

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: May 13, 2015

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, Broker / Maui Commissioner
Rowena Cobb, Broker / Kauai Commissioner
Scott Arakaki, Public / Honolulu Commissioner
Laurie A. Lee, Broker / Honolulu Commissioner
Aleta Klein, Broker / Honolulu Commissioner

Neil Fujitani, Supervising Executive Officer
Miles Ino, Executive Officer
Cynthia Yee, Senior Condominium Specialist
Benedyne Stone, Condominium Specialist
Dathan Choy, 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: Nikki Senter, Public / Honolulu Commissioner
Michael Pang, Broker / Honolulu Commissioner
Aileen Wada, Broker / Honolulu Commissioner

Call to Order: Chair Sherley called the meeting to order at 9:31 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.

Commissioners Senter, Pang, and Wada were excused from the meeting. Prior notification of their non-attendance was received.

Condominium
Specialist's
Report:

Additional Distribution

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

6. Program of Work, FY15
 - p. Records Management

Minutes

Upon a motion by Commissioner Arakaki, seconded by Commissioner Klein, it was voted on and unanimously carried to accept the minutes of the April 8, 2015 Condominium Review Committee meeting as circulated.

Condominium
Governance and
Management:

AOUO Registrations

Specialist Stone reported that as of April 30, 2015, 1,688 AOUOs have successfully registered for the 2013-2015 biennial registration. The 2015-2017 biennial registration went live April 1, 2015.

Condominium Seminars and Symposium

Specialist Yee announced that the small purchase seminar procurement has been posted to the State of Hawaii eProcurement site, "HlePRO," with a deadline submission date of May 26, 2015. Those interested must be registered through HlePRO as a vendor and submit an electronic quote/proposal through HlePRO. The Commission may award one, or more than one, contract and either by island or statewide. The scope, term, and compensation have been included with the solicitation.

The differences between the past solicitation and the current solicitation is that at least four of the nine seminars must be about a subject matter that is geared mainly toward unit owners, one of the nine seminars delivered live shall be videotaped by the contractor in a format ready for rebroadcasting, the State shall have the option to videotape any or all of the remaining 8 seminars delivered live, the 2 neighbor island seminars for fiscal year 2016 to be offered on Kauai and in Hilo, and the contractor shall include in any mailed promotional/advertising flyers and registration forms a written request of the AOUOs, Associations or CMAs that the mailed flyers be directly hand delivered and or emailed to each apartment or unit owner.

Commissioner Klein questioned the length of time to post a solicitation and whether there is a pool of vendors the solicitation is provided to.

Specialist Yee responded that she has verified with SPO and there is no specific posting time for a small purchase solicitation. There are currently 43 registered vendors under the commodity code "course development." This is the commodity code assigned to the current solicitation. If registered with HlePRO, whenever a solicitation goes out under that commodity code, all registered vendors are notified. Apparently all 43 registered vendors with the commodity code "course development" received noticed of the Commission's current solicitation.

Condominium Related Articles

The following articles from the May 2015 issue of *Community Association Management Insider* were distributed for informational purposes: "Investors Force Out Fla. Condo Owners, Dissolve Associations," "Board Had Broad Powers to Adopt Rent Restriction Rules," and "Association Discriminated Against Blind Homeowner."

Condominium
 Project
 Registration:

Condominium Project Registration - Public Reports Issued

A list of those condominium projects issued effective dates during the month of April 2015 were distributed for informational purposes.

PROJ #	PROJECT NAME	PROJECT ADDRESS	TMK #	UNITS	RPT	DATE	
7429	1108 AUAHI	1108 AUAHI ST HONOLULU HI 96814	123005013	320	B AMD 3	4/17/2015	
7625	45-119A1 & 45-119A2 MOLOLANI PL	45-119A1 & 45-119A2 MOLOLANI PL KANEEOHE HI 96744		145075057	2	B REPT	4/29/2015
7334	801 SOUTH STREET	801 SOUTH ST HONOLULU HI 96813	121047003	915	B AMD 4	4/2/2015	
7623	92-1700 KUNIA ROAD	92-1700 KUNIA RD KUNIA HI 96759	192005023	15	B REPT	4/15/2015	
7626	AHOPUEO CONDOMINIUM	AHOPUEO DR KALAHEO HI 96741	423022014	6	B REPT	4/15/2015	
7631	INEA CONDO RESIDENCE	99-145A INEA PL AIEA HI 96701	199009112	2	B REPT	4/16/2015	
7630	ISOSHIMA BUILDING THE	1144 10TH AVE HONOLULU HI 96816	132005028	4	B REPT	4/10/2015	
7617	IWIPOO HILLSIDE DREAM CONDO	3150 IWIPOO RD LAWAI HI 96765	426001006	3	B REPT	4/15/2015	
7629	KAHALU'U PROSPECT THE	47-431 KAMEHAMEHA HWY KANEEOHE HI 96744	147010074	2	B REPT	4/28/2015	
7632	KAHIWELo CONDOMINIUM AT MAKAKILO	92-682 WELO ST KAPOLEI HI 96707	192048092	18	B REPT	4/22/2015	
7601	KAUI-SANTOS CONDOMINIUM	5859 #R2 KAWAIHAU RD KAPAA HI 96746	446011065	2	B REPT	4/22/2015	
6409	KEAWE BUSINESS CENTER ULUPONO SHOWROOMS	68 ULUPONO ST LAHAINA HI 96761	245010053	10	B AMD	4/10/2015	
7627	MATLOCK VILLA	1221 & 1223 MATLOCK AVE HONOLULU HI 96814	124011109	2	B REPT	4/24/2015	
7554	MOI UHANE CONDOMINIUM	2436 & 2438 KAUPAKALUA RD HAIKU HI 96708	227002060	2	B REPT	4/13/2015	
7575	PARK LANE	1388 ALA MOANA BLVD HONOLULU HI 96814	123038013	215	B AMD	4/1/2015	
7547	POIPU LOT 178	HALALU ST LOT 178 POIPU HI 96756	428031178	2	B REPT	4/30/2015	
7622	RESIDENCE AT MAKIKI THE	1310 PENSACOLA ST HONOLULU HI 96814	124013090	35	B REPT	4/22/2015	
4221	WAILANI RANCH CONDOMINIUMS	LOT A HOLUALOA 1 & 2 N KONA HI 96725	376002020	3	SUPPL 3	4/15/2015	
7616	WAIPALANI CONDOMINIUM	118 & 120 WAIPALANI RD HAIKU HI 96708	228009080	2	B REPT	4/6/2015	
0	Preliminary Reports						
0	Contingent Final Reports						
0	Final Reports						
1	Supplementary Reports						
14	B Reports						
4	B Amendment Reports						
19	TOTAL REPORTS						

Program of Work: **Legislative Acts and Resolutions**

SEO Fujitani provided a report during the Laws and Rules Review Committee meeting.

Neighbor Island Outreach

The June 10, 2015 Committee meetings will be held at the Grove Farm Building Conference Room, 3-1850 Kaunualii Highway, Lihue, Kauai.

Records Management

Chair Sherley informed the committee that the issue of records retention and destruction of condominium project filings and developers' public reports was brought up and discussed at the August 2014 Condominium Review Committee meeting. At that time the committee made no decision and requested further research.

Executive Session:

Upon a motion by Commissioner Faulkner, seconded by Commissioner Cobb, it was voted on and unanimously carried to enter into executive session, 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."

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

Upon a motion by Commissioner Arakaki, seconded by Commissioner Lee, it was voted on and unanimously carried to adopt the present records retention schedule of Ch. 514A projects to apply also to Ch. 514B projects, except that the developers' public report for both Ch. 514A and Ch. 514B shall be kept indefinitely. The specific retention period is as prescribed by DAGS, Archives Division, Records Management Branch:

Record Series ID 43100-00005 D-2 Registration Records (A) Condominium Files (1) Condominium Project; SA-1 DTD 10/16/98 Item D-2(A)(1); Retention: 10 years from date of last public report; Disposition: Retain in office for 5 years, then may transfer to State Records Center for remainder of retention period; Destroy after cited retention; and

Record Series ID 431200-00006 D-2 Registration Records (A) Condominium Files (2) Condominium Public Reports; SA-1 DTD 10/16/98 Item D-2 (A)(2); Retention: 20 years from date of last public report; Disposition: Retain in office for 10 years, then may transfer to State Records Center for remainder of retention period; Destroy after cited retention.

Real Estate Branch staff to work with the State Comptroller to amend Record Series ID 431200-00006 D-2; Registration Records (A) Condominium Files (2) Condominium Public Reports that condominium developer public reports for chapters 514A and 514B, HRS, shall be retained indefinitely.

Further, the Real Estate Branch shall accept electronic submissions of developer's condominium project filings subject to the development of the specifics yet to be worked out.

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:

June 10, 2015
Upon adjournment of the Laws and Rules Review Committee meeting scheduled to convene at 9:30 a.m.
Grove Farm Building Conference Room
3-1850 Kaunualii Hwy.
Lihue, Kauai

Adjournment:

With no further business to discuss, Chair Sherley adjourned the meeting at 10:35 a.m.

Respectfully submitted:

/s/ Cynthia M. L. Yee

Cynthia M. L. Yee
Senior Condominium Specialist

May 19, 2015

Date

Minutes approved as is.

Minutes approved with changes; see minutes of _____