

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: Friday, October 28, 2016

Time: 9:00 a.m.

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

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

Neil K. Fujitani, Supervising Executive Officer
Miles Ino, Executive Officer
Diane Choy Fujimura, Senior Real Estate Specialist
Amy Endo, Real Estate Specialist
David J. Grupen, Real Estate Specialist
Carole Richelieu, Senior Condominium Specialist
Benedyne Stone, Condominium Specialist
Cheryl Cazinha, Office Assistant
Shari Wong, Deputy Attorney General
Kristen Kekoa-Nakasone, Recording Secretary

Others: Jessica Treat
Willis C. Taylor
Sachiyo S. Braden
Jennifer Robinson
Lorrin Kau, Esq.
Jason Nurre
Carmen Magno
Scott Sherley
Penny Sherley

Call to Order: The Chair called the meeting to order at 9:00 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.

Executive Officer's
Report:

The Executive Officer ("EO") informed the Commissioners that the original application with any original associated documents to be considered at the meeting were available for review.

Announcement

Supervising Executive Officer Fujitani ("SEO") presented Commissioner Lee with a certificate of completion for ARELLO's Commissioner College. SEO introduced Cheryl Cazineha, licensing clerk, who recently relocated from the Licensing Branch to the Real Estate Branch.

Additional Distribution

The following material was distributed prior to the start of the meeting:

5. Licensing and Registration – Ratification
6. Licensing – Applications
 - i. John P. Calabrese

Minutes of Previous Meeting

Upon a motion by Commissioner Klein, seconded by Commissioner Faulkner, it was voted on and unanimously carried to accept the minutes of the September 30, 2016 meeting.

Upon a motion by Commissioner Klein, seconded by Commissioner Faulkner, it was voted on and unanimously carried to accept the revision to the minutes of the November 27, 2013 meeting.

Licensing –
Ratification:

Upon a motion by Commissioner Pang, seconded by Commissioner Klein, it was voted on and unanimously carried to ratify the attached list as amended.

Licensing –
Applications:

The EO informed the Commissioners that the information provided to the Commissioners is related only to the issue that is before the Commission for consideration. The other materials submitted are available for the Commissioners review should they desire to review it. If the applicants have an issue, which is personal in nature, they have the right to request that their application be considered in executive session.

Chair Senter announced she would be taking agenda items out of order for efficiency purposes.

Jessica Gomez Treat

Ms. Gomez was present and was asked if she wished to have her application considered in executive session. She accepted the offer.

Willis C. Taylor

Mr. Taylor was present and was asked if he wished to have his application considered in executive session. He accepted the offer.

Sachi Hawaii-Pacific Century Property Management LLC

Ms. Braden was present and was asked if she wished to have her application considered in executive session. She accepted the offer.

Jennifer Lanihau Robinson

Ms. Robinson was present and was asked if she wished to have her application considered in executive session. She accepted the offer.

Jason H. A. Nurre

Ms. Nurre was present and was asked if he wished to have his application considered in executive session. He accepted the offer.

Executive Session: Upon a motion by Commissioner Cobb, seconded by Commissioner Lee, it was voted on and unanimously carried to enter into executive session, pursuant to section 92-5(a)(1), HRS, "To consider and evaluate personal information, relating to individuals applying for professional or vocational licenses cited in section 26-9 or both;" and pursuant to section 92-5(a)(4), HRS, "To consult with the board's attorney on questions and issues pertaining to the board's powers, duties, privileges, immunities, and liabilities."

Upon a motion by Commissioner Arakaki, seconded by Commissioner Faulkner, it was voted on and unanimously carried to move out of executive session.

Announcement

The Commissioners and staff bid aloha to Vice Chair Sherley who submitted his resignation from the Commission. The SEO and Chair thanked Commissioner Sherley for his years of service and hard work.

Executive Session: Upon a motion by Commissioner Arakaki, seconded by Commissioner Faulkner, it was voted on and unanimously carried to enter into executive session, pursuant to section 92-5(a)(1), HRS, "To consider and evaluate personal information, relating to individuals applying for professional or vocational licenses cited in section 26-9 or both;" and pursuant to section 92-5(a)(4), HRS, "To consult with the board's attorney on questions and issues pertaining to the board's powers, duties, privileges, immunities, and liabilities."

Upon a motion by Commissioner Faulkner, seconded by Commissioner Klein, it was voted on and unanimously carried to move out of executive session.

Licensing –
Applications:

Christopher J. Denton

After review of the information presented by the applicant, Commissioner Pang moved to approve the real estate salesperson's license of Christopher J. Denton. Commissioner Faulkner seconded the motion. The motion was voted on and unanimously carried.

Jason C. Wilson

After review of the information presented by the applicant, Commissioner Arakaki moved to deny the real estate salesperson's license of Jason C. Wilson unless within sixty (60) calendar days, Mr. Wilson submits a written payment plan or offer in compromise or satisfaction for all outstanding tax obligations.

Commissioner Lee seconded the motion. The motion was voted on and unanimously carried.

Jessica Gomez Treat

After review of the information presented by the applicant, Commissioner Pang moved to approve the real estate salesperson's license of Jessica Gomez Treat. Commissioner Wada seconded the motion. The motion was voted on and unanimously carried.

Jennifer Lanihau Robinson

After review of the information presented by the applicant, Commissioner Klein moved to approve the real estate salesperson's license of Jennifer Lanihau Robinson. Commissioner Faulkner seconded the motion. The motion was voted on and unanimously carried.

Joseph Kelvin Bolster

After review of the information presented by the applicant, Commissioner Faulkner moved to approve the real estate salesperson's license of Joseph Kelvin Bolster with conditions. Commissioner Lee seconded the motion. The motion was voted on and unanimously carried.

The conditional real estate salesperson license is approved for the Applicant, subject to the following conditions:

1. That during the term of probation, any violation of the terms of the probation, by the Applicant, shall be grounds for revocation of license.
2. That any subsequent criminal conviction whether by nolo contendere or otherwise, of a penal crime directly related to the qualifications, functions or duties of the licensed profession or vocation shall be grounds for revocation of license.
3. That failure to provide written notice within 30 days to the licensing authority of any judgment, award, disciplinary sanctions, order, or other determination, which adjudges or finds that the licensee is civilly, criminally or otherwise liable for any personal injury, property damage or loss caused by the licensee's conduct in the practice of the licensee's profession or vocation shall be grounds for revocation of license.
4. That the Applicant shall at all times be associated with and under the direct supervision of a principal broker ("PB") or one or more brokers in charge ("BIC"), for all real estate transactions.
5. That the Applicant shall inform the PB, sole proprietor real estate broker, or BIC of a real estate branch office with whom the Applicant associates that the Applicant holds a conditional real estate salesperson license and may only practice pursuant to certain terms of the conditional license. The Applicant shall present to the Applicant's PB, sole proprietor real estate broker, or BIC of a real estate branch office a copy of the Commission-issued conditional letter. The Applicant shall ensure that the PB, sole proprietor real estate broker, or BIC of a real estate branch office acknowledges the terms of the Applicant's conditional license by

signing and returning a signed copy of the conditional letter to the Commission.

6. That **ALL** changes of association and/or employment by Applicant to another real estate broker shall be submitted in writing to the Commission. The new PB, sole proprietor real estate broker, or BIC of a real estate branch office shall acknowledge the terms of the Applicant's conditional license within ten (10) days of the change by submitting a completed Change Form along with a copy of the conditional letter signed by the new PB. Failure to attach the signed conditional letter by the new PB may result in disciplinary action.
7. That the release of the Applicant from probation shall not change any terms of the conditional license.
8. That upon successful completion of probation, the Applicant must submit a written request to the Commission if the Applicant desires to have the conditions removed.

April Star Stremel

After review of the information presented by the applicant, Commissioner Pang moved to approve the real estate salesperson's license of April Star Stremel. Commissioner Cobb seconded the motion. The motion was voted on and unanimously carried.

Ingrid Lea Wehner

After review of the information presented by the applicant, Commissioner Klein moved to approve the real estate salesperson's license of Ingrid Lea Wehner. Commissioner Faulkner seconded the motion. The motion was voted on and unanimously carried.

Willis C. Taylor

After review of the information presented by the applicant, Commissioner Arakaki moved to approve the real estate salesperson's license of Willis C. Taylor. Commissioner Klein seconded the motion. The motion was voted on and unanimously carried.

John P. Calabrese

After review of the information presented by the applicant, Commissioner Faulkner moved to approve the real estate salesperson's license of John P. Calabrese with conditions. Commissioner Pang seconded the motion. The motion was voted on and unanimously carried.

The conditional real estate salesperson license is approved for the Applicant, subject, however, to the following conditions:

1. That any subsequent criminal conviction whether by nolo contendere or otherwise, of a penal crime directly related to the qualifications, functions, or duties of the licensed profession or vocation shall be grounds for revocation of license.

2. That failure to provide written notice within 30 days to the licensing authority of any judgment, award, disciplinary sanctions, order, or other determination, which adjudges or finds that the licensee is civilly, criminally, or otherwise liable for any personal injury, property damage, or loss caused by the licensee's conduct in the practice of the licensee's profession or vocation shall be grounds for revocation.
3. That the Applicant shall at all times be associated with and under the direct supervision of a principal broker or one or more brokers in charge, for all real estate transactions.
4. That the Applicant shall inform the principal broker or sole proprietor real estate broker (including a broker-in-charge of a real estate branch office) with whom the Applicant associates that such a conditional real estate salesperson license has been granted and the terms of the conditional license.
5. That **any** change of association and/or employment by Applicant to another real estate broker shall be submitted in writing to the Commission with the new broker, principal broker or sole proprietor, and if applicable the broker-in-charge, acknowledging the terms of the Applicant's conditional license within ten (10) days of the change.
6. Subsequent to revocation and upon obtaining a valid Hawaii driver's license, the Applicant must submit a written request to the Commission if the Applicant desires to have the conditions removed.

Sachi Hawaii-Pacific Century Property Management LLC

After review of the information presented by the applicant, Commissioner Pang moved to deny the application to use the name Sachi in Sachi Hawaii-Pacific Century Property Management LLC. Commissioner Cobb seconded the motion. The motion was voted on and unanimously carried.

Harold Sender

After review of the information presented by the applicant, Commissioner Pang moved to remove conditions from real estate broker's license of Harold Sender. Commissioner Faulkner seconded the motion. The motion was voted on and unanimously carried.

Kalani R. Deacon

After review of the information presented by the applicant, Commissioner Arakaki moved to remove conditions from real estate broker's license of Kalani R. Deacon. Commissioner Lee seconded the motion. The motion was voted on and unanimously carried.

Jason H.A. Nurre

Commissioner Pang moved to grant the request for reconsideration for application of real estate salesperson's license of Jason H.A. Nurre that was denied at the May 27, 2016 Real Estate Commission meeting. Commissioner Klein seconded the motion. The motion was voted on and unanimously carried.

After review of the information presented, Commissioner Pang moved to affirm the Commission's denial of the application of real estate salesperson's license. Commissioner Klein seconded the motion. Commissioners Senter, Pang, Klein, Faulkner, Wada, Cobb and Lee voted aye. Commissioner Arakaki voted nay. The motion passed.

In affirming its denial, the Commission considered the information provided, including the records, files, the applicant's statements made during his personal appearance at its meeting and the arguments made by his counsel who also appeared with the applicant. The Commission voted to affirm its denial of his application for a real estate salesperson license, basing its decision on the following grounds of the Hawaii Revised Statutes ("HRS"), which find factual support in the records and files of Mr. Nurre's application:

- | | |
|-------------------|---|
| HRS § 436B-19 | Grounds for refusal to renew, reinstate or restore and for revocation, suspension, denial, or condition of licenses.
In addition to any other acts or conditions provided by law, the licensing authority may refuse to renew, reinstate or restore or may deny, revoke, suspend, or condition in any manner, any license for any one or more of the following acts or conditions on the part of the licensee or the applicant thereof: |
| HRS § 436B-19(12) | "Failure to comply, observe, or adhere to any law in a manner such that the licensing authority deems the applicant or holder to be an unfit or improper person to hold a license; and |
| HRS § 436B-19(14) | Criminal conviction, whether by nolo contendere or otherwise, of a penal crime directly related to the qualifications, functions, or duties of the licensed profession or vocation." |

The Commission's decision is based on his three convictions for DUIs and two convictions for driving without a valid driver's license. The Commission was not persuaded by the applicant's or his counsel's arguments that he was young at the time of those convictions and exhibited only an "error of judgment". It also did not find credible the explanation that he simply forgot to renew his driver's license twice. On the contrary, the Commission found that such convictions demonstrated a lack of awareness of existing laws and an inability to abide by, and careless disregard of, those laws. As explained by the Commission to Mr. Nurre at the meeting, being aware of and following numerous laws is a significant part of a real estate licensee's responsibilities. Furthermore, the Commission has historically made clear, via previous license denials and disciplinary actions, its determination that, because one of a real estate agent's services is actually driving members of the public around to open houses, driving a vehicle is directly related to the real estate profession.

Next Meeting: Wednesday, November 23, 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
 11:10 a.m.

Reviewed and approved by:

/s/ Miles I. Ino

Miles I. Ino
Executive Officer

November 10, 2016

Date

[x] Approved as circulated.
[] Approved with corrections; see minutes of _____ meeting.

MIl:kn

APPROVED APPLICATIONS FOR REAL ESTATE
REAL ESTATE COMMISSION MEETING ON October 28, 2016

<u>Brokers – Individual</u>	<u>Effective Date</u>
Aaron Casariego	08/29/2016
Michael Frederick Schorr	09/01/2016
Peter Hideki Enomoto-Hahn	09/06/2016
Michael Kirk Drutar	09/07/2016
Natalie Wolz-Fonda Jones	09/15/2016
Daniela Gale Hanna	09/20/2016
Sydney W. Liptak	09/26/2016
Christopher Bruce Johnson	09/27/2016
Aileen U. Andres	09/29/2016
Catherine Goodwin Boskoff	09/30/2016
Kerstin Kaye Alston	10/03/2016
Graeme Draffin Merrin	10/04/2016
On S. Choe-Yamasato	10/12/2016
<u>Brokers – Limited Liability Company</u>	<u>Effective Date</u>
Holoholo Group, LLC	08/31/2016
Scott K. Hayashi, PB	
Progressive Properties Group, LLC	09/16/2016
Wendell Wong, PB	
The Real Estate Resource West Oahu, LLC	09/27/2016
Travis Farris, PB	
Pono Real Estate, LLC	09/28/2016
Leslene K. Lopez, PB	
Hawaii Vacation Rental Management, LLC	09/28/2016
Richard S. Nakatsu, PB	
Ke Kailani Realty LLC	09/29/2016
Kris Martin, PB	
Kauai Real Estate Group, LLC	09/30/2016
Larry Hinkel, PB	
Terraco, LLC	10/11/2016
Andrew Lai, PB	
<u>Brokers – Sole Proprietor</u>	<u>Effective Date</u>
Matthew W. Pennaz	08/08/2016
Terrie A. Lazarus	08/29/2016
Aaron Casariego	08/29/2016
John Alexander Walker	10/04/2016
dba Kona Real Estate Company	
<u>Branch Office</u>	<u>Effective Date</u>
Hale Investments, LLC	08/24/2016
dba Keller Williams Honolulu (Kapolei)	
Anthony Pace, PB	
Hale Investments, LLC	08/24/2016
dba Keller Williams Honolulu (Kailua-Oahu)	
Anthony Pace, PB	

Hale Investments, LLC
dba Keller Williams Honolulu (Honolulu)
Anthony Pace, PB

08/24/2016

<u>Educational Equivalency Certificate</u>	<u>Expiration Date</u>
Rory Nohea-Haku Spaulding	09/22/2018
Je'Nai Rashida Spaulding	09/22/2018
Alwin Ira Herbst	09/27/2018
Willie Faauga Tupolo	09/28/2018
Dayna M. Chikamoto	09/28/2018
Jordan Michael Christopher Woolsey	09/28/2018
Jerid Kevin Kiedrowski	09/28/2018
Travis Tyler Alan Stancil	09/28/2018
Rex Z. Caballero	09/28/2018
Garth Davis Bright	09/28/2018
Latoya Nicole Taylor	09/28/2018
Brett Christopher Lindsey	09/28/2018
Thomas Revelle	09/28/2018
Daniel Lee	09/28/2018
Tammy Sue Harris	09/29/2018
Huanbo Yu	09/29/2018
David Hejnowski	09/29/2018
Emily Blinkhorn	09/29/2018
Alfred Wing-Ho Dang	09/29/2018
Tiffany Kau'i Taylor	09/29/2018
Donald Edward Harris II	09/29/2018
Lyn MacNabb	09/29/2018
Samantha Elizabeth Welch	10/03/2018
David John Seiler	10/03/2018
Jason L. Bignell	10/03/2018
John Allen Hillman	10/03/2018
Glenn Anthony Prampin	10/03/2018
Shannon Leigh King	10/03/2018
Airiel Elizabeth Scotti	10/03/2018
Connie Lyn Musaeus	10/03/2018
Beverly C. Spence	10/03/2018
Valerie Esther Goldstein	10/04/2018
Marvin L. Fowlkes, Jr	10/04/2018
Shanon David Corbeil	10/04/2018
Craig Jason James	10/04/2018
Cody Glenn Bowman	10/04/2018
Konstantin Andreyevich Gaskov	10/05/2018
Michael Wayne Bosanko	10/06/2018
Michael Chang Kuang Yee	10/06/2018
Anna P. Tran	10/06/2018
Sung Won Yi	10/06/2018
Jessica Rose Stine	10/11/2018
Linda Butterfield	10/11/2018
Michelle Cheung	10/11/2018
Emily Ruth Bowden	10/13/2018
Karina Aracely Clapp	10/17/2018

Christina Lee Dille	10/18/2018
Ying Liu	10/18/2018

<u>Equivalency to Uniform Section of Examination Certificate</u>	<u>Expiration Date</u>
Rory Nohea-Haku Spaulding	09/22/2018
Je'Nai Rashida Spaulding	09/22/2018
Alwin Ira Herbst	09/27/2018
Willie Faauga Tupolo	09/28/2018
Jerid Kevin Kiedrowski	09/28/2018
Garth Davis Bright	09/28/2018
Latoya Nicole Taylor	09/28/2018
Brett Christopher Lindsey	09/28/2018
Daniel Lee	09/28/2018
Tammy Sue Harris	09/29/2018
Huanbo Yu	09/29/2018
David Hejnowski	09/29/2018
Emily Blinkhorn	09/29/2018
Wendy E. Thomas	09/29/2018
Donald Edward Harris II	09/29/2018
Samantha Elizabeth Welch	10/03/2018
David John Seiler	10/03/2018
John Allen Hillman	10/03/2018
Glenn Anthony Prampin	10/03/2018
Shannon Leigh King	10/03/2018
Airiel Elizabeth Scotti	10/03/2018
Connie Lyn Musaeus	10/03/2018
Valerie Esther Goldstein	10/04/2018
Marvin L. Fowlkes, Jr	10/04/2018
Shanon David Corbeil	10/04/2018
Paul Anthony Clapp Sr.	10/04/2018
Craig Jason James	10/04/2018
Cody Glenn Bowman	10/04/2018
Konstantin Andreyevich Gaskov	10/05/2018
Anna P. Tran	10/06/2018
Sung Won Yi	10/06/2018
Jessica Rose Stine	10/11/2018
Linda Butterfield	10/11/2018
Emily Ruth Bowden	10/13/2018
Karina Aracely Clapp	10/17/2018
Christina Lee Dille	10/18/2018

<u>Real Estate Broker Experience Certificate</u>	<u>Expiration Date</u>
Alwin Ira Herbst	09/27/2018
Willie Faauga Tupolo	09/28/2018
Jonathan R. Brooke	09/28/2018
Shinji Kamimura	09/28/2018
Garth David Bright	09/28/2018
Duane Douglas Pierce	09/28/2018
Daniel Lee	09/28/2018
Rebecca Lynne Clancy	09/29/2018
Davis Hejnowski	09/29/2018

Sara Christine Hartwell	09/29/2018
Wendy E. Thomas	09/29/2018
Theodore John Heilmann	09/29/2018
Debbie Yvonne Kauffman	09/29/2018
Raiki Koyama	10/03/2018
David John Seiler	10/03/2018
Erin Brandee Evans	10/03/2018
Glenn Anthony Prampin	10/03/2018
Shannon Leigh King	10/03/2018
Julia Chin Chinen	10/03/2018
Renee Rie Zaima	10/03/2018
George William Hoffberg	10/03/2018
Erin Wai Jun Mitsuyoshi	10/03/2018
Dante Ildefonso Velacion	10/04/2018
Craig Jason James	10/04/2018
Katharine J.K. Spencer	10/06/2018
Sung Won Yi	10/06/2018
Mami Y. Takeda	10/07/2018
Scott Riki Nashiwa	10/11/2018
Linda Butterfield	10/11/2018
Paris M. Cousin	10/11/2018
Emily Ruth Bowden	10/13/2018
Christina Lee Dille	10/18/2018
Ying Liu	10/18/2018

Continuing Education Equivalency

	<u>Effective Date</u>
Doyle E. Wheelles	09/26/2016
Julian A. Coiner	10/04/2016
William Cittadino	10/11/2016
Daniel H. Kalai	10/12/2016
Beverly C. Spence	10/18/2016

Restoration – Real Estate Salesperson

	<u>Effective Date</u>
Aness Jooyeon Song	09/08/2016
Lori K.W. Jeong	09/14/2016
David Eric Austin	09/22/2016
David Anthony Ciano	09/29/2016
Stephen K. Frank	10/06/2016

Restoration – Real Estate Broker

	<u>Effective Date</u>
Dionne M.C. Phillips	09/27/2016