

**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: June 14, 2017

Time: Upon adjournment of the Laws and Rules Review Committee meeting scheduled to convene at 10:30 a.m.

Place: West Hawaii Association of REALTORS®  
75-5995 Kuakini Hwy., #221  
Kailua-Kona, HI 96740

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  
Aleta Klein, Broker / Honolulu Commissioner  
Sean Ginoza, Broker / Hawaii Island Commissioner  
  
Neil Fujitani, Supervising Executive Officer  
Carole Richelieu, Senior Condominium Specialist  
Diane Choy Fujimura, Senior Real Estate Specialist  
Mana Moriarty, Deputy Attorney General  
Tammy Norton, Recording Secretary

Others: Maria B. Tirone, Koa Realty, Inc.  
Rollie J. Litteral, American Dream Real Estate School  
Kunzang D. Yuthok, Realtor  
Thomas F. Mann, Condominium Owner

Absent: Scott Arakaki, Public / Honolulu Commissioner  
Michael Pang, Broker / Honolulu Commissioner

Call to Order: The Chair called the meeting to order at 10:40 a.m., at which time quorum was established.

Chair's Report: The Chair welcomed those in attendance and thanked the West Hawaii Association of REALTORS® for allowing the Commission to hold its meetings and Specialists Office for the day in their offices. It was announced that those wishing to meet with the condominium specialist may do so following the Condominium Review Committee meeting.  
  
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 Arakaki and Pang were excused from the meeting. Prior notification of their non-attendance was received.

Condominium  
 Specialist's  
 Report:

**Minutes**

Upon a motion by Commissioner Faulkner, seconded by Commissioner Wada, it was voted on and unanimously carried to accept the minutes of the May 10, 2017 Condominium Review Committee meeting as circulated.

Condominium  
 Governance and  
 Management:

**AOUO Registrations**

Specialist Richelieu reported that as of May 31, 2017, 1,701 AOUOs have successfully registered for the 2015-2017 biennium. As of May 31, 2017, a total of 1,388 AOUO reregistration applications for the 2017-2019 biennium have been received.

**Case Law Review Program**

The following were distributed for informational purposes: Santa Monica Beach Property Owners Association, Incorporated, et al v. David Acord, et al, District Court of Appeal First District, Florida, Case No. 1D16-4782 (April 28, 2017); and Julie M. Sigwart, et al v. The Law Office of David B. Rosen, et al, Hawaii Supreme Court (May 26, 2017).

Condominium  
 Project  
 Registration:

**Condominium Project Registration - Public Reports Issued**

A list of those condominium projects issued effective dates during the month of May 2017 was distributed for informational purposes.

PROJ #	PROJECT NAME	PROJECT ADDRESS	TMK #	UNITS	REPORT	DATE
7983	4808 PELEHU ROAD	4808 PELEHU RD KAPAA HI 96746	446015031	2	B REPT	5/24/2017
7334	801 SOUTH ST	801 SOUTH ST HONOLULU HI 96813	121047003	915	B AMD	5/11/2017
7482	801 SOUTH ST - BUILDING B	801 SOUTH ST HONOLULU HI 96813	121047004	789	B AMD	5/15/2017
7975	94-332 KAHUALENA STREET	94-332 & 94-332A KAHUALENA ST WAIPAHU HI 96797	194045053	2	B AMD	5/2/2017
7973	DELMONTE HILO PLACE	3690 HILO PL HONOLULU HI 96816	133030042	2	B REPT	5/16/2017
7991	E.K. ESTATES	385 E KUIAHA RD HAIKU HI 96708	227013078	3	B REPT	5/1/2017
8003	HAIKU DREAM CONDOMINIUM	0 KAUIHIOA RD HAIKU HI 96708	227008037	2	B REPT	5/18/2017
7999	HANAIEI PLACE	84-713 A&B HANAIEI PLACE 84-711 WAIANAIE HI 96792	184017021	4	B REPT	5/10/2017
7996	HAUOLA HALE	164,164A,170,170A HAUOLA AVE WAHIAWA HI 96786	174015024	4	B REPT	5/11/2017
6403	HONOKAHUA BEACH HOTEL	ONE RITZ CARLTON DR LAHAINA HI 96761	242004015	135	B AMD	5/16/2017
7974	HORIZON VIEW HALE	91-635 & 91-635A FORT WEAVER EWA BEACH HI 96706	191025051	2	B REPT	5/11/2017
7895	KAKALINA CONDOMINIUM	6781 KAWAIHAU RD KAPAA HI 96746	444013003	2	B REPT	5/26/2017
7903	KALAHEO VIEW LOT	LOT 118 KALAHEO HOMESTEADS KALAHEO HI 96741	423013017	2	B AMD	5/9/2017
6656	KALIHUAI BLUFFS CONDOMINIUM	05-2998 KUHIO HWY KILAUEA HI 96754	452010016	2	B AMD 2	5/15/2017
4873	KEALA RANCH	PARCEL L-1 HANAIEI HI	451002010	5	SUPPL	5/30/2017
7988	NANIALII PLACE CONDOMINIUM	PARCEL 4 WAIAKOIA HOUSE LOTS KIHEI HI 96753	239006004	5	B REPT	5/22/2017
7986	OMAO RANCH LANDS (UNITS 10B AND 10C)	2-3990-B KAUMUALII HWY OMAO HI 96756	427003005	2	B REPT	5/4/2017
7972	PAIA BAY CONDOMINIUM	137 HANA HIGHWAY PAIA HI 96779	226004014	2	B REPT	5/11/2017
7981	SEA ESCAPE CONDOMINIUM	141 & 145 AWAUKU ST LAHAINA HI 96761	247009007	2	B REPT	5/9/2017

7470	THE CLUB BUNGALOWS AT KUKUI'ULA PH 1A	KE ALAULA KOLOA HI 96756	426019017	5	B AMD 1	5/30/2017
7537	THE CLUB BUNGALOWS AT KUKUI'ULA PH 1B	KE ALAULA ST KOLOA HI 96766	426019017	6	B AMD 1	5/18/2017
7823	THE CLUB BUNGALOWS AT KUKUI'ULA PH II	KE ALA ULA ST KOLOA HI 96756	426019017	9	B AMD 1	5/15/2017
7965	TIERRA BONITA CONDOMINIUM	6130 OLOHENA ROAD KAPAA HI 96746	444003004	3	B REPT	5/18/2017
6535	WAIKALUA BAYSIDE	45-079 W WAIKALUA RD KANEHOHE HI 96744	145005029	20	B AMND	5/16/2017
0	<b>Preliminary Reports</b>					
0	<b>Contingent Final Reports</b>					
0	<b>Final Reports</b>					
1	<b>Supplementary Reports</b>					
13	<b>B Reports</b>					
10	<b>B Amendment Reports</b>					
24	<b>TOTAL REPORTS</b>					

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

A copy of the Commission's brochure entitled "Condominium: Aging in Place and the Disabled" was distributed for informational purposes. The brochure was created for educational purposes after attending CAI Hawaii's "Aging Buildings – Aging Residents" seminar to apprise consumers of the aging in place law, HRS §514B-142.

**Education and Referral**

Staff will be participating in the 2017 Military Consumer Fair to be held July 1, 2017, at the Windward Mall. Staff will provide education and information related to condominiums. Staff noted success in its past educational outreach participation.

**Legislative Acts and Resolutions – monitoring bill status**

Staff is continuing to monitor the status of bills that are awaiting the Governor's signature. Of great importance is the bill which will repeal Chapter 514A. Staff does have a plan in place to notify and provide guidance should the Governor sign the bill repealing Chapter 514A.

**Interactive Participation with Organizations**

A written report on staffs' attendance at HCCA's Legislative Update, May 18, 2017, and evaluations on the monitoring of CAI Hawaii's Covenant Enforcement seminar held May 25, 2017 were distributed for informational purposes.

Staff noted that the HCCA Legislative Update seminar topics included a legislative update, photovoltaic windows, and service/therapeutic animals. The presentation on service/therapeutic animals concentrated on service animals, definitions, behavior, and federal and state laws. There is a good chart provided by CAI Hawaii that lists the different animals, categories, and which law they fall under.

Commissioner Klein commented that only a dog and a miniature horse can be a service animal.

SEO Fujitani suggested requesting CAI's permission to re-print its article and chart in the commission's Hawaii Condominium Bulletin.

Thomas F. Mann, condominium owner and a disabled war veteran with a therapy dog at Ali'i Cove commented on the issues he faced with Ali'i Cove Condominium and the documents which a condominium association is allowed to ask for.

Chair Lee thanked Mr. Mann for attending the meeting.

Staff noted that there was a strong show of site managers at CAI Hawaii's Covenant Enforcement seminar. Overall it was a good presentation, although staff noted that one of the speakers that spoke on mediation did not mention the REC subsidy for mediation and seemed unclear on the two types of mediations available. He also misstated and said that the REC hears cases itself.

Commissioner Wada suggested that staff's evaluation of the seminar be provided to CAI Hawaii for their information.

### **Consumer Education - Condorama(s) for neighbor island(s)**

Specialist Richelieu reported that the Commission recently offered a free "Condorama" on Oahu for condominium owners and board members. The event was very successful with approximately 80 attendees on a Saturday morning.

The contracted vendor for condominium seminars has had to cancel prior neighbor island offerings due to low registration numbers.

It has been suggested that the Commission offer a "Condorama" free event once a year at a neighbor island site. CAI Hawaii has offered to provide speakers at the event at no charge. The Commission would be responsible for the air fare, ground transportation, publicity, flyers, and site location. This would be separate from the contracted seminar offerings per fiscal year.

Commissioners commented that staff would need to market the free offering for it to be well attended on the neighbor islands.

Specialist Richelieu commented that the Commission would also need to set parameters such as the number of registrants required to hold the free offering, registrations required in advance, possible topics, etc.

Commissioner Faulkner commented that rather than having the owners come to the Commission, it may be more successful for the Commission to go to the owners.

Specialist Richelieu responded that staff has been going out in the public and providing a lot of outreach. Recently, staff has provided outreach at the Financial Literacy Expo in Kapolei, DCCA Financial Literacy Fair in Downtown, DCCA Consumer Fair at the King Kalakaua Building, 2017 UH Saves Event at the University of Hawaii, and the 2017 Hawaii Building Facilities and Property Management Expo at the Blaisdell Center.

It was also suggested that the Commission partner with neighbor island functions, product shows, fairs, and contractor associations when offering outreach education. Similar to the Hawaii Building Facilities and Property Management Expo and how they had scheduled a lot of educational seminars, the commission could offer a free seminar.

Commissioners agreed that working with speakers from CAI Hawaii to offer a free Condorama on the neighbor islands would be beneficial to the condominium consumer.

**Records Management**

PVL has been notified of the Real Estate Commission's condominium record retention policy.

Condominium Organizations Forum: No comments, recommendations or concerns were received.

Next Meeting: July 12, 2017  
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, the Chair adjourned the meeting at 11:31 a.m.

Respectfully submitted:

/s/ Carole R. Richelieu

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Carole R. Richelieu  
Senior Condominium Specialist

June 20, 2017

\_\_\_\_\_  
Date

Minutes approved as is.  
 Minutes approved with changes; see minutes of \_\_\_\_\_

CRR:tn/