

**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](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: Wednesday, January 8, 2020

Time: 9:00 a.m.

Place: UHMC Molokai Education Center  
375 Kamehameha V Highway  
Kaunakakai, HI 96748

Present: Scott Arakaki, Chair, Public / Honolulu Commissioner  
Bruce Faulkner, Broker / Maui Commissioner  
Laurie Lee, Broker / Honolulu Commissioner  
John Love, Public / Honolulu Commissioner  
Michael Pang, Broker / Honolulu Commissioner  
Derrick Yamane, Broker / Interim Honolulu Commissioner

Neil Fujitani, Supervising Executive Officer  
Diane Choy Fujimura, Senior Real Estate Specialist  
Carole Richelieu, Senior Condominium Specialist  
Shari Wong, Deputy Attorney General  
Tammy Norton, Recording Secretary

Others: Carol Gartland, Molokai Island Realty  
Suzanne O'Connell, Tropical Island Properties  
Lisa N. Willing, Tropical Island Properties  
Rob Stephenson, Honolulu Board of REALTORS®, Tropical Island Properties

Absent: Russell Kyono, Broker / Kauai Commissioner  
Sean Ginoza, Vice Chair, Broker / Hawaii Island Commissioner  
Aleta Klein, Broker / Honolulu Commissioner

Call to Order: The Chair called the meeting to order at 9:09 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.

Commissioners Kyono, Ginoza and Klein were excused from today's meeting. Prior notice of their non-attendance was received.

The Chair welcomed those present and commented that this is a historic meeting as it is the first Commission meetings held on the island of Molokai. He further thanked Rob Stephenson, the Molokai regional chair for assisting the Commission with the meeting venue. He also thanked Tropical Island Properties for hosting the function and welcomed those present to introduce themselves.

Lisa Willing, principal broker of Tropical Island Properties extended her mahalo to the Commission for traveling to Molokai to allow their licensees the opportunity to speak with the Commission.

Rob Stephenson, a licensee with Tropical Island Properties and the HBR Molokai regional chair commented that he had taken over from the previous Molokai regional chair, Ken Savage, in working with Commission staff on the meeting accommodations.

Suzanne O'Connell stated that she is a broker with Tropical Island Realty and thanked the Commission for their efforts to include Molokai in their neighbor island outreach. She further commented that she reads all information provided by the Real Estate Commission.

Carol Gartland of Molokai Island Realty commented that she opened her doors on January 1, 2020 and was formally with Tropical Island Realty.

SEO's Report:

### **Announcements and Introductions**

SEO Fujitani echoed the Chair's thanks to those in attendance and to Tropical Island Properties. He noted that the legislative session begins on January 15, 2020. Commission staff will attend Friday's Committee on Finance informational briefing and WAMs January 16 informational briefing.

### **Minutes of Previous Meetings**

Upon a motion by Commissioner Pang, seconded by Commissioner Lee, it was voted on and unanimously carried to accept the minutes of the December 11, 2019, Laws and Rules Review Committee meeting as circulated.

Program of Work:

### **Case Law Review**

A copy of the following case law was distributed for informational purposes:  
Missouri Real Estate Commission v. William L. Held, Missouri, May 28, 2019/

ARELLO

### **ARELLO Boundaries, December 2019**

Chair Arakaki shared with those present that ARELLO is the Association of Real Estate License Law Officials, an international trade association of real estate regulators founded in 1930. ARELLO members discuss latest trends in the industry amongst other things. Hawaii has been doing a good job balancing enough regulation to protect consumers.

The following articles from the December 2019 issue of ARELLO Boundaries was distributed and discussed for informational purposes: ARELLO-NAR

Meeting Focuses on Issues of Mutual Interest and Timeshare Scams Just Keep Ticking.

Ms. Lisa Willing commented that Molokai does not have many time shares, those that are in existence are mainly located in one complex.

Chair Arakaki noted that the US Federal Trade Commission in addition to numerous governmental agencies offer information and resources about timeshare resale and related scams to look out for. Some states also issue consumer alerts. Consumers should scrutinize timeshare resales.

Next Meeting: Wednesday, February 12, 2020  
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 9:27 a.m.

Reviewed and approved by:

/s/ Neil K. Fujitani

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Neil K. Fujitani  
Supervising Executive Officer

January 14, 2020

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Date

Approved as is.  
 Approved with amendments. See minutes of \_\_\_\_\_ meeting.

NF:tn