

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, June 8, 2016

Time: 9:30 a.m.

Place: Hawaii Island REALTORS®
1321 Kino'ole Street
Hilo, Hawaii

Present: Nikki Senter, Chair Pro Tem, Public / Honolulu Commissioner
Scott Sherley, Broker / Hawaii Commissioner
Rowena Cobb, Broker / Kauai Commissioner
Bruce Faulkner, Broker / Maui Commissioner
Aileen Wada, Broker / Honolulu Commissioner
Aleta Klein, Broker / Honolulu Commissioner
Michael Pang, Broker / Honolulu Commissioner

Neil Fujitani, Supervising Executive Officer
Diane Choy Fujimura, Senior Real Estate Specialist
Dathan Choy, Condominium Specialist
Daniel Jacob, Deputy Attorney General
Tammy Norton, Recording Secretary

Others: Randy Prothero, Russ Goode Seminars
Marsha Shimizu, Hawaii Association of REALTORS®
Liz Fusco, Day-Lum Rentals
Representative Richard Onishi, House of Representatives, District 3

Absent: Scott Arakaki, Chair, Public / Honolulu Commissioner
Laurie Lee, Vice Chair, Broker / Honolulu Commissioner

Call to Order: In the absence of Chair Arakaki and Vice Chair Lee, REC Chair Senter was appointed as Chair Pro Tem. 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.

Commissioners Arakaki and Lee were excused from today's meeting. Prior notice of their non-attendance was received.

SEO's Report: The SEO welcomed the guests present and acknowledged Representative Onishi. He further thanked the Hawaii Island REALTORS® for use of their facilities to hold the committee meetings.

Minutes of Previous Meetings

Upon a motion by Commissioner Sherley, seconded by Commissioner Klein, it was voted on and unanimously carried to accept the minutes of the May 11, 2016, Laws and Rules Review Committee meeting as circulated.

Program of Work: **Neighbor Island Outreach**

It was reported that as part of the Commission's Program of Work and per HRS §467-4(6), the Commission holds its committee meetings quarterly in a different county, alternating between Maui, Kauai, and Hilo and Kona. The neighbor island meetings afford neighbor island licensees, government officials, condominium owners and interested parties the opportunity to attend and participate in the committee meetings.

Rulemaking, Chapter 99, HAR, Real Estate Brokers and Salespersons

SEO provided a status update of the proposed Chapter 99 rules. Staff removed all amendments to HAR §16-99-11 relating to advertising and resubmitted the rules in early May to the Office of the Attorney General for review and signature. During the process of removing the earlier proposed amendments formatting has changed the document, therefore the Deputy Attorney General is reviewing for accuracy. Deputy AG Wong has also informed staff that she is buried under Governor Reports, Medical Board lawsuit and other Board rule reviews.

Commissioner Cobb questioned the Rulemaking subcommittee whether or not HAR's advertising proposal has been accepted. She noted that she will be attending the REEA Conference where advertising will be a subject matter discussed and she will be bringing back information that may be beneficial to the committee.

Commissioner Pang responded that the subcommittee met and discussed the draft and included a large portion of what HAR requested. The draft will again be reviewed and presented to the full Commission for decision making.

ARELLO, Other
Organizations And
Jurisdictions:

Meetings, Workshops, and Reports

The committee acknowledged the written report submitted by Commissioners Arakaki, Cobb and SEO Fujitani on their participation at the 2016 Association of Real Estate License Law Officials Mid-Year Meeting held in Atlanta, Georgia. A copy of the report will be transmitted to the PVL Licensing Administrator.

SEO Fujitani noted that the Mid Year Meeting is important for Hawaii because the District meetings are held in conjunction.

Commissioner Cobb also noted that she is planning on attending the Annual Conference in Vancouver, BC to discuss the 2017 conference which will be held in Hawaii. Many of our Commissioners hold important roles with ARELLO. Commissioner Arakaki is the Vice Chair of the Laws and Rules Committee and is involved with the Commissioner College and Chair Senter sits on a committee that reviews case law summaries and Commissioner Cobb is a member of the Programs Committee.

Special Issues: None presented.

Budget and Finance Report: No report presented.

Next Meeting: Wednesday, July 13, 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 9:50 a.m.

Reviewed and approved by:

/s/ Neil K. Fujitani

Neil K. Fujitani
Supervising Executive Officer

June 13, 2016

Date

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