

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, August 25, 2017

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
Bruce Faulkner, Broker/Maui Commissioner
Sean Ginoza, Broker/Hawaii Island Commissioner
Aleta Klein, Broker/Honolulu Commissioner
Laurie A. Lee, Broker/Honolulu Commissioner
Michael Pang, Broker/Honolulu Commissioner
Aileen Wada, Broker/Honolulu Commissioner

Diane Choy Fujimura, Senior Real Estate Specialist
Amy Endo, Real Estate Specialist
David Grupen, Real Estate Specialist
Carole Richelieu, Senior Condominium Specialist
Dathan Choy, Condominium Specialist
Shari Wong, Deputy Attorney General
Kristen Kekoa-Nakasone, Recording Secretary

Others: Todd Shirek
Richard "Rick" Laporga
Jacob M. Manegdeg
Lei Fukumura, Esq.
Charles Hunter, Esq.

Excused: Rowena Cobb, Broker/Kauai Commissioner

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 Senior Real Estate Specialist informed the Commissioners that the original application with any original associated documents to be considered at the meeting were available for review.

Commissioner Cobb was excused from the meeting. Prior notification of her non-attendance was received.

Minutes of Previous Meeting

Upon a motion by Commissioner Faulkner, seconded by Commissioner Pang, it was voted on and unanimously carried to accept the minutes of the July 28, 2017 meeting.

Committees and
Program of Work:

Laws and Rules Review Committee
Condominium Review Committee
Education Review Committee

Licensing –
Ratification:

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

Licensing –

The Senior Real Estate Specialist 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.

Licensing –
Applications:

Todd William Shirek

Mr. Shirek was present and was asked if he wished to have his request for preliminary decision application for real estate salesperson considered in executive session. He declined the offer.

Mr. Shirek stated this was an important matter to him and he flew in from North Dakota to be here. He added he has regret for past actions and will make sure it never happens again, and wants to move forward. Commissioner Faulkner asked if applicant was currently licensed in North Dakota and Minnesota and Mr. Shirek stated he previously held real estate salesperson's licenses in both states but no longer does. Commissioner Wada inquired why the amounts applicant was fined were \$750 and \$3000. Mr. Shirek answered the amounts varied because fines were from 2 different states.

After review of the information presented by the applicant, Commissioner Klein moved to most likely approve the real estate salesperson license of Todd William Shirek. Commissioner Lee seconded the motion. The motion was voted on and unanimously carried, 8-0.

Richard Laporga

Mr. Laporga was present and was asked if he wished to have his request for removal of conditions considered in executive session. He declined the offer.

Mr. Laporga informed the Commission he was accompanied by Mr. Jacob Manegdeg, his current broker, who was also available for comment. Mr. Laporga stated he was humbled and grateful to be part of the real estate profession. He added he understands the seriousness of timelines, acknowledged he made mistakes, and was now ready to take the next step.

Commissioner Pang moved to take the matter under advisement. Commissioner Ginoza seconded the motion. The motion was voted on and unanimously carried, 8-0.

Chapter 91, HRS,
Adjudicatory
Matters:

The Chair called for a recess from the meeting at 9:19 a.m., to discuss and deliberate on the following adjudicatory matters, pursuant to Chapter 91, HRS:

In the Matter of the Real Estate License of Anthony Provenzano: REC 2016-281-L; Settlement Agreement Prior to Filing of Petition for Disciplinary Action and Commission's Final Order

Upon a motion by Commissioner Faulkner, seconded by Commissioner Klein, it was voted on and unanimously carried, 8-0, to accept the settlement agreement.

In the Matter of the Real Estate License of David W. Siefker: REC 2016-134-L; Settlement Agreement Prior to Filing of Petition for Disciplinary Action and Commission's Final Order

Upon a motion by Commissioner Lee, seconded by Commissioner Wada, it was voted on and unanimously carried, 8-0, to approve the settlement agreement.

In the Matter of the Real Estate License of Andrew S. Bashrum: REC 2015-247-L; Settlement Agreement Prior to Filing of Petition for Disciplinary Action and Commission's Final Order

Upon a motion by Commissioner Lee, seconded by Commissioner Faulkner, it was voted on and unanimously carried, 8-0, to approve the settlement agreement.

In the Matter of the Real Estate License of Andrew L. Geiser: REC 2017-173-L; Settlement Agreement Prior to Filing of Petition for Disciplinary Action and Commission's Final Order

Upon a motion by Commissioner Pang, seconded by Commissioner Faulkner, it was voted on and unanimously carried, 8-0, to approve the settlement agreement.

Following the Commission's review, deliberation, and decisions in these matters, pursuant to Chapter 91, HRS, the Chair announced that the Commission was reconvening its scheduled meeting at 9:26 a.m.

Executive Session:

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

Licensing –
Applications:

David F. Maleski

After review of the information presented by the applicant, Commissioner Pang moved to approve the salesperson's license of David F. Maleski with conditions. Commissioner Faulkner seconded the motion. The motion was voted on and unanimously carried, 8-0.

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

1. That during the term of this conditional license, any violation of the terms of the payment plan with the Internal Revenue Service (“IRS”) by the Applicant, 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 of license.
3. 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.
4. 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.
5. 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.
6. That the satisfaction of the Applicant from said payment plan shall not change any terms of the conditional license.
7. That upon completion of your payment plan with the IRS, the Applicant must submit a written request to the Commission if the Applicant desires to have the conditions removed.

Zuleika L. Leotele

After review of the information presented by the applicant, Commissioner Arakaki moved to defer the preliminary real estate salesperson’s application of Zuleika L. Leotele and requested the applicant appear at the September 29, 2017, Real Estate Commission meeting. Commissioner Klein seconded the motion. The motion was voted on and unanimously carried, 8-0.

Richard Laporga

After review of the information presented by the applicant, Commissioner Klein moved to remove the conditions placed on the real estate broker's license of Richard Laporga. Commissioner Ginoza seconded the motion. The motion was voted on and unanimously carried, 8-0.

Melanie Castan

Pursuant to the vote at the July 28, 2017, Real Estate Commission meeting, the Commission signed the Proposed Final Order for Melanie Castan.

Next Meeting: Friday, September 29, 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 9:40 a.m.

Reviewed and approved by:

/s/ Diane Choy Fujimura

Diane Choy Fujimura
Senior Real Estate Specialist

August 31, 2017

Date

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

APPROVED APPLICATIONS FOR REAL ESTATE
REAL ESTATE COMMISSION MEETING ON August 25, 2017

<u>Brokers – Individual</u>	<u>Effective Date</u>
Janna Irene Nellen	07/10/2017
Michael Scott Davidson	07/10/2017
Arinobu Okano	07/10/2017
Cristyn Kimie Miyamoto	07/13/2017
Robert Allen Patterson	07/14/2017
Julie Kathleen Nelson	07/14/2017
Emily Ruth Bowden	08/02/2017

<u>Salesperson – Individual</u>	<u>Effective Date</u>
Jason Alaka'i Campbell	07/13/2017
Ryley S. Chong	07/17/2017
Li Hay	07/17/2017
Audra M. Dennis	07/17/2017
Todd A. Holmberg	07/17/2017
Sona Aredjian	07/17/2017
Shana J. Masullo	07/17/2017
Ben C. Noyes	07/17/2017
Nicholas R. Cushnie	07/18/2017
Alexander McKey Omer	07/18/2017
Michael S. C. Cardone	07/19/2017
Cheryl A. Kwasniak	07/19/2017
Joel D. Finnie	07/19/2017
Marisa A. Tanaka	07/19/2017
Holly A. Carlsberg	07/19/2017
Kristi J. Izumoto	07/19/2017
Adam Christopher Dreher	07/20/2017
Kincaid J. Krizek	07/20/2017
Richard A. Ruggaber	07/20/2017
Marivic M. Cadelina	07/20/2017
Janelle B. Albarello	07/21/2017
Jason R. Paulo	07/21/2017
Jaime L. Manuwai	07/21/2017
Xiaoyan Su	07/21/2017
Anna K. Hanson	07/21/2017
Frances L. Ward	07/21/2017
Kristin L. Hoag	07/21/2017
Deborah M. Wynn	07/21/2017
Kimberly Marie Stough	07/21/2017
Michael A. King	07/24/2017
Mark J. Menendez	07/24/2017
Jerome L. Adamany	07/24/2017
Keith M. Cordeiro	07/24/2017
Kheryllyna V. Zara-Rabanal	07/24/2017
Yoshimi A. Fukumura	07/24/2017
Jason C. Larsen	07/24/2017
Natt Portugal	07/24/2017
David J. Calley II	07/24/2017

Tristessa Gayer	07/24/2017
Slayde L. Omura	07/24/2017
David K. Bobzien Sr.	07/25/2017
Mina Otsuka	07/25/2017
Kathryn D. Lawrence	07/25/2017
Alexander R. Chiarella	07/26/2017
Noelle L. Shorenstein	07/26/2017
Jackie P. Millare	07/26/2017
Cody D. Clayburn	07/26/2017
Holly H. Hurst	07/26/2017
Ryan M. Toma	07/26/2017
Eileen Vasilon	07/27/2017
Amanda M. Scardilli	07/27/2017
Joann M. W. Cailing	07/27/2017
Janel M. Morikawa	07/27/2017
Dena L. Miklos	07/27/2017
Rachel E. Carter	07/27/2017
Kirstin A. Shipe	07/28/2017
Aisha N. Jones	07/28/2017
Andrea H. Vasconcellos	07/28/2017
Schyler Y. Murakami	07/28/2017
Haan Jeon	07/28/2017
Adam Heiman	07/28/2017
Lauren W. Stilley	07/28/2017
Debra A. Goforth	07/31/2017
Debora A. Letelier	07/31/2017
Michael J. Von Bargaen	07/31/2017
Sherida H. Bonton	07/31/2017
Chika Sukanuma	07/31/2017
Jordan M. Ruidas	07/31/2017
Kimberly U. Bardon	07/31/2017
Akiko Fujimoto	07/31/2017
Charlie Z. Zeng	07/31/2017
Shaun K. Robinson	07/31/2017
Vaihere K. Sunaoka	07/31/2017
Claire M. Lee	07/31/2017

<u>Brokers – Limited Liability Company (LLC)</u>	<u>Effective Date</u>
Hapuna Realty, LLC Tomoko Matsumoto, PB	07/06/2017
Kauai Palms Real Estate, LLC dba Kauai Palms Real Estate Co. Krisha M. Augerot	07/13/2017
Gerding Edlen Management Company, LLC Adam Wedemeyer, PB	07/17/2017
Radiant Realty, LLC Emily Bowden, PB	08/02/2017

<u>Brokers – Sole Proprietor</u>	<u>Effective Date</u>
Pritpal Aujla	06/08/2017
Richard A. Duran	06/13/2017
Zhanna Conrad	06/26/2017
Joseph S. Matera	06/26/2017

<u>Branch Office</u>	<u>Effective Date</u>
Hawaii Life Real Estate Services, LLC dba Hawaii Life	07/26/2017

<u>Trade Name</u>	<u>Effective Date</u>
Vacasa Vacation Rentals of Hawaii, LLC dba Vacasa Hawaii	06/15/2017
Family Advisors Realty, LLC dba FAMILY Hawaii Realty fka Family Advisors Hawaii	06/27/2017
KU Realty, LLC dba NextHome KU Realty	07/10/2017
Hapuna Realty, LLC dba Hapuna Realty	08/01/2017
I Properties Hawaii, LLC dba Century 21 iProperties Hawaii fka I Properties Hawaii	08/03/2017

<u>Corp/Partnership/LLC/LLP Legal Name Change</u>	<u>Effective Date</u>
Beppu Investments, LLC fka Beppu Realty, LLC	06/29/2017
The MacNaughton Group Commercial Realty Inc. fka Punanahui, Inc.	07/27/2017

<u>Educational Equivalency Certificate</u>	<u>Expiration Date</u>
Yoshie Shimamura Atkins	07/17/2019
Leah MPTF Chun	07/21/2019
Ralph Kirby Smith	07/24/2019
Bruce Flanagan	07/24/2019
Elise A. Schillmoller	07/25/2019
Richard Hanaoka Wong	07/26/2019
Destiny-Tanisha Hanohano	07/26/2019
Barry Gross	07/28/2019
Oswaldo A. Alejo	08/02/2019
John Mark Atkinson	08/02/2019
Crystal Sheree Brown	08/03/2019
Duk Ho Chang	08/03/2019
Diana Lynn Selwyn	08/07/2019
Edward Cruz	08/08/2019
Xoel Pamos-King	08/10/2019
Sabrina Denise Jones-Smith	08/10/2019
Steven Jeffrey Sopha	08/10/2019
Brent Morley Turner	08/10/2019
Melissa Orié Eskelson	08/10/2019
Chelsea Andres Lee	08/10/2019

<u>Equivalency to Uniform Section of Examination Certificate</u>	<u>Expiration Date</u>
Yoshie Shimamura Atkins	07/17/2019
Mary Anne Sanchez	07/20/2019
Ralph Kirby Smith	07/24/2019
Bruce Flanagan	07/24/2019
Erik Stephen McMahon	07/26/2019

Kathy McDugald	07/26/2019
Barry Gross	07/28/2019
Oswaldo A. Alejo	08/02/2019
John Mark Atkinson	08/02/2019
Crystal Sheree Brown	08/03/2019
Diana Lynn Selwyn	08/07/2019
Edward Cruz	08/08/2019
Xoel Pamos-King	08/10/2019
Steven Jeffrey Sopha	08/10/2019
Brent Morley Turner	08/10/2019
Melissa Orié Eskelson	08/10/2019

Real Estate Broker Experience Certificate

Expiration Date

Ralph Kirby Smith	07/24/2019
Bruce Flanagan	07/24/2019
Liana Lynn Brunnert	07/26/2019
Barry Gross	07/28/2019
Darren Tadashi Wong	08/02/2019
Kimberly Lauren Estrella	08/02/2019
Crystal Sheree Brown	08/03/2019
Terry George Gross	08/08/2019
Steven Jeffrey Sopha	08/10/2019
Brent Morley Turner	08/10/2019
Emi T. Fritz	08/09/2019
Bruce R. Gorman	08/09/2019
Martina Flowers	08/10/2019