

**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: November 4, 2009

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: Michele Sunahara Loudermilk, Chair, Public / Honolulu Commissioner  
Louis Abrams, Broker / Kauai Commissioner  
Trudy Nishihara, Broker / Honolulu Commissioner  
Carol Ball, Broker / Maui Commissioner  
Annette Aiona, Broker / Hilo Commissioner  
Walt Harvey, Broker / Honolulu Commissioner

Neil Fujitani, Supervising Executive Officer  
Jon Ellis Pangilinan, Executive Officer  
Cynthia Yee, Senior Condominium Specialist  
Cheryl Leong, Condominium Specialist  
Benedyne Stone, Condominium Specialist  
Diane Choy Fujimura, Senior Real Estate Specialist  
Amy Endo, Real Estate Specialist  
David Grupen, Real Estate Specialist  
Shari Wong, Deputy Attorney General  
Tammy Norton, Recording Secretary

Others: Myoung Oh, Hawaii Association of REALTORS®  
Marsha Shimizu, Hawaii Association of REALTORS®

Absent: Mark Suiso, Vice Chair, Public / Honolulu Commissioner  
Stanley Kuriyama, Broker / Honolulu Commissioner  
Frances Gendrano, Broker / Honolulu Commissioner

Call to Order: Chair Loudermilk called the meeting to order at 9:33 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.

Commissioners Suiso, Kuriyama and Gendrano were excused from the meeting. Prior notification of their non-attendance was received.

Condominium  
Specialist's  
Report:

**Additional Distribution**

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

- 4. Condominium Governance and Management
  - d. Condominium Seminars and Symposium
- 5. CPR Registration and Developer's Public Reports
  - a. Condominium Projects and Developer's Public Reports
    - 1) October 2009
- 6. Program of Work, FY10
  - i. Interactive Participation with Organizations

Minutes:

Upon a motion by Commissioner Abrams, seconded by Commissioner Nishihara, it was voted on and unanimously carried to accept the minutes of the October 14, 2009 Condominium Review Committee meeting as circulated.

Condominium  
Governance and  
Management:

**AOUO Registrations**

Specialist Stone reported that as of October 31, 2009, 1,543 AOUOs have successfully registered.

**Condominium Seminars and Symposium**

Staff's evaluation of the Real Estate Commission co-sponsored CAI Hawaii seminar held on October 17, 2009 entitled "Why Nobody Likes You" was distributed for informational purposes.

The committee acknowledged receipt of CAI Hawaii's request for approval for subsidy of 2010 seminars. It was noted that CAI Hawaii needs to amend their seminar dates as it currently lists 2009 dates. Due to a prior committee delegation, the approval of the noted courses was delegated to staff.

**Condominium Related Articles**

The following articles were distributed for informational purposes: "Divided Loyalties" and "Wild Dues Chase;" *Common Ground* (September October 2009); "Collect Rent from Delinquent Members' Tenants" and "Supreme Court Ruling Benefits Associations with Unionized Labor" *Community Association Management Insider* (October 2009).

Condominium  
Project  
Registration:

**Condominium Project Registration - Public Reports Issued**

A list of those condominium projects issued effective dates during the month of October 2009 were distributed for informational purposes.

PROJ #	PROJECT NAME	PROJECT ADDRESS	TMK #	UNITS	REPORT	DATE
6806	1070 PUHI INDUSTRIAL PARK	4210 HANAHAO PL LIHUE HI 96766	433012009	3	B REPT	10/28/2009
6882	1533 NEHOA STREET	1533 NEHOA ST HONOLULU HI 96822	124023025	16	B REPT	10/26/2009

Condominium Review Committee  
 Minutes of the November 4, 2009 Meeting  
 Page 3

6190	2846 MAKAU STREET	2846 MAKAU ST LIHUE HI 96766	432008068	2	B AMEND 2	10/26/2009
6387	3141 UNAHE STREET CONDOMINIUM	P O BOX 1101 LIHUE HI 96766	436019045	2	B REPT	10/12/2009
6874	6106 LOKOMAIIKAI	6106 & 6106A LOKOMAIIKAI PL KAPAA HI 96746	144010046	2	B REPT	10/22/2009
6163	HONUJA KAI CONDOMINIUM (BLDG NE-A) KONEA ENCLAVE	LOT 4 KAANAPALI HI	244014006	184	B AMEND 4	10/26/2009
6164	HONUJA KAI CONDOMINIUM (BLDG NE-B) KONEA ENCLAVE	LOT 4 KAANAPALI HI	244014006	61	B AMEND 4	10/26/2009
6165	HONUJA KAI CONDOMINIUM (BLDG NE-C) KONEA ENCLAVE	LOT 4 KAANAPALI HI	244014006	68	B AMEND 4	10/26/2009
6378	HONUJA KAI CONDOMINIUM (BLDG SE-A) HOKULANI ENCLAVE	130 KAI MALINA PKWY LAHAINA HI 96761	244014006	195	B AMEND 2	10/26/2009
6379	HONUJA KAI CONDOMINIUM (BLDG SE-B) HOKULANI ENCLAVE	130 KAI MALINA PKWY LAHAINA HI 96761	244014006	76	B AMEND 2	10/26/2009
6380	HONUJA KAI CONDOMINIUM (BLDG SE-C) HOKULANI ENCLAVE	130 KAI MALINA PKWY LAHAINA HI 96761	244014006	54	B AMEND 2	10/26/2009
6873	JUNGLE CAMP	66-502A & 66-502B OAAKAA RD HALEIWA HI 96712	167017027	2	B REPT	10/28/2009
6850	KIKIKILI CONDOS	91-511 AIKANAKA RD EWA BEACH HI 96706	191036031	2	B REPT	10/8/2009
6884	LAULANI II PHASE 4	91-1001 KEAUNUI DR EWA BEACH HI 96706	191149004	16	B REPT	10/13/2009
6878	MERRIBON CONDOMINIUM	1047 ALA NAPUNANI ST HONOLULU HI 96818	111062046	12	B REPT	10/20/2009
6845	NIUMALU 2371 CONDOMINIUM	2371 E NIUMALU RD LIHUE HI 96766	432002031	2	B REPT	10/12/2009
6879	TOWN HOMES AT KA MAKANA AT HOAKALEI INCREMENT 4 THE	91-1387 & 91-1395 KEONEULA BLVD EWA BEACH HI 96706	191146122	10	B REPT	10/5/2009
0	<b>Preliminary Reports</b>					
0	<b>Contingent Final Reports</b>					
0	<b>Final Reports</b>					
0	<b>Supplementary Reports</b>					
10	<b>B Reports</b>					
7	<b>B Amendment Reports</b>					
17	<b>TOTAL REPORTS</b>					

Program of Work: **Condominium Laws and Education**

The final versions of the two brochures were received from Ekimoto and Morris. Chair Loudermilk noted that a change needs to be made to page 39, item 5, Amendment of the Bylaws, of the Condominium Property Regimes: Owner Rights and Responsibilities publication. It is recommended that the consultant either make the change to page 39 stating that the "The motion to amend the bylaws requires approval of at least 67 percent of the owners" or that the consultant issue no opinion and quote the statute.

Commissioner Aiona suggested that we include an article in the upcoming Condominium and Real Estate Bulletin of how individuals can download both publications from our website.

Specialist Leong responded that an article is included in the Condominium Bulletin's November issue which should be distributed shortly.

Specialist Yee noted that the consultant has not, to date, per the contract with the Commission submitted for distribution a one page summary of each brochure.

**Rulemaking, Chapter 107**

It was reported that due to a lack of comments received from the governance group a second letter was sent out to stakeholders extending the deadline to submit comments on amending Chapter 107 to November 16<sup>th</sup>. The first draft should be issued shortly thereafter.

### Interactive Participation with Organizations

Information was distributed relating to the 31<sup>st</sup> Annual Community Association Law Seminar to be held January 21-23, 2010 in Tucson, Arizona. Specialist Yee noted that this is a very worthwhile seminar for staff to attend, but due to the State's budgetary constraints, the Commission will not be participating in this seminar.

Condominium Organizations Forum: No comments, recommendations or concerns were received from the following: Community Associations Institute Hawaii Chapter, Alakahi Foundation, Hawaii Council of Association of Apartment Owners, Hawaii Independent Condominium and Cooperative Owners, Hawaii State Bar Association/Real Property & Financial Services Section, Land Use Research Foundation, Condominium Council of Maui, Hawaii Association of Realtors/Institute of Real Estate Management Hawaii Chapter/ Oahu Arm Committee, others.

Open Forum: No discussion presented.

CETF Budget & Finance Report: No report presented.

Next Meeting: December 9, 2009  
Upon adjournment of the Laws and Rules Review Committee meeting scheduled to convene 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 Loudermilk adjourned the meeting at 9:50 a.m.

Respectfully submitted:

/s/ Cynthia M. L. Yee

---

Cynthia M. L. Yee  
Senior Condominium Specialist

November 4, 2009

---

Date

Minutes approved as is.

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