

**CONDOMINIUM REVIEW COMMITTEE**  
REAL ESTATE COMMISSION  
Professional and Vocational Licensing Division  
Department of Commerce and Consumer Affairs  
State of Hawaii  
[www.hawaii.gov/hirec](http://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: December 7, 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: Laurie A. Lee, Chair, Broker / Honolulu 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  
Aleta Klein, Broker / Honolulu Commissioner – late arrival  
Michael Pang, Broker / Honolulu Commissioner

Neil Fujitani, Supervising Executive Officer  
Miles Ino, Executive Officer  
Carole Richelieu, Senior Condominium Specialist  
Benedyne Stone, Condominium Specialist  
Dathan Choy, Condominium Specialist  
Diane Choy Fujimura, Senior Real Estate Specialist  
Amy Endo, Real Estate Specialist  
Shari Wong, Deputy Attorney General  
Tammy Norton, Recording Secretary

Others: Rollie Litteral, American Dream Real Estate School  
Lourdes Scheibert, Hui 'Oia'i'o  
Lila Mower, Hui 'Oia'i'o  
Aron Espinueva, Hawaii Association of REALTORS®  
John White, Pearlridge Gardens & Tower  
Dawn Chang, Kuiwalu  
Marsha Shimizu, Hawaii Association of REALTORS®  
Karin Lynn, Condominium Owner  
Michelle Foyt, Hawaii Dem's Women's Caucus

Absent: None

Call to Order: The Chair called the meeting to order at 9:03 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:

**Additional Distribution**

The following materials were distributed prior to the start of the meeting:

- 5. CPR Registration and Developer's Public Reports
  - a. Condominium Projects and Developer's Public Reports
    - 1) November 2016

Commissioner Klein arrives.

Minutes:

Upon a motion by Commissioner Pang, seconded by Commissioner Faulkner, it was voted on and unanimously carried to accept the minutes of the November 9, 2016 Condominium Review Committee meeting.

Condominium  
 Governance and  
 Management:

**AOUO Registrations**

Specialist Stone reported that as of November 30, 2016, 1,689 AOUOs have successfully registered.

**Condominium Seminars and Symposium - CAI Hawaii "Fundamentals of Serving on a Board" November 3, 2016 Seminar Evaluation**

Staff's evaluation provided for informational purposes.

Condominium  
 Project  
 Registration:

**Condominium Project Registration - Public Reports Issued**

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

PROJ #	PROJECT NAME	PROJECT ADDRESS	TMK #	UNITS	REPORT	DATE
7675	1001 QUEEN	1001 QUEEN HONOLULU HI 96814	123001001	471	B AMD	11/21/2016
7861	1840 LELEIONA STREET CONDOMINIUM	1840 LELEIONA ST LIHUE HI 96766	433011001	2	B REPT	11/10/2016
7773	560 SPRECKLESVILLE BEACH ROAD CONDOMINIUM	560 SPRECKLESVILLE BEACH RD PAIA HI 96779	238002023	2	B REPT	11/1/2016
7650	850A & 850B THIRD STREET	850A & 850B THIRD ST PEARL CITY HI 96782	197021022	2	B AMD	11/2/2016
7912	94-556 KOALEO STREET	94-556 KOALEO ST WAIPAHU HI 96797	194035086	2	B REPT	11/18/2016
7856	AHI AHI ADU	1711 AHIAHI RD KAPAA HI 96746	446004027	2	B REPT	11/10/2016
7905	AHUIMANU ESTATES II	47-419A TO 47-419H AHUIMANU PL KANEHOE HI 96744	147031086	8	B REPT	11/2/2016
7901	COCONUT FARM CONDOMINIUM	LOT - 22-A MAHANALUA NUI SUB LAHAINA HI 96761	247009068	2	B REPT	11/28/2016
7886	GOATSDOROAM	3369 HAILIMA RD LAWAI HI 96765	426001032	5	B REPT	11/21/2016
7913	HALEIWA COUNTRY ESTATES V	66-140 & 66-142 WAIALUA BEACH RD HALEIWA HI 96712	166034081	2	B REPT	11/22/2016
7889	HAUIKI VALLEY VIEW	5765 HAUICI RD KAPAA HI 96746	444003088	2	B REPT	11/22/2016
7908	KAUHALE LANI CONDOMINIUM	64-KUMANO DR PUKALANI HI 96768	223043102	2	B REPT	11/22/2016
7916	LOT 223 KAUIKOA CONDOMINIUM	LOT 1-B-3 KAUIKOA RD HAIKU HI 96708	227012223	2	B REPT	11/18/2016
7896	MANAWAI LOT 1 CONDOMINIUM	LOT 1 MANAWAI HOMESTEADS HAIKU HI 96708	228003024	2	B REPT	11/7/2016
7907	MAUI BEACH PLACE	2192 ILIILI RD KIHEI HI 96753	239005033	3	B REPT	11/16/2016
7888	MAUI OCEAN HOUSE CONDOMINIUM	200 AWAUKU ST	247009056	2	B REPT	11/16/2016

7871	MAUI PAIPALA PLACE	LAHAINA HI 96761 952 & 954 PAIPALA PL	224040039	2	B REPT	11/2/2016
7502	MOHALALANI CONDOMINIUM	MAKAWAO HI 96768 83 HOOLAWA RD	229003064	2	B AMD	11/10/201
7906	NA PUA LANI	HAIKU HI 96708 927 10TH AVE	132018005	3	B REPT	11/22/201
7753	NAU KU'U ALOHA CONDOMINIUM	HONOLULU HI 96816 991 KAI HELE KU PL	247010037	2	B REPT	11/10/201
7789	OSHITA ESTATES	LAHAINA HI 96761 6053 OLOHENA RD	444010032	2	B REPT	11/1/2016
7894	POHAKALA AT MEHANA	KAPAA HI 96746 KAKALA ST & KAMAHA ST	191160051	127	B REPT	11/4/2016
7872	PROTEA ACRES CONDOMINIUM	KAPOLEI HI 96707 16155 & 16157 HALEAKALA HWY	223013025	2	B REPT	11/28/201
7678	PULAMA `ULA CONDOMINIUM	KULA HI 96790 PUUPILO RD	442022069	5	B AMD	11/22/201
7918	PUMEHANA PLAZA I	KAPAA HI 96746 913, 915, 917, 919 PUMEHANA ST	123029037	4	B REPT	11/28/201
7874	RED DIRT FARM	HONOLULU HI 96826 4391 IHU RD	423006026	3	B REPT	11/15/201
		KALAHEO HI 96741				
0	<b>Preliminary Reports</b>					
0	<b>Contingent Final Reports</b>					
0	<b>Final Reports</b>					
0	<b>Supplementary Reports</b>					
22	<b>B Reports</b>					
4	<b>B Amendment Reports</b>					
26	<b>TOTAL REPORTS</b>					

### Consultants

A sample form letter relating to mandatory biennial condominium association registration was distributed for informational purposes and in response to a recommendation made at the October 5, 2016 Condominium Consultant Forum.

### Case Law

The following case law was distributed for informational purposes: CAAP-14-0001379, 14-0001381, & 14-0001384, Ronald Brown, Administrator of the Estate of Don Brown, Plaintiff-Appellee, v. Ken Brent, Individually and in his Capacity as the President and Member of the Board of Directors of the Association of Apartment Owners of Kuhio Shores at Poipu, by and through its Board of Directors, Defendants-Appellants, and John Does 1-10; Jane Does 1-10; Doe Partnerships 1-10; Doe Corporations 1-10; Doe "Non-Profit" Corporations 1-10; and DOE Governmental Entities 1-10, Defendants.

### Program of Work: **Records Management**

In response to PVL and the Department's initiative on updating the department's current records retention schedule, staff prepared a report for the committee's review.

Executive Session: Upon a motion by Commissioner Arakaki, seconded by Commissioner Klein, it was voted on and unanimously carried to enter into executive session 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 Pang, it was voted on and unanimously carried to move out of executive session.

Upon a motion by Commissioner Klein, seconded by Commissioner Wada, it was voted on and unanimously carried to repeal the Real Estate Commission's October 28, 1994 file retention policy.

Upon a motion by Commissioner Arakaki, seconded by Commissioner Klein, it was voted on and unanimously carried to reconfirm the Condominium Review Committee's decision of May 13, 2015, that project files be retained for ten years and that developer's public reports be retained indefinitely.

The Committee deferred the issue of defining the attachments that constitute the contents of the developer's public report.

Condominium Organizations Forum: Ms. Scheibert addressed the committee regarding her association concerns, her support of an Office of the Condominium Ombudsman and State licensing of property managers, and submitted testimony on her experiences, observations, and opinions on the management of her condominium association. Ms. Scheibert submitted and read from her written testimony.

CETF Budget & Finance Report: No report presented.

Next Meeting: January 11, 2017  
Upon adjournment of the Laws and Rules Review Committee meeting scheduled to convene at 9:30 a.m.  
REALTORS® Association of Maui  
441 Ala Makani Place  
Kahului, Maui

Adjournment: With no further business to discuss, the Chair adjourned the meeting at 10:07 a.m.

Respectfully submitted:

/s/ Carole R. Richelieu

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Carole R. Richelieu  
Senior Condominium Specialist

December 13, 2016

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Date

Minutes approved as is.

Minutes approved with changes; see minutes of \_\_\_\_\_

CRR:tn/