada, Broker / Honolulu Commissioner
Scott Arakaki, Public / Honolulu Commissioner
Laurie A. Lee, Broker / Honolulu Commissioner
Aleta Klein, Broker / Honolulu Commissioner
Michael Pang, Broker / Honolulu Commissioner

Neil Fujitani, Supervising Executive Officer
Miles Ino, Executive Officer
Cynthia Yee, Senior Condominium Specialist
Benedyne Stone, 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: Aron Espinueva, Hawaii Association of REALTORS®
Catherine Lampton

Absent: Rowena Cobb, Broker / Kauai Commissioner

Call to Order: Chair Sherley called the meeting to order at 9:11 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.

The Chair further announced the Commission shall afford all interested persons an opportunity to submit data, views, or arguments, in writing, on any agenda item and shall provide all interested parties an opportunity to present oral testimony on any agenda item subject to the conditions set forth in Section 16-99-83, HAR. The Commission may remove any person or persons who willfully disrupt a meeting to prevent and compromise the conduct of the meeting in accordance with Section 92-3, HRS.

Commissioner Cobb was excused from the meeting. Prior notification of her 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
5. CPR Registration and Developer's Public Reports
 - a. Condominium Projects and Developer's Public Reports
 - 1) August 2014

Minutes:

Upon a motion by Commissioner Arakaki, seconded by Commissioner Faulkner, it was voted on and unanimously carried to accept the minutes of the August 13, 2014 Condominium Review Committee meeting as circulated.

Condominium
Governance and
Management:

AOUO Registrations

Specialist Stone reported that as of August 31, 2014, 1,635 AOUOs have successfully registered.

Condominium Seminars and Symposium – CAI Hawaii "Budget Busters" August 21, 2014 excerpts -- Evaluation

Excerpts from the handouts were provided for informational purposes.

Condominium Seminars and Symposium – CAI Hawaii 2015 Seminars

The committee acknowledged receipt of CAI Hawaii's request for approval of CETF subsidized seminars.

Specialist Yee informed the committee that the approval process for this type of request where the topic or subject matter of the seminar had been previously approved by the Commission had been delegated to staff. Staff is thus reporting that the requested seminars fall within the delegation and staff will be approving the requested seminars being offered through June 30, 2015 for CETF subsidies subject to the terms and conditions of the existing contract and the availability of the CETF monies.

Condominium Seminars and Symposium—CAI Hawaii's Request for Approval of Estimated Expenses for National speaker at approved Condominium Education Trust Fund seminars (Oahu, Kona, and Maui)

Upon a motion by Commissioner Wada, seconded by Commissioner Lee, it was voted on and unanimously carried to approve, subject to the terms and conditions of the July 1, 2014 contract, the estimated expenses for the national speaker,

Larry J. Pothast, for the delivery of the Condominium Education Trust Fund approved seminar, "Effective One Hour Board Meetings" (Oahu, Kona, and Maui).

Staff noted that the contract cap amount includes travel expenses.

Condominium Seminars and Symposium – REC Free Seminar Proposal

Specialist Yee reported that staff is in the discussion phase with CAI Hawaii on offering a free seminar geared towards association unit owners. The Commission in the past has held free seminars at the Hawaii State Capitol which initially had a good turnout.

Case Law Review Program

The following articles from the September 2014 issue of *Community Association Management Insider* were distributed for informational purposes: *Studiger v. Honeytree Townhouse Improvement Association* (August 2014) and *Board of Managers of the 411 East 53rd Street Condominium v. Barton Perbinder and Stephen Perbinder* (July 2014).

Condominium Related Articles

The following articles were distributed for informational purposes: "Survey: Member Satisfaction with Associations at a High" *Community Association Management Insider* (September 2014); "Following Declaration Precisely to Preserve Board's Authority" *Community Association Management Insider* (September 2014); and "Hawaii Climate Adaptation Initiative Act (Act 83)" *Wai Halana Hawaii Flood News* (July 2014) Department of Land and Natural Resources Engineering Division, State of Hawaii.

Condominium
 Project
 Registration:

Condominium Project Registration - Public Reports Issued

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

PROJ #	PROJECT NAME	PROJECT ADDRESS	TMK #	UNIT	REPORT	DATE
7556	2331 AND 2331A ROSE STREET CONDO	2331 & 2331A ROSE ST HONOLULU HI 96819	113010013	2	B REPT	8/12/2014
7228	4582 NANA PALI PLACE	4582 NANA PALI PL WAIMEA HI 96796	412013010	2	B AMEND	8/28/2014
7550	FAIRWAY MAKANANI	2180 & 2182 MAKANANI DR HONOLULU HI 96817	116020021	2	B REPT	8/7/2014
7442	HALE NUI NIU	4521 NENE RD KEKAHA HI 96752	413004020	5	B REPT	8/4/2014
7546	HANA ESTATES	84-1026 HANA ST WAIANAE HI 96792	184012004	4	B REPT	8/27/2014
7489	HO'OMALOLO II	906 & 908 HO'OMALOLO PL HAIKU HI 96708	228002264	2	B REPT	8/21/2014
22	ILIKAI APARTMENT BUILDING	1777 ALA MOANA BLVD HONOLULU HI 96815	126010007	1025	SUPPL 8	8/21/2014
6037	KALAHEO HILLSIDE ESTATES	3080 LAUOHO RD KALAHEO HI 96741	423002010	4	SUPPL 2	8/11/2014
5304	KALOKO BUSINESS CENTER IV	73-5620 KAUHOLA ST KAILUA KONA HI 96740	373051094	12	SUPPL	8/5/2014
5551	KIHEI COMMERCIAL PLAZA	KAHAKULANI PLACE KIHEI HI 96753	239045012	73	SUPPL 4	8/27/2014
7143	PINAO GARDENS CONDOMINIUM	PU'U PANE SUBDIVISION LOT 7 KAHILI HI 96714	451005106	2	B REPT	8/19/2014
7551	THE COLLECTION (MIDRISE PHASE)	600 ALA MOANA BLVD HONOLULU HI 96813	1201055041	56	B REPT	8/7/2014

0 Preliminary Reports
 0 Contingent Final Reports

0	Final Reports
4	Supplementary Reports
7	B Reports
1	B Amendment Reports
12	TOTAL REPORTS

Program of Work: **Hawaii Condominium Bulletin**

It was reported that the September issue of the Condominium Bulletin will be posted online by months end.

Records Management

The following article was distributed for informational purposes: "Confidentiality in the Cloud: The Ethics of Using Cloud Services in the Practice of Law" *Hawaii Bar Journal* (August 2014).

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: Upon a motion by Commissioner Arakaki, seconded by Commissioner Faulkner, it was voted on and unanimously carried to accept the Condominium Education Trust Fund Financial Report for the period ending June 30, 2014.

Next Meeting: October 8, 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 9:31 a.m.

Respectfully submitted:

/s/ Cynthia M. L. Yee

Cynthia M. L. Yee
Senior Condominium Specialist

September 16, 2014

Date

Minutes approved as is.
 Minutes approved with changes; see minutes of _____