

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, May 11, 2016

Time: 9:00 a.m.

Place: Queen Liliuokalani Conference Room
King Kalakaua Building
335 Merchant Street, First Floor
Honolulu, Hawaii

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
Michael Pang, Broker / Honolulu Commissioner

Neil Fujitani, Supervising Executive Officer
Miles Ino, Executive Officer
Diane Choy Fujimura, Senior Real Estate Specialist
Amy Endo, Real Estate Specialist
David Grupen, Real Estate Specialist
Benedyne Stone, Condominium Specialist
Dathan Choy, Condominium 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: The Chair called the meeting to order at 9:02 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.

SEO's Report: **Minutes of Previous Meetings**

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

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

SEO Fujitani reported that the Commission had sent back the advertising section of the rules to be reviewed by the rules subcommittee. SEO Fujitani inquired as to the Commission's desire on its meeting method, i.e. via phone, via email, in person subcommittee meetings, etc.

The subcommittee members noted that the subcommittee is small enough in size to meet in person.

The SEO and EO have met and come up with a draft to discuss with the subcommittee. It was decided that the subcommittee to meet following the May Commission meeting.

Legislative Acts and Resolutions

The Commission is in receipt of two House Resolutions: HR No. 28 – Requesting the convening of a task force to conduct a study on imposing mandatory alternative dispute resolution to resolve homeowners associations disputes; and HR No. 104, HD1 – Requesting the Real Estate Commission to study the effectiveness of its existing dispute resolution process and consumer assistance program for condominium owners and associations, and possible expansion of these services to other types of homeowners associations.

The Commission will address issues raised in HR 104 HD1 in the Real Estate Commission's Annual Report to the Legislature.

Neighbor Island Outreach

The June 8, 2016 Committee meetings will be held in Hilo at the Hawaii Island Realtors® Office in conjunction with the Specialists' Office for the Day program. The Hawaii Island Commissioner will not be in attendance due to a conflict with his representation of the Commission at the Real Estate Educators Association Conference.

Licensing Renewal

The go live date for real estate online renewals is October 17, 2016. Twenty hours of continuing education are required for those licensees renewing on an active status.

Rulemaking, Chapter 53, HAR, Fees

The Professional and Vocational Licensing Division is moving forward with its fee increase which is anticipated to occur before the 2016 REC renewals. There will be an approximate 30% fee increase across the board for most boards and programs. All comments and questions relating to the fee increase are being directed to the Licensing Administrator at pvl@dcca.hawaii.gov.

ARELLO, Other
Organizations And
Jurisdictions:

ArellloGram and Other Informational Reports

The article entitled "HUD Warns Landlords, Property Managers Against Criminal History-Based Discrimination" from the May 2016 issue of ARELLO Boundaries was distributed for informational purposes.

Special Issues: None presented.

Budget and
Finance Report: No report presented.

Next Meeting: Wednesday, June 8, 2016
9:30 a.m.
Hawaii Island REALTORS®
1321 Kino'ole Street
Hilo, Hawaii

Adjournment: With no further business to discuss, the Chair adjourned the meeting at 9:22 am.

Reviewed and approved by:

/s/ Neil K. Fujitani

Neil K. Fujitani
Supervising Executive Officer

May 17, 2016

Date

[X] Approved as is.
[] Approved with amendments. See minutes of _____ meeting.