

EDUCATION 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 Lieutenant Governor's Office as required by Section 92-7(b), Hawaii Revised Statutes.

Date: September 14, 2016

Time: Upon adjournment of the Condominium Review Committee meeting, which is upon adjournment of the Laws and Rules Review Committee meeting, which convened at 9:30 a.m.

Place: Grove Farm Building – Conference Room
3-1850 Kaunualii Hwy.
Lihue, Kauai

Present: Rowena Cobb, Chair / Broker / Kauai Commissioner
Aileen Wada, Vice Chair, Broker / Honolulu Commissioner
Bruce Faulkner, Broker / Maui Commissioner
Scott Arakaki, Public Member / Honolulu Commissioner
Nikki Senter, Public Member / Honolulu Commissioner
Laurie A. Lee, Broker / Honolulu Commissioner
Scott Sherley, Broker / Hawaii Island Commissioner
Michael Pang, Broker / Honolulu Commissioner

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

Others: Toni Ishimoto, Kauai Board of REALTORS®
Byron Barth, Kauai Board of REALTORS®

Absent: Aleta Klein, Broker / Honolulu Commissioner

Call to Order: The Chair called the meeting to order at 10:28 a.m., at which time quorum was established.

Chair's Report: The Chair stated the Committee 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 to consult with the Board's attorney on questions and issues pertaining to the Board's powers, duties, privileges, immunities, and liabilities in accordance with section 92-5(a)(4), HRS.

Commissioner Klein was excused from the meeting. Prior notification of her non-attendance was received.

Chair Cobb welcomed and thanked Kauai Board of REALTORS® staff Toni Ishimoto and Byron Barth for attending today's meetings.

Real Estate
Specialist's Report: Minutes of August 10, 2016

Upon a motion by Commissioner Faulkner, seconded by Commissioner Sherley, it was voted on and unanimously carried to accept the minutes of the August 10, 2016 Education Review Committee meeting as circulated.

Revision – Minutes of July 13, 2016

Upon a motion by Commissioner Faulkner, seconded by Commissioner Arakaki, it was voted on and unanimously carried to accept the revised minutes of the July 13, 2016 Education Review Committee meeting, whereby, page 4, under the sub heading "Continuing Education Core Course" to include the following motion:

"Upon a motion by Commission Klein, seconded by Commissioner Pang, it was voted on and unanimously agreed to change the 2017-2018 core course to 6 hours in two three-hour parts."

Continuing Education: Administrative Issues

2015-2016 Continuing Education Providers and Courses Ratification List

Upon a motion by Commissioner Arakaki, seconded by Commissioner Lee, it was voted on and unanimously carried to ratify the following:

<u>Registration/Certification</u>	<u>Effective Date</u>
Course(s) Business Planning and Marketing for the Residential Specialist, CRS 200; (6 Credits) (National) Hawaii Association of REALTORS	08/04/2016
Building a Team to Grow Your Business, CRS 122 (6 Credits) (National) Hawaii Association of REALTORS	08/04/2016
Agency Law – A Broker's Perspective (3 Credits) (ARELLO) McKissock, LLC	08/12/2016
Design/Build Solutions for Aging and Accessibility-CAPS II (6 Credits) (National) Building Industry Association of Hawaii	08/12/2016
Business Management for Building Professionals (6 Credits) (National) Building Industry Association of Hawaii	08/12/2016
Marketing & Communication Strategies for Aging & Accessibility-CAPS I (6 Credits) (National) Building Industry Association of Hawaii	08/12/2016

Applications

Course – "Protect Your Real Estate License: You Don't Have to be Guilty to Get Sued"; Author/Owner: Philip Hale Wilia; Provider: Dower School of Real Estate; Course Categories: Property Management, Other – Real Estate Management; Clock Hours: 3 (Deferred from 7/13/16 ERC meeting)

Commissioner Lee stated that the course application was deferred from the July 13, 2016 ERC meeting. At that meeting it was noted that page 6, section 2.02, included two section (d)s. Although the author has changed the sections to (d) and (e), the content remains identical.

Commissioner Arakaki stated that the material covers a lot of territory and by the end of the course, the student should glean much information.

Some commissioners noted that the material was very wordy and lengthy. Staff noted that the exhibits to the course content are copies of relevant laws and rules.

Commissioner Sherley responded that there are many types of learners, some may like a wordy document to refer back to, whereas others may not. It is the teaching style of the instructor which will hold their interest.

Upon a motion by Commissioner Pang, seconded by Commissioner Arakaki, it was voted on and unanimously carried to approve "Protect Your Real Estate License: You Don't Have to be Guilty to Get Sued" as a three credit hour continuing education course, under the course categories Property Management and Other – Real Estate Management, subject to correcting section 2.02 (d) and (e).

Course – "Beyond Hawaii Land History 101 – The Mahele, Cultural Practices and the Bureau of Conveyances;" Author/Owner: Celine P. Nelsen; Provider: Abe Lee Seminars; Course Category: Property Ownership and Development; Clock Hours: 3

Commissioners noted that it is a good course on historic information on the Hawaii land system which is very unique.

Specialist Fujimura noted that the course content was edited down from its original submission.

Upon a motion by Commissioner Arakaki, seconded by Commissioner Faulkner, it was voted on and unanimously carried to approve "Beyond Hawaii Land History 101 – The Mahele, Cultural Practices and the Bureau of Conveyances" as a three credit hour continuing education course, under the course category Property Ownership and Development.

Course – "A REALTOR'S® Responsibilities During Escrow"; Author/Owner: Marion Haller; Provider: REALTORS® Association of Maui, Inc.; Course Categories: Contracts, Risk Management; Clock Hours: 3

Commissioner Pang noted that the title and content of the course should not include the trademark "REALTOR'S®" and instead be replaced with "Licensee." It was noted that not all licensees are REALTORS®.

Commissioner Senter noted that there are four topics in the course, but the course materials only cover the escrow process. What are the course objectives? Is it in the four topics listed on the syllabus or is it in the escrow process? The course content should reflect the course title.

She further noted that the breakdown on the course curriculum form of the course application is difficult to reconcile with the information on the "course outline" and the "syllabus". They do not appear to be consistent.

After a review of the information presented, Commissioner Senter moved to defer "A REALTOR'S® Responsibilities During Escrow" as a continuing education elective course. Commissioner Lee seconded the motion. The motion was voted on and unanimously carried.

Prelicensure Education: Evaluation and Education Program

Copies of evaluations of the independent study course from the following prelicensure school was distributed to the Commissioners for their information:

- ContinuingEdExpress (8)

Administration of
Examinations:

PSI

Licensing Examination Statistics – August 2016

Examination statistics for August 2016 were distributed to the Commissioners for their information.

School Pass/Fail Rates – August 2016

School pass/fail rate statistics for August 2016 were distributed to the Commissioners for their information.

School Summary by Test Category – August 2016

Copies of the August 2016 test category summary reports, by school, were distributed to the Commissioners for their information.

Test Development – Report – PSI Item Writing and Industry Day, August 11-12, 2016

The committee acknowledged receipt of staffs' report on the PSI Test Development Committee meeting held August 11, 2016, with proposed amendments to the State content outline.

Upon a motion by Commissioner Pang, seconded by Commissioner Sherley, it was voted on and unanimously carried to approve the change to the State content outline to move the "Leasehold" heading under "Title and Conveyances" under "Estates and Interests" as a subheading. Also, remove the note regarding BPOs.

The committee also acknowledged staffs' report on PSI's Hawaii Real Estate Educator's Forum held August 12, 2016.

Educator's Forum: **Hawaii Association of REALTORS®** – none.

Public and Private Institutions of Higher Education – none.

Program of Work: Ad Hoc Committee on Education (ACE) – Report, August 16, 2016 meeting

Upon a motion by Commissioner Pang, seconded by Commissioner Wada, it was voted on and unanimously carried to approve the following as the Core Course 2017-2018 topics: Core A: "Technology: The Good, the Bad and the Evil;" including subtopics of security, social media, marketing, copyrighting-intellectual property and teams. Materials to include case law and scenario problem solving. Core B: "Agency/Dual Agency". Both Core A and Core B to include 2017 and 2018 legislative updates well as an update of the Chapter 99 rulemaking amendments. Also, approve updating the prelicense salesperson curriculum first, then move on to the prelicense broker curriculum.

Budget and Finance Report: No report presented.

Next Meeting: Wednesday, October 12, 2016
Upon adjournment of the Condominium Review Committee Meeting, which is upon adjournment of the Laws and Rules Review Committee meeting, which convenes at 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, Chair Cobb adjourned the meeting at 10:49 a.m.

Reviewed and approved by:

/s/Diane Choy Fujimura

Diane Choy Fujimura
Senior Real Estate Specialist

September 21, 2016

Date

[X] Minutes approved as is.
[] Minutes approved with changes, see minutes of _____