

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, October 27, 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
Rowena Cobb, Broker/Kauai 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 (late arrival)
Aileen Wada, Broker/Honolulu Commissioner

Neil Fujitani, Supervising Executive Officer
Miles Ino, Executive Officer
Diane Choy Fujimura, Senior Real Estate Specialist
Amy Endo, Real Estate Specialist
David Grupen, Real Estate Specialist
Carole Richelieu, Senior Condominium Specialist
Benedyne Stone, Condominium Specialist
Dathan Choy, Condominium Specialist
Shari Wong, Deputy Attorney General
Kristen Kekoa-Nakasone, Recording Secretary

Others: Myong Oh, Hawaii Board of REALTORS®
Alex Hand
Lei Fukumura, Esq.
Bruce Robert Travis – via teleconference

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.

Commissioner Pang informed staff he would be late to the meeting.

Executive Officer's Report: The Commission shall afford all interested persons an opportunity to submit data, views, or arguments, in writing, on any agenda item and shall provide all

interested parties an opportunity to present oral testimony on an agenda item subject to the conditions set forth in Section 16-99-83, HAR. The Commission may remove any person or persons, who willfully disrupt a meeting to prevent and compromise the conduct of the meeting in accordance with Section 92-3, HRS.

Supervising Executive Officer Fujitani announced Myong Oh will be leaving the Hawaii Association of REALTORS® at the end of the month and thanked him for his help and for being such a great resource to the Real Estate Commission over the years.

Executive Officer Ino presented Commissioner Wada with her certificate of completion for ARELLO's Commissioner College.

Additional Distribution

The following material was distributed prior to the start of the meeting:

4. Committees and Program of Work
 - c. Education Review Committee – ACE meeting report – October 19, 2017

Minutes of Previous Meeting

Upon a motion by Commissioner Lee, seconded by Commissioner Faulkner, it was voted on and unanimously carried to accept the minutes of the September 29, 2017 meeting.

Licensing – Ratification: Upon a motion by Commissioner Cobb, seconded by Commissioner Faulkner, it was voted on and unanimously carried to ratify the attached list.

Licensing – The EO 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.

Licensing – Applications: **Alex David Hand**
Mr. Hand was present and was asked if he wished to have his application for real estate salesperson considered in executive session. He accepted the offer.

Executive Session: Upon a motion by Commissioner Cobb, seconded by Commissioner Ginoza, 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 Faulkner, seconded by Commissioner Cobb, it was voted on and unanimously carried to move out of executive session.

Chapter 91, HRS,
Adjudicatory
Matters:

The Chair called for a recess from the meeting at 9:15 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 Erica L. Anderson aka Erica Anderson: REC 2017-325-L

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

In the Matter of the Real Estate License of Kevin B. Shiraki: REC 2016-100-L

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

In the Matter of the Real Estate License of Kevin B. Shiraki: REC 2017-110-L

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

In the Matter of the Real Estate License of David Ciano: REC 2016-296-L

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

In the Matter of the Real Estate Licenses of Garrett R. Frakes, Carla K. Lorimor, and The Polaris Group Inc., dba Polaris Pacific: REC 2017-267-L

Upon a motion by Commissioner Lee, seconded by Commissioner Ginoza, it was voted on and unanimously carried to accept the settlement agreement.

In the Matter of the Real Estate License of Curtis Keith A. Calixtro aka Curtis Keith Adalem Calixtro: REC 2017-329-L

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

In the Matter of the Real Estate License of Edward G. Torrison aka Ed Torrison, III: REC 2017-330-L

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

In the Matter of the Real Estate License of Robert P. Keane: REC 2017-164-L

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

In the Matter of the Real Estate License of Shawntae U. Calarruda: REC-2017-327-L

Upon a motion by Commissioner Faulkner, seconded by Commissioner Klein, it was voted on and unanimously carried to accept 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 9:23 a.m.

Executive Officer Ino reminded Commissioners to look over 2018 Real Estate Committee and Commission meeting calendar and return their schedules of non-accessible dates for January to June 2018 by the end of December 2017.

Commissioner Pang arrived at 9:25 a.m.

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

**Committees and
Program of Work:**

Laws and Rules Review Committee

Laws and Rules Review Committee – Request for Non-Binding Interpretation

Bruce Robert Travis was available by teleconference and was asked if he wished to have his request for an informal non-binding interpretation regarding personal transactions considered in executive session. Mr. Travis declined the offer.

Mr. Travis informed the Commission he and his wife have owned and managed their rental condominium since 1998 and was told by Kokua Realty, LLC, his employer, that by law this rental unit must be managed by Kokua Realty, LLC. Employer cited HAR, §16-99-4 Client's account; trust funds; properties other than funds statute that was referenced in the November 2011 edition of the Real Estate Commission Bulletin. Based on this paragraph, Kokua Realty, LLC, stated Mr. Travis, as their employee, had to abide by this law and funnel all rental transactions through them. Mr. Travis informed the Commission that Mrs. Travis did not feel this was right and wrote a letter to Representative Kaniela Ing who, along with the Travis' attorney, Mr. Sutherland, could not find any law that stated it was mandatory to put their condo into Kokua Realty, LLC, for management. Mr. Travis also informed the Commission his principal broker at Kokua was also unable to point out the law regarding this statute and referred him to consult HAR and HRS. Mr. Travis stated he has since been let go from Kokua Realty, LLC, and has found a new company and broker he is happy with. Mr. Travis asked the Commission where the law is that states a licensee must give up funds and control to a real estate brokerage firm. Commissioner Klein asked if Mr. Travis considered contacting other property management companies. Mr. Travis responded it wasn't a matter of cost and it was a matter of the law. He added other brokerage firms he spoke to did not inform him he had to do the same. Mr. Travis asked the Commission to clarify if there is a law.

Commissioner Arakaki moved to take the matter under advisement. Commissioner Faulkner seconded the motion. The motion was voted on and unanimously carried.

Executive Session: Upon a motion by Commissioner Cobb, 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 Wada, it was voted on and unanimously carried to move out of executive session.

Committees and
Program of Work:

Laws and Rules Review Committee

Laws and Rules Review Committee – Request for Non-Binding Interpretation

Commissioner Arakaki moved to reaffirm the Real Estate Commission's prior interpretation of Chapter 467, HRS and Chapter 16-99, HAR as disseminated and published through the 2009 Hawaii Real Estate Core Course and the November 2011 Real Estate Commission Bulletin and requested the Real Estate Branch prepare response. Commissioner Pang seconded the motion. The motion was voted on and unanimously carried.

Education Review Committee

Education Review Committee – Publishing Pass-Fail Rates for Prelicense Schools

Senior Real Estate Specialist, Diane Choy Fujimura, informed the Commission in speaking with several attendees at last month's ARELLO Conference she learned that other jurisdictions publish their prelicense school's pass-fail rates and found it helpful as it keeps the schools on track. Senior Specialist Fujimura proposed that Hawaii publish all school's pass-fail rates in the Commission's School Files and Real Estate Commission Bulletin. Commissioner Arakaki stated he would ask publication to come with a disclaimer. Executive Officer Ino commented pre-license instructors may be more apt to help students. Commissioner Pang agreed a disclaimer be added. Commissioner Pang proposed that the rates contain no less than 6 months of data, and a 6 month notice be given to the pre-license schools informing them of upcoming publication. Commissioner Klein asked Senior Specialist Fujimura to consider publishing rates every 6 months as it may be more informative.

Commissioner Pang moved to publish pass-fail rates for prelicense schools with no less than 6 months of data, notify pre-license schools that this will happen in 6 months, and publication will be in quarterly School Files and/or quarterly Real Estate Commission Bulletin. Commissioner Arakaki seconded the motion. The motion was voted on and unanimously carried.

Licensing –
Applications:

Alex David Hand

After review of the information presented by the applicant, Commissioner Pang moved to approve the real estate salesperson's license of Alex David Hand. Commissioner Faulkner seconded the motion. The motion was voted on and unanimously carried.

Rachel Acia

Commissioner Lee recused herself from discussion and left the room.

After review of the information presented by the applicant, Commissioner Arakaki moved to most likely deny the real estate salesperson's application of Rachel Acia. Commissioner Ginoza seconded the motion. Commissioner Lee abstained from the vote. The motion was voted on and carried.

Commissioner Lee returned to the meeting.

Jon Franklin Anderton

Commissioner Cobb recused herself from discussion and left the room.

After review of the information presented by the applicant, Commissioner Arakaki moved to most likely deny the real estate salesperson's application of Jon Franklin Anderton. Commissioner Ginoza seconded the motion. Commissioner Cobb abstained from the vote. The motion was voted on and carried.

Commissioner Cobb returned to the meeting.

NK Realty LLC

After review of the information presented by the applicant, Commissioner Pang moved to deny the request to use the name NK Realty LLC. Commissioner Faulkner seconded the motion. The motion was voted on and unanimously carried.

Next Meeting: Wednesday, November 22, 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 10:29 a.m.

Reviewed and approved by:

Miles I. Ino
Executive Officer

October 31, 2017

Date

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

APPROVED APPLICATIONS FOR REAL ESTATE
REAL ESTATE COMMISSION MEETING ON October 27, 2016

<u>Brokers – Individual</u>	<u>Effective Date</u>
Howard Meguro	09/13/2017
Rebeca Rodriguez-Roman aka Becky Rodriguez-Roman	09/19/2017
Lorielynn Theresa Tabon Garcia aka Lorie Garcia	09/20/2017
Lydia O. Bishop	09/20/2017
Chelsea D. Dimin	09/21/2017
Wilfredo Sapalo Navarro aka Will Navarro	09/25/2017
Jodi Anne Aurely aka Jodi Aurely	09/26/2017
Eric Scott Littlejohn aka Eric Littlejohn	09/28/2017
Drew Hershey	09/29/2017
Jonathan Sione Bradshaw	10/02/2017
Janice Murdoch	10/02/2017
Michell Diane Atkins aka Michell D. Atkins	10/03/2017

<u>Salesperson – Individual</u>	<u>Effective Date</u>
Marilyn Renee Neal	09/18/2017
Kelsey J. Edwards	09/18/2017
Krista M. Barresi	09/18/2017
Wren R. Viltz	09/18/2017
Jue Wang	09/18/2017
Grace O. Chiu	09/18/2017
Michele M. Uemoto	09/19/2017
Andrew D. Yani	09/19/2017
Dustin S. Goldstein	09/19/2017
Christiane N. Speichinger	09/20/2017
Eri Marie Frances C. Kajikawa	09/20/2017
Mibi L. Harp	09/20/2017
Michael T Chisholm	09/21/2017
Lori K. Gale	09/21/2017
Sai Zhang	09/21/2017
Joanne G. F. Lui	09/21/2017
Michael P. Kurtgis Jr.	09/21/2017
Joseph M. Greenwood	09/22/2017
Gabrielle L. Urban	09/22/2017
Raadeen M. Keahiolalo	09/22/2017
Giuseppi Jo M. Gereke-King	09/22/2017
Kimberley A. K. Mckeague	09/22/2017
Charles E. Ensey	09/25/2017
Akemi H. Rubenstein	09/25/2017
Takayo Iinuma	09/25/2017
William M. Keeney	09/25/2017
Viola R. Alipio	09/25/2017

Jacquelyn J. Poponi	09/25/2017
Kumiko M. Um	09/25/2017
Tiana K. F. Rabang	09/25/2017
Colleen P. Medeiros	09/25/2017
Mai Yamashita	09/26/2017
Mai Tram N. Do	09/26/2017
Kelii J. T. Kaneshiro	09/26/2017
Sylvia J. Crompton	09/27/2017
Brooke D. Frazier	09/27/2017
Laura J. Jonikaitis	09/27/2017
Nathan K. Liu	09/28/2017
Randi S. Jeung	09/28/2017
John J. Reid	09/29/2017
Justin D. Marshall	09/29/2017
Michael D. Ditton	09/29/2017
Hawaiiloa K. Durante	09/29/2017
Mika Yamamoto	09/29/2017
Richard L. Bunch	09/28/2017
Elliott R Basler	09/28/2017
Kalei B. Castillon	09/29/2017
Mayumi Hatakeyama	09/29/2017
Vicki A. Vaughan	09/29/2017
Denise M. Nakamura	09/29/2017
Julie L. Rose	09/29/2017
Jonathan R. Hayden	09/29/2017
Janice Murdoch	10/02/2017
Shawn C. Stewart	10/02/2017
Jake M. Chancer	10/02/2017
Jennifer P. Peele	10/02/2017
Daniel R. Krause	10/02/2017
Nipha Whiteside	10/02/2017
Ryan L. Sharpe	10/02/2017
Patrick Dennis Hakola	10/03/2017
Corilee K. Joseph	10/03/2017
Michael W. Schneider	10/04/2017
Dustin L. Cronhardt	10/04/2017
Rondee Kobayashi	10/04/2017
Einav Hillel	10/05/2017
Ilene D. Barro	10/05/2017
Yuriko E. Barrett	10/06/2017
Dillon Geraghty	10/06/2017
Isaac James Jr.	10/09/2017
Raynette P. Hall	10/09/2017
Scott Kuwahara	10/09/2017
Robert S. Morita	10/10/2017
Dennis Karl Elms	10/10/2017
Bethann H. Vincent	10/10/2017
James K. Coila	10/10/2017
Ho Y. Choe	10/12/2017
Alison A. Medhurst	10/12/2017
Christine Ross	10/12/2017

Nevin R. Sugar	10/12/2017
Lida Zwi	10/12/2017
Thomas R. Ferrier	10/12/2017
Young S. Kim	10/13/2017

<u>Brokers – Corporations and Partnerships</u>	<u>Effective Date</u>
Aloha Island Realty, Inc. Jerry L. Chang, PB	09/15/2017
STFO Inc. dba Penthouse Properties Charles Haverty, PB	09/29/2017

<u>Brokers – Limited Liability Company (LLC)</u>	<u>Effective Date</u>
Hawaii Resort Luxury Homes, LLC Melody S. Sunahara, PB	09/15/2017
Islandwide Associates, LLC Brooks F. Maloof, PB	09/15/2017
Alston Group, LLC dba Island Sun Real Estate Pros Kerstin Alston, PB	09/18/2017
Aloha Island Properties, LLC Robert W. Avallone, PB	09/18/2017
Windermere C and H, LLC dba Windermere/C and H Properties Daryl Flem, PB	09/26/2017
Lanihoku Designs, LLC Janice Murdoch, PB	10/02/2017
Realco Development, LLC dba Fort Canyon Realty Hawaii Jonathan Sione Lavel Bradshaw, PB	10/02/2017
Company 14, LLC dba Pearl Realty Janet L. Becker, PB	10/05/2017

<u>Brokers – Sole Proprietor</u>	<u>Effective Date</u>
Leanne S. Murray dba Sue Murray	09/11/2017
Schyler B. Church dba Schyler Church	09/14/2017
Wallace Y. Watanabe dba 2020 Realty	09/14/2017
Willfredo Navarro aka Will Navarro dba Will Navarro Greenstone Properties	09/25/2017
Eric C. Ong	09/26/2017
Liana L. Brunnert dba Molokai Aloha Properties	10/03/2017

<u>Branch Office</u>	<u>Effective Date</u>
Hawaiian Properties, Ltd dba Marina Hawaii Vacations Connie Yu-Pampalone, PB	09/11/2017

<u>Trade Name</u>	<u>Effective Date</u>
Tito Castillo dba Blue Hawaii Properties fka Buyers2Homes	09/07/2017

<u>Corp/Partnership/LLC/LLP Legal Name Change</u>	<u>Effective Date</u>
Hawaii Living, LLC fka Honolulu HI 5, LLC	09/21/2017
HappyDoors Property Management, LLC dba Agora Hawaii fka Certified Property Solutions, LLC	09/29/2017

<u>Educational Equivalency Certificate</u>	<u>Expiration Date</u>
Richard L. Forde	09/19/2019
Spencer Robert Wright	09/25/2019
Josefina Herrera	09/25/2019
Joel William Lawrence	09/25/2019
Marlene Mary Marcinkowski	09/25/2019
Josefina Herrera	09/25/2019
Aaron James Ralstin	09/25/2019
Barbara Lynn Simmons	09/25/2019
Yahaira M. Reimundi	09/25/2019
Dahryl Mandado Delos Nieves	09/28/2019
Melissa Toshiko Marushige	09/28/2019
Katherine L. Doan	09/29/2019
Bary Foster	10/02/2019
Amy Sue Rogers	10/02/2019
Jenna Rose Madrid	10/04/2019
Sharla Renee Fisher	10/04/2019
Thomas Hugh O'Leary	10/04/2019
Whitney "Piper" Moretti	10/04/2019
Daniel Ribeiro De Souza	10/04/2019
Patricia Louise Peters	10/05/2019
David Wayne Cole	10/09/2019
Francis Joseph McMenamin	10/09/2019
Lee Tayebi	10/12/2019
Kana Isomura Fujimoto	10/12/2019
Yana Romanovna Novikov	10/12/2019
Mary Emilee Barilla	10/12/2019
Charles Bradley Feathers	10/12/2019
Robert John Ivanoff	10/12/2019

<u>Equivalency to Uniform Section of Examination Certificate</u>	<u>Expiration Date</u>
Richard L. Forde	09/19/2019
Spencer Robert Wright	09/25/2019
Josefina Herrera	09/25/2019
Patricia D. Gerum	09/25/2019
Joel William Lawrence	09/25/2019
Aaron James Ralstin	09/25/2019
Barbara Lynn Simmons	09/25/2019
Yahaira M. Reimundi	09/25/2019

Duk Ho Chang	09/28/2019
Bary Foster	10/02/2019
Amy Sue Rogers	10/02/2019
Eriko Kawakami	10/04/2019
Jenna Rose Madrid	10/04/2019
Sharla Renee Fisher	10/04/2019
Thomas Hugh O'Leary	10/04/2019
Whitney "Piper" Moretti	10/04/2019
David Wayne Cole	10/09/2019
Francis Joseph McMenamin	10/09/2019
Lee Tayebi	10/12/2019
Yana Romanovna Novikov	10/12/2019
Charles Bradley Feathers	10/12/2019

Real Estate Broker Experience Certificate

Expiration Date

Richard L. Forde	09/19/2019
Christina Marie Berry	09/25/2019
Ashley Misao Carvalho	09/25/2019
Maria Nicholas Isotov	09/25/2019
Joel William Lawrence	09/25/2019
Suzie Thuy Mai-French	09/25/2019
Aaron James Ralstin	09/25/2019
Barbara Lynn Simmons	09/25/2019
Katherine S. Muhs	09/25/2019
Manson Wang-Kin Lee	09/28/2019
Luke Aaron Korkowski	09/28/2019
Ward L. Soto	09/29/2019
Eve Lisa Conley	09/29/2019
Sharla Renee Fisher	10/04/2019
Thomas Hugh O'Leary	10/04/2019
Oanh Vu	10/04/2019
David Wayne Cole	10/09/2019
Diana Hegmann	10/12/2019
Yufan Yang	10/12/2019
Matthew Patrick Tarasenko	10/13/2019

Restoration – Real Estate Salesperson

Effective Date

Masaharu Blair Hoashi	10/05/2017
Monica Kalala Lindsey	10/10/2017