

**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, January 7, 2015

Time: 9:30 a.m.

Place: REALTORS® Association of Maui  
441 Ala Makani Place  
Kahului, Maui

Present: Scott Arakaki, Chair, Public / Honolulu Commissioner  
Laurie Lee, Vice Chair, Broker / Honolulu Commissioner  
Rowena Cobb, Broker / Kauai Commissioner  
Bruce Faulkner, Broker / Maui Commissioner  
Nikki Senter, Public / Honolulu Commissioner  
Scott Sherley, Broker / Hawaii Commissioner  
Aileen Wada, Broker / Honolulu Commissioner  
Michael Pang, 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: Carol Ball, Carol Ball & Associates  
Keone Ball, Carol Ball & Associates  
Terry Tolman, REALTORS® Association of Maui  
Rick Kiefer, Cades Schutte LLP  
Jeannie Wenger  
Helen MacArthur, RAM Government Affairs Committee

Absent: Aleta Klein, Broker / Interim Honolulu Commissioner

Call to Order: The Chair called the meeting to order at 9:30 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 Klein was excused from today's meeting. Prior notice of her non-attendance was received.

SEO's Report: SEO Fujitani thanked the REALTORS® Association of Maui and Terry Tolman for providing the venue for today's meetings. He also welcomed and introduced those present.

#### **Commissioners' Schedule of Non-Accessible Dates**

The Commissioners were asked to turn in their schedule of non-accessible dates for January through June 2015 by Friday, January, 23, 2015.

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

Upon a motion by Commissioner Cobb, seconded by Commissioner Faulkner, it was voted on and unanimously carried to accept the minutes of the December 10, 2014, Laws and Rules Review Committee meeting as circulated.

Program of Work: **Legislative and Government Participation Report**

Recent articles relating to vacation rentals were distributed for informational purposes. There is a possibility that bills regarding vacation rentals will be introduced during the upcoming legislative session.

Commissioner Sherley questioned Mr. Tolman as to how RAM's Government Affairs Committee is dealing with the issue.

Mr. Tolman responded that Maui County has recently passed and Bed and Breakfast and Short Term Rental ordinance. Mr. Tolman's impression is that there is no universal solution to solve the problem. The issue should be handled by each individual county to address their specific issues.

Commissioner Sherley noted that it seems as if Hawaii County is the only County to have embraced vacation rentals.

#### **Case Law Review**

The following case law was distributed for informational purposes: Geoffrey Molfino v. Christopher J. Yuen, in his capacity as Planning Director, County Of Hawai'i; County Of Hawai'i, 2014 WL 5905007 (November 13, 2014).

ARELLO, Other Organizations And Jurisdictions: No report presented.

Special Issues: None reported.

Budget and Finance Report: No report presented.

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Next Meeting:            Wednesday, February 11, 2015  
                                 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 9:40 a.m.

Reviewed and approved by:

/s/ Neil K. Fujitani

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Neil K. Fujitani  
Supervising Executive Officer

January 13, 2015

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Date

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