

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

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 13, 2016

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
Aleta Klein, Broker / Honolulu Commissioner

Neil Fujitani, Supervising Executive Officer
Diane Choy Fujimura, Senior Real Estate Specialist
Shari Wong, Deputy Attorney General
Tammy Norton, Recording Secretary

Others: Sylvia Cabral, Realtor, RAM
Lisa Teichner, KW Island Living
Brett Fahnestock, Peake & Levoy, LLC
Brenden Morton, Haiku Properties
Leah Belmonte, Office of the Governor, Maui
Gerald Enriques, DCCA RICO

Absent: Michael Pang, Broker / 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: Chair Arakaki thanked the REALTORS® Association of Maui for the use of their facilities for today's meetings. It was 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 Pang was excused from today's meeting. Prior notice of his non-attendance was received.

SEO's Report: The SEO reported that Senior Condominium Specialist Yee had fallen ill and was unable to make today's meetings. Anyone wishing to discuss condominium matters may do so with the SEO following the Condominium Review Committee meeting.

Minutes of Previous Meetings

Upon a motion by Commissioner Sherley, seconded by Commissioner Faulkner, it was voted on and unanimously carried to accept the minutes of the December 2, 2015, Laws and Rules Review Committee meeting as circulated.

Program of Work: **Rulemaking, Chapter 99, HAR, Real Estate Brokers and Salespersons**

It was reported that the proposed rules remain at the Governor's office awaiting his approval and signature with no update provided.

ARELLO, Other Organizations And Jurisdictions: The following articles from the December 2015 issue of ARELLO Boundaries were distributed for informational purposes: "Ontario Court: Affirmative Disclosure Was Still a Misrepresentation, *Caveat Emptor* Doesn't Apply" and "Colorado Court Weighs Reach of Disciplinary Statutes."

Special Issues: None presented.

Budget and Finance Report: No report presented

Next Meeting: Wednesday, February 10, 2016
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 9:36 a.m.

Reviewed and approved by:

/s/ Neil K. Fujitani

Neil K. Fujitani
Supervising Executive Officer

January 20, 2016

Date

Approved as is.
 Approved with amendments. See minutes of _____ meeting.