

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

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, November 14, 2018

Time: 9:00 a.m.

Place: Queen Liliuokalani Conference Room
King Kalakaua Building
335 Merchant Street, First Floor
Honolulu, Hawaii

Present: Scott Arakaki, Chair, Public / Honolulu Commissioner
Sean Ginoza, Vice Chair, Broker / Hilo Commissioner
Bruce Faulkner, Broker / Maui Commissioner
Aleta Klein, Broker / Honolulu Commissioner
Russell Kyono, Broker / Kauai Commissioner
Laurie Lee, Broker / Honolulu Commissioner
John Love, Public / Honolulu Commissioner
Michael Pang, Broker / Honolulu Commissioner
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
Lorie Sides, Condominium Education Specialist
Shari Wong, Deputy Attorney General
Tammy Norton, Recording Secretary

Others: None

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.

SEO's Report: **Minutes of Previous Meetings**
Upon a motion by Commissioner Lee, seconded by Commissioner Faulkner, it was voted on and unanimously carried to accept the minutes of the October 10, 2018, Laws and Rules Review Committee meeting as circulated.

ARELLO, Other
Organizations And
Jurisdictions:

ARELLO Boundaries

The following articles from the October 2018 issue of ARELLO Boundaries were distributed for informational purposes: "Facebook investigated for Ad Discrimination, Thousands of 'Targeting Options' Removed"; and "Pennsylvania Court: 'As Is' Clause Doesn't Defeat Seller's Statutory Disclosure Duty."

ARELLO Annual Conference Reports

The committee acknowledged receipt of the 2018 Annual ARELLO Conference reports submitted by Commissioners Arakaki, Faulkner, Lee, Love and Klein, and Executive Officer Ino.

Commissioner Klein commented that her attendance at the ARELLO Conference was a great experience. The conference provided a lot of information and allowed the participants to discuss concerns, trends, and share perspectives with regulators from across the country. She questioned if others discussed "teams" during their sessions.

It was noted that District 1 discussed teams during their meeting. Executive Officer Ino noted that staff has drafted rules that address teams and will circulate it to the Commissioners for their review. Currently all jurisdictions are struggling with teams and each is tackling it differently. There is currently no general consensus among all of the jurisdictions. Commissioners did note that at least one state had commented that the team leader had to be a broker.

Commissioner Love commented that he found the Commissioners College 102 to be very beneficial. He was able to work with other commissioners and see how others approach issues in their jurisdictions. He noted that it would be great if the Commissioners College were available in an electronic platform.

Commissioner Faulkner commented that during the Commissioners College it is emphasized that the duty of a Commissioner is to protect the public as a whole.

Supervising Executive Officer Fujitani presented Commissioner Faulkner and Commissioner Klein with their Commissioner College completion certificates issued by the Association of Real Estate License Law Officials.

Next Meeting: Wednesday, December 12, 2018
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 9:17 a.m.

Reviewed and approved by:

/s/ Neil K. Fujitani

Neil K. Fujitani
Supervising Executive Officer

November 27, 2018

Date

Approved as is.
 Approved with amendments. See minutes of _____ meeting.
NF:tn