

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 11, 2016

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
Nikki Senter, Public / Honolulu Commissioner
Rowena Cobb, Broker / Kauai 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
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
Torrie-ann Primacio, Office Assistant

Others: Kamalani Rodrigues, Honolulu Board of REALTORS®
Lynn Murison, Honolulu Board of REALTORS®
Marsha Shimizu, Hawaii Association of REALTORS®
Clayton Nakamoto

Absent: None.

Call to Order: Chair Sherley called the meeting to order at 9:24 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.

Condominium
Specialist's
Report:

Minutes

Upon a motion by Commissioner Cobb, seconded by Commissioner Faulkner, it was voted on and unanimously carried to accept the minutes of the April 6, 2016 Condominium Review Committee meeting as circulated.

Condominium
Governance and
Management:

AOUO Registrations

Specialist Stone reported that as of April 30, 2016, 1,628 AOUOs have successfully registered.

Mediation and Arbitration

Current agreements with the facilitative and evaluative mediation providers will expire June 30, 2016. The Commission's approval is requested to enter into agreements with the mediation providers for an additional fiscal year, July 1, 2016 to June 30, 2017, for both facilitative and evaluative mediation. Since July 17, 2008, mediation services was added to the list of exemptions determined by the procurement policy board to be exempt from HRS, Chapter 103D. The exemptions to HRS Chapter 103D are listed in Exhibit A to HAR §3-120-4.

It was reported that evaluative mediation providers have completed five evaluative mediations with two more being conducted presently. DPR has informed staff that they have been receiving numerous inquiries.

Commissioner Senter questioned whether we receive information and feedback on the mediations handled.

Specialist Stone responded that mediation providers submit quarterly reports and monthly invoices to the Commission on the number of cases processed, including the names of the AOUOs, description of the dispute involved, and the disposition of the case.

Upon a motion by Commissioner Klein, seconded by Commissioner Wada, it was voted on and unanimously carried to enter into agreements with Mediation Center of the Pacific, Inc., Dispute Prevention and Resolution, Inc., Lou Chang, Esq., and Crumpton Collaborative Solutions, LLC (Charles Crumpton, Esq.), to provide evaluative mediation services to condominium owners of registered condominium associations for the period July 1, 2016 through June 30, 2017, and to enter into agreements with Mediation Center of the Pacific, Inc., Mediation Services of Maui, Kaua'i Economic Opportunity, Inc., Ku'ikahi Mediation Center, and Big Island Mediation dba West Hawaii Mediation Center to provide facilitative mediation services to condominium owners of registered condominium associations for the period July 1, 2016 through June 30, 2017.

Condominium Seminars and Symposium

Specialist Stone monitored CAI Hawaii's April 14, 2016 "Avoiding Recalls" seminar and noted that the attendance was slightly lower than normal which could have been due in part to the rescheduling of the seminar date. Specialist Stone noted that she would recommend this seminar for the expertise of the speakers and the quality of the handout materials.

The Commission subsidizes \$35 per registrant of a registered association for the first 80 registrants. For all registrants in excess of the 80 registrants, the Commission subsidizes \$40 per registrant.

Condominium
 Project
 Registration:

Condominium Project Registration - Public Reports Issued

A list of those condominium projects issued effective dates during the month of April 2016 were distributed for informational purposes.

PROJ #	PROJECT NAME	PROJECT ADDRESS	TMK #	TOTALREPORT	DATE
3087	1326-F & 1326-G ALEWA DRIVE	1326F & G ALEWA DR HONOLULU HI 96817	118033062	2 SUPPL	4/12/2016
7812	1633 AND 1633D PALI HIGHWAY CONDOMINIUM	1633 & 1633D PALI HWY HONOLULU HI 96813	122002083	2 B REPT	4/15/2016
3591	2801-M LA'I ROAD	2801-M LA'I RD HONOLULU HI 96816	134021025	2 SUPPL	4/13/2016
7794	47-467 AHUIMANU ROAD	47-467 & 47-467A AHUIMANU RD KANEHOE HI 96744	147050011	2 B AMEND	4/4/2016
7814	606 KAHA STREET	606 KAHA ST KAILUA HI 96734	143081055	2 B REPT	4/7/2016
7774	930 AND 932 20TH AVENUE	930 & 932 20TH AVE HONOLULU HI 96816	132049059	2 B REPT	4/7/2016
7806	94-548A & 94-548B KOALEO STREET	94-548A & 94-548B KOALEO ST WAIPAHA HI 96979	194035084	2 B REPT	4/7/2016
7767	AE10 MEDICAL OFFICE BUILDING	71 KANOA ST WAILUKU HI 96793	234010025	2 B REPT	4/5/2016
7787	ALA MOANA ESTATES CONDOMINIUM	1191 FRONT ST LAHAINA HI 96761	245004010	4 B REPT	4/4/2016
7551	COLLECTION (MIDRISE PHASE) THE	600 ALA MOANA BLVD HONOLULU HI 96813	1201055041	56 B AMEND	4/7/2016
7799	FAIRWAY HINAMOE	45-607 & 45-609 HINAMOE LP KANEHOE HI 96744	145083038	2 B REPT	4/21/2016
7798	FAIRWAY PAHOA	3272 PAHOA & 1004 6TH AVE HONOLULU HI 96816	132011043	2 B REPT	4/4/2016
6192	HALE MALUHIA	280 HUIINA STREET KAPAA HI 96746	442014030	2 B AMEND 2	4/5/2016
7702	HARTMAN OHANA CONDOMINIUM	299 AND 303 ALAE RD KULA HI 96790	222009060	2 B AMEND	4/28/2016
5986	HAU BUSH ESTATES CONDOMINIUM	LOT 227 HANALEI HI 96714	458005035	2 SUPPL	4/5/2016
3872	HOMEWOOD	76-6005 MAMALAHOA HWY HOLUALOA HI 96725	376005018	2 SUPPL	4/11/2016
6163	HONU KAI CONDOMINIUM BUILDING NE-A KONEA ENCLAVE	LOT 4 KAANAPALI HI	244014006	184 B AMEND 10	4/25/2016
6164	HONU KAI CONDOMINIUM BUILDING NE-B KONEA ENCLAVE	LOT 4 KAANAPALI HI	244014006	61 B AMEND 10	4/25/2016
6165	HONU KAI CONDOMINIUM BUILDING NE-C KONEA ENCLAVE	LOT 4 KAANAPALI HI	244014006	68 B AMEND 10	4/25/2016
6378	HONU KAI CONDOMINIUM BUILDING SE-A HOKULANI ENCLAVE	130 KAI MALINA PKWY LAHAINA HI 96761	244014006	195 B AMEND 8	4/22/2016
6379	HONU KAI CONDOMINIUM BUILDING SE-B HOKULANI ENCLAVE	130 KAI MALINA PKWY LAHAINA HI 96761	244014006	76 B AMEND 8	4/22/2016
6380	HONU KAI CONDOMINIUM BUILDING SE-C HOKULANI ENCLAVE	130 KAI MALINA PKWY LAHAINA HI 96761	244014006	54 B AMEND 8	4/25/2016
7803	JADE GARDEN IV	45-730 & 45-730A KAKU ST KANEHOE HI 96744	145072014	2 B REPT	4/14/2016
7632	KAHIWELO CONDOMINIUM AT MAKAKILO	92-682 WELO ST KAPOLEI HI 96707	192048092	18 B AMEND	4/6/2016
7810	KAMAAINA HALE CONDOMINIUM	1427 & 1429 16TH AVE HONOLULU HI 96816	133014033	2 B REPT	4/27/2016

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7609	KAMAKAHALA HOMES	66-912 KAMAKAHALA ST WAIALUA HI 96791	166033053	2	B AMEND	4/13/2016
7807	KAOHINANI GARDENS	3174 KAOHINANI DR HONOLULU HI 96817	122046037	2	FINAL	4/25/2016
7497	KAPIWAI	2914 BOOTH RD HONOLULU HI 96813	122040005	25	B AMEND 2	4/25/2016
7743	KULALAN AT MAUNA LANI (PHASE 8)	68-1118 N KANIKU DR KAMUELA HI 96743	368022007	6	FINAL	4/28/2016
7751	KULALANI AT MAUNA LANI (PHASE 9)	68-1118 N KANIKU DR KAMUELA HI 96743	368022007	4	FINAL	4/25/2016
7484	MARCONI POINT CONDOMINIUMS	56-1095 & 56-1089 KAMEHAMEHA KAHUKU HI 96731	156003010	26	B AMEND 2	4/13/2016
7780	NIU VALLEY CENTER	549 HALEMAUMAU ST HONOLULU HI 96821	137010053	15	B REPT	4/11/2016
7764	PRINCEVILLE MAKAI RANCH AT HALELE' A	5-3900 KUHIO HWY PRINCEVILLE HI 96722	453006026	73	B REPT	4/11/2016
7778	PU'U KULANA CPR 888	4363 PUU KULANA KALAHEO HI 96741	423011058	2	B REPT	4/14/2016
7622	RESIDENCE AT MAKIKI THE	1310 PENSACOLA ST HONOLULU HI 96814	124013090	35	B AMEND	4/8/2016
7804	S & C CONDOMINIUM	0 N HOLOKAI RD LOT 4-C UAOA HAIKU HI 96708	228004115	2	B REPT	4/15/2016
7733	STARRY HEIGHTS CONDOMINIUM	93 LAHAOLE PL KAHAKULOA HI 96793	231007021	2	B REPT	4/11/2016
4460	THREE TREASURES	76-5917 HOLUALOA HMSTDS HOLUALOA HI	376003003	2	SUPPL	4/11/2016
7321	ULU KAPAKA	4590 KAPAKA ST PRINCEVILLE HI 96722	453001016	10	B AMEND 2	4/12/2016
7746	WAIHOHONU	WAILANI RD KOLOA HI 96756	428004001	46	B REPT	4/6/2016
7797	WAILELE RIDGE	HONOAPIILANI HWY LAHAINA HI 96761	243001033	158	B REPT	4/1/2016
7591	WENTLAND	85-914 MIDWAY ST WAIANAE HI 96792	185007004	2	B REPT	4/18/2016

0	Preliminary Reports
0	Contingent Final Reports
3	Final Reports
5	Supplementary Reports
18	B Reports
16	B Amendment Reports
42	TOTAL REPORTS

Program of Work: **Advice, Education and Referral**

It was reported that staff has produced several condominium governance brochures which can be found at the Commission's website. As an educational outreach effort copies of the brochures have also been provided to CAI Hawaii and HCCA for dissemination during their condominium seminars, and also to the larger managing agents for distribution to the associations they manage. Copies of the brochures were distributed to the Commissioners for their reference.

The Board of Directors Guides which can also be found at the Commission's website is also very informative. The Commission's website hosts many condominium-related publications. In addition to the guides and brochures, the Hawaii Condominium Bulletin is another very resourceful publication. The Condominium Specialists respond to phone, written and email inquiries daily. Those questions most frequently asked are included in its "Ask the Condominium Specialist" articles in the Hawaii Condominium Bulletin. Staff also created the Condominium Educational and Informational Email Subscribe list which sends out quarterly email blasts with the goal of increasing awareness of its condominium educational materials.

Staff works closely with Community Associations Institute Hawaii Chapter and the Hawaii Council of Community Associations and attends their seminars. Staff is also looking into the feasibility of having Olelo video condominium educational seminars for broadcasting.

Commissioner Klein stated that she found the brochures very informative and noted that the publications are something that licensees should share with their clients. She suggested that staff work with the local boards and possibly escrow companies to provide the brochures at their front office for dissemination. She also suggested including an article in the Real Estate Bulletin regarding the condominium brochures and publications, and including the brochures as part of the Core B Train the Trainer.

Kamalani Rodrigues of the Honolulu Board of REALTORS® responded that the Board would be willing to make the brochures available and known to its membership.

Commissioner Faulkner requested that staff look into providing a link to forward the six brochures recently published, at one time to interested individuals.

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 8, 2016
Upon adjournment of the Laws and Rules Review Committee meeting scheduled to convene at 9:30 a.m.
Hawaii Island REALTORS®
1321 Kino`ole Street
Hilo, Hawaii

Adjournment:

With no further business to discuss, Chair Sherley adjourned the meeting at 9:49 a.m.

Respectfully submitted:

/s/ Benedyne Stone

Benedyne Stone
Condominium Specialist

May 23, 2016

Date

Minutes approved as is.

Minutes approved with changes; see minutes of _____