

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, April 17, 2019

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 / Hawaii Island Commissioner
Bruce Faulkner, Broker / Maui Commissioner
Russell Kyono, Broker / Kauai Commissioner
Laurie Lee, Broker / Honolulu Commissioner
John Love, Public / Honolulu Commissioner – late arrival
Michael Pang, Broker / Honolulu Commissioner
Aileen Wada, Broker / Honolulu Commissioner

Neil Fujitani, Supervising 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: Daryl Nishizawa, Honolulu Board of REALTORS®
Lynn Murison, Honolulu Board of REALTORS®

Absent: Aleta Klein, Broker / Honolulu 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.

Commissioner Klein was excused from today's meeting. Prior notice of her non-attendance was received.

SEO's Report:

Announcements

SEO Fujitani announced that the Professional and Vocational Licensing Division's (PVL) free online self-printing service for PVL license pocket IDs and Wall Certificates is now available for immediate download and printing by its licensees via their MyPVL account at <https://pvl.ehawaii.gov/mypvl>. There is no cost to the licensee for printing via their MyPVL account. As we were just notified of the rollout of this program, additional information will be provided at the Commission's monthly meeting.

Minutes of Previous Meetings

Upon a motion by Commissioner Ginoza, seconded by Commissioner Lee, it was voted on and unanimously carried to accept the minutes of the March 6, 2019, Laws and Rules Review Committee meeting as circulated.

Program of Work:

Legislative and Government Participation Report

Commissioner Love arrives.

Senate Resolution No. 41, SD 1 Requesting the Real Estate Commission to Conduct a Study on the Implementation of Recommendations Found in the Condominium Governance – an Examination of Some Issues 1989 Report by the Legislative Reference Bureau – the Senate Resolution was passed out by the Senate. Staff will incorporate the study into its Annual Report presented to the Legislature next session.

Senate Bill No. 552, SD 1, HD 2 Relating to Condominiums – Extends the safe harbor provisions found in section 45 of Act 181, Session Laws of Hawaii 2017, until 7/1/20 to provide sufficient time for condominium property regimes to update their developer's public reports. Clarifies that the sale of time share plans are permitted regardless of compliance with Act 181 – The bill will go to conference committee this afternoon. The Commission continues to support the Senate version of the bill.

Senate Bill 770, SD 1, HD 1 Relating to Real Estate Licenses - Requires a high school education or its equivalent as a condition for new applicants to obtain a license as a real estate broker or real estate salesperson – the Senate has appointed its conferees, but the House has not. Deadline for final decking is April 25. SEO Fujitani will inquire with Rep. Takumi as to the status of the House appointing conferees.

ARELLO, Other
Organizations And
Jurisdictions:

ARELLO Boundaries – April 2019

The following articles from the April 2019 issue of ARELLO Boundaries were distributed for informational purposes: "April Is Fair Housing Month! Notes and Updates" and "Colorado Court: Statutory Minimum Services Can't Be 'Contracted Away,' Don't Violate Antitrust Laws."

Budget and Finance Report: Upon a motion by Commissioner Faulkner, seconded by Commissioner Lee, it was voted on and unanimously carried to accept the Real Estate Recovery Fund Financial Report for the period ending December 31, 2018.

Next Meeting: Wednesday, May 8, 2019
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 9:15 a.m.

Reviewed and approved by:

/s/ Neil K. Fujitani

Neil K. Fujitani
Supervising Executive Officer

April 18, 2019

Date

Approved as is.
 Approved with amendments. See minutes of _____ meeting.

NF:tn