

**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](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: Wednesday, January 11, 2017

Time: 9:30 a.m.

Place: REALTORS® Association of Maui  
441 Ala Makani Place  
Kahului, Maui

Present: Scott Arakaki, Chair, Public / Honolulu Commissioner  
Michael Pang, Vice Chair, Broker / Honolulu Commissioner  
Laurie Lee, Broker / Honolulu Commissioner  
Bruce Faulkner, Broker / Maui Commissioner  
Aileen Wada, Broker / Honolulu Commissioner  
Aleta Klein, Broker / Honolulu Commissioner

Neil Fujitani, Supervising Executive Officer  
Diane Choy Fujimura, Senior Real Estate Specialist  
Carole Richelieu, Senior Condominium Specialist  
Shari Wong, Deputy Attorney General  
Tammy Norton, Recording Secretary

Others: Amy Johnson, REALTORS® Association of Maui, PSA  
Lisa Teichner, REALTORS® Association of Maui, Board Member  
Carol Koepke Tu'ua, Kahana Sunset, General Manager  
Egon Werk  
Penny Werk  
Brett Fahnestock, Peake & Levoy  
Gerald Enriques, DCCA – RICO  
Jason Economou  
Terry Tolman, REALTORS® Association of Maui

Absent: Rowena Cobb, Broker / Kauai Commissioner  
Nikki Senter, Public / Honolulu Commissioner

Call to Order: 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 Cobb and Senter were excused from today's meeting. Prior notice of their non-attendance was received.

Chair Arakaki thanked those in attendance.

SEO's Report:

SEO Fujitani thanked the REALTORS® Association of Maui for allowing the Commission to hold its meetings and Specialists Office for the Day in their offices.

It was announced that of the 19,547 real estate licensees, 16,939 have successfully renewed their licenses as of the December 31, 2016 renewal deadline.

**Minutes of Previous Meetings**

Commissioner Klein noted clarification to the draft minutes.

Upon a motion by Commissioner Faulkner, seconded by Commissioner Klein, it was voted on and unanimously carried to accept the minutes of the December 7, 2016, Laws and Rules Review Committee meeting.

Program of Work:

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

It was reported that the Commission was notified in late December that the Governor had signed the amended Chapter 99 rules on December 9, 2016 with an effective date of December 19, 2016.

The Commission, as an educational effort, will be mailing out a copy of the amended Chapter 99, Hawaii Administrative Rules, to all PBs and BICs shortly.

Rules processing for the amendments to the advertising section of Chapter 99 has begun with the agreed upon amended language between the Commission and the Hawaii Association of REALTORS®. The Commission received comments back from the Legislative Reference Bureau informing the Commission that effective December 31, 2016, the format for all amendments to rules shall be drafted in the form of amendments to and compilation of the entire chapter.

ARELLO, Other  
Organizations And  
Jurisdictions:

**ARELLO Boundaries and Other Informational Reports**

The following articles were distributed for informational purposes: "HUD "Resiliency" Rules to Raise Flood Risk Elevations" and "Ohio Appellate Court: Brokerage Had No Duty to Disclose Felon Living Next Door."

**Meetings, Workshops, and Reports - 2017 Annual Meeting in Honolulu**

It was announced that the 2017 Association of Real Estate License and Law Officials Annual Conference will be held in Honolulu, September 19-24, 2017.

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Next Meeting:            Wednesday, February 8, 2017  
                                 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 9:49 am.

Reviewed and approved by:

/s/ Neil K. Fujitani

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Neil K. Fujitani  
Supervising Executive Officer

January 13, 2017

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Date

Approved as is.  
 Approved with amendments. See minutes of \_\_\_\_\_ meeting.

NF:tn