

Real Estate Commission Bulletin



The Pandemic Lives On

With 2021 just behind us, what's in store for 2022? More of the same? Less? It's anyone's guess. For now, the DCCA will continue to require identification and proof of full vaccination against Covid-19 to enter the building. For those who are partially vaccinated or unvaccinated, the person must show proof of a negative test result taken within the last 72 hours. No proof for either? Then the person may not enter the DCCA. For those entering DCCA, wear your mask and social distance.

The monthly Real Estate Commission meetings will continue to be held virtually via Zoom, normally on the last Friday of the month. The agendas for the Commission's three standing committees (Laws and Rules Review Committee, Condominium Review Committee, Education Review Committee) will continue to be integrated into the agenda for the monthly Commission meeting. Links to join the meeting will be distributed to attendees prior to the meeting and may be found on the agenda posted to www.hawaii.gov/hirec.

The Real Estate Branch personnel will continue teleworking from home, and being in the office on a rotating basis.

It's an Even Numbered Year... And That Means...It's Renewal Year!!!

- 20 hours of CE must be completed, preferably by the November 30th renewal deadline. The 20 hours is comprised of the two core courses, 2021-2022, Parts A and B. BOTH parts must be completed in order to receive core course credit of 6 credit hours. That leaves 14 hours of continuing education elective courses which must be completed by the renewal deadline. If not completed by the November 30 renewal deadline, licensees jeopardize their license status come January 1, 2023. The November 30 deadline provides enough time for processing of the renewal applications.
- Renewal notification to each licensee will be mailed about October 2022.
- If a "YES" answer is included on the renewal application, the licensee MUST FILE A HARDCOPY license renewal application. The licensee may not file an online renewal application.
- Principal brokers and brokers-in-charge must complete their license renewal and continuing education requirements BEFORE ANY ASSOCIATED LICENSEE'S RENEWAL WILL BE PROCESSED. The real estate license for the brokerage and all branch offices must also be renewed prior to the approval of the license renewals for all associated licensees.
- A newly licensed real estate SALESPERSON receiving their license in 2022 does NOT have to complete the required 20 hours of continuing education to renew their license on a current and active status for the 2023-2024 biennium. THIS DOES NOT APPLY TO NEWLY LICENSED real estate BROKERS who received their license in 2022.
- Core B 2021-2022 will be available about the end of June, first week of July 2022. The topic will be "Misrepresentation". Core A 2021-2022, "Fair Housing: It's Not a Game, It's the Law" has been available since July 2021.
- CE HISTORY: A licensee may access their CE history by logging on to their MYPVL account – <https://pvl.ehawaii.gov/mypvl>. Once logged into their MyPVL account, click on the license number. Click on the "RECE" tab and click "View CE History". All courses completed and reported to the Commission may be viewed.
- Prelicense Schools, Prelicense Instructors, Guest Lecturers, Continuing Education Providers, Continuing Education courses: Please re-register/re-certify by November 30, 2022. The status of the school, instructor, guest lecturer, CE Provider, and CE courses is valid through 12/31/2022.
- Always check your MyPVL account for license status. <https://pvl.ehawaii.gov/mypvl>

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It's an Even Numbered Year... And That Means...It's Renewal Year!!! (cont. from page 1)

10. DO NOT CONFUSE your REALTOR® BOARD MEMBERSHIP WITH YOUR REAL ESTATE LICENSE. The National Association of REALTORS® (“NAR”) required the completion of an “ethics” course by December 31, 2021. This is NOT a requirement to maintain/renew your real estate license. Licensees who are local board members must check with their local board to determine if the ethics course completed is acceptable. Do not call or email the Real Estate Branch regarding the ethics course requirement. CE credit to renew a real estate license may be given to a licensee completing an ethics course, as long as that ethics course was approved by the Commission, and is offered by a CE Provider, also approved by the Commission.

Brick and Mortar Place of Business

A real estate brokerage must operate and conduct real estate activity from a physical place of business in Hawaii. The principal broker of the brokerage entity must have a physical presence in the State and must be physically present in the place of business. Additionally, the Commission issued an informal, non-binding interpretation in November 2015 concluding that in order to meet the requirements of the HAR S 16-99-2 definition of “broker-in-charge” (“BIC”), the BIC must be physically present within the state. The HAR states that if the principal broker is absent from the principal place of business for more than 30 days, a temporary principal broker must be appointed to be responsible for the brokerage in the absence. Here is the definition for “Place of Business” from the definitions in the HAR (emphasis added):

“Place of business” means the physical place where business is conducted other than a post office box, telephone, telephone answering service, letter or mail drop service, or motor vehicle within the State, and may include a home occupation office. The place of business shall conform with the permitted use under the zoning code of the county in which the place of business is situated and with any declarations, bylaws, house rules, recorded restrictions, or covenants that may govern the place of business. The commission may use as guidelines, but is not limited to, the following factors in finding that a brokerage firm is maintaining a place of business: physical presence of the broker during reasonable scheduled office hours; on-site maintenance of confidential clients’ files which shall be immediately accessible to the commission upon request; the prominent display of the brokerage firm’s name or trade name as licensed by the commission and the listing of the brokerage firm name where permissible in the building directory; the operation of the brokerage firm at a place of business directly accessible to the public; and the on-site maintenance of personnel and compensation records for all real estate salespersons and broker-salespersons employed by or associated with the brokerage firm. Client files as used in this definition include but is not limited to: real estate contracts, escrow records, trust account records, and confidential client data. “Place of business” does not include the operation of a place of business designed to evade the requirements of the definition as set forth in this paragraph. Each brokerage firm shall have one, and only one, principal place of business.”

What appears to be happening recently here in Hawaii and in other continental jurisdictions is the set-up of a virtual brokerage by a recently Hawaii-licensed broker, who is licensed in another state. These “out-of-state brokers” set up a “place of business” in a location that leases office space, provides a local address, potentially displays the brokerage name in the building directory, and possibly mail drop and reception services. But, the principal broker is physically never or seldom present in the brokerage, let alone Hawaii. There are a couple of popular addresses fitting this description and are commonly listed as a place of business. Whether or not this place of business is compliant with the real estate rules remains to be seen and RICO is investigating them.

Did You Know?

As of February 1, 2022, there are 436,320 minutes, 7,272 hours, 303 days, 43 weeks + 2 days, or 10 months to the real estate license renewal deadline of NOVEMBER 30, 2022. Plan ahead. Don't procrastinate.

The Chair's Message

Aloha Real Estate Licensees:

Happy New Year! My best wishes for a happy, safe and prosperous 2022!

REMOTE MEETINGS TO CONTINUE

The Omicron variant has shelved the state's plan to restart live public meetings. As such, the Hawaii Real Estate Commission ("HIREC") will continue to hold its monthly meetings virtually, via Zoom.

2022 IS A LICENSE RENEWAL YEAR

"It seems like we just renewed our licenses but the next deadline to renew is coming this **November 30, 2022**. As a reminder:

1. You must complete a minimum of 20 hours of approved continuing education ("CE") courses, including both of the HIREC's Core Courses, A and B.
2. All required forms, CE credits and fees to renew must be received by the HIREC no later than **November 30, 2022** to assure timely processing toward renewal. Because of the typical backlog created by so many licensees waiting to the last minute, renewals submitted after November 30 risk not having it processed in time.
3. Under Hawaii law, all real estate licenses that are not renewed by **December 31, 2022** will be automatically forfeited. Anyone practicing real estate with a forfeited license is subject to sanction by the Regulated Industries Complaints Office ("RICO"). If a principal broker's ("PB's") license is forfeited, all licenses under that PB are also automatically forfeited. PBs are responsible for the timely renewal of all the licenses under them. If a licensee practices real estate with a forfeited license, the PB is also in violation of Hawaii law and subject to sanction by RICO.

CORE B

The HIREC's Core B course topic is "Misrepresentation." Core B will be ready for online and in-person classes by July 2022.

COMMISSIONER VACANCIES

As of June 30, 2022, there will be two Commissioner vacancies to fill due to the term limits of Sean Ginoza, Big Island Broker-Commissioner and myself, Oahu Broker-Commissioner. You must have a broker's license and reside on the island for the position you would like to fill. I encourage anyone who is interested to apply online as soon as possible by going to this link: <https://boards.hawaii.gov/apply/apply-for-a-board/>. From these applications, the Governor nominates his choices who then must be confirmed by the Hawaii Senate.

Mahalo,



Michael Pang, Chair
Hawaii Real Estate Commission



What CE Courses Have I Taken?

Probably one of the most common inquiries received by the Real Estate Branch before the November 30th renewal deadline is, "How do I find out what CE courses I've completed?" HERE'S THE ANSWER:

Log on to your MyPVL account (pvl.hawaii.gov/mypvl). Once logged into your MyPVL account, click on your license number. Click the "RECE" (Real Estate Continuing Education) tab and click "View CE History." You should be able to see all courses completed and reported to the Commission.

Use a computer to access this information. Do **NOT** use your cell phone.

Continuing Education Course Completion Certificates

The Real Estate Branch does not issue continuing education ("CE") course completion certificates. CE certificates are issued by the CE provider. However, a licensee may check their CE history and also print a certificate from their MyPVL account once the CE provider has uploaded the information into MyPVL. Keep in mind the CE Provider has 10 days in which to report a CE course completion. Do not expect to see your course completion reported the day you completed the course. If, after 10 days you do not see your CE course completion, please contact the CE Provider and report the missing information.

Want to view your CE course completions? Log into your MyPVL account, pvl.hawaii.gov/mypvl. Once you are logged in, click on your license number (if you don't see your license number or see zero linked licenses- you will need to link your license first by clicking on the "Find My License" tab). Once you are in your license detail page, look to the far left and you should see a tab that says "RECE"- please click on the tab. From there, you should be able to view your CE History. The certificate can be printed by clicking on the button next to the course. Licensees do not need to submit hard copy printouts of their CE course completions. All CE course completions are uploaded into the Education System electronically.

CE History for Associated Licensees

Principal Brokers are able to view their associated licensees' CE History. After clicking on the "View CE History" button, a menu like the one below will appear. Click on the "My Agents" tab.

To be active in the 2021 - 2022 Session		
2022	Credit Hours Required	20.00
	Core	6.00
	Elective	
2022	Credit Hours Earned	0.00
2022	Credit Hours Needed	20.00
	Core	6.00
	Elective	14.00

To be active in the 2021 - 2022 Session	
Credit Hours Required	20.00
Core	6.00

Administrative Actions

October 2021

ROBERT NEUMAN

RB 21843

Case No. REC 2021-41-L

Dated 10/22/21

RICO Allegations:

Respondent is a member and the sole manager of Maili Sunset Villas LLC, a Hawaii limited liability company ("MSV") per that certain Operating Agreement of Maile [sic] Sunset Villas LLC dated January 12, 2004.

On or about August 12, 2005, MSV acquired the property at 87-820 Farrington Highway, Waianae, Hawaii 96792 (the "Property") via warranty deed recorded at the Bureau of Conveyances of the State of Hawaii as Document No. 2005-250745 on December 7, 2005.

With the consent of the members of MSV, Respondent agreed to manage the Property on behalf of MSV in 2004 (hereinafter the "Management Agreement") in consideration for a percentage of the annual rents produced by the Property and reimbursement for out-of-pocket expenses, in addition to his duties as manager of

MSV. No writing expressing the exact agreements of the parties and setting forth essential terms and conditions of the Management Agreement was executed and provided to the parties subject to the Management Agreement. At the time the Management Agreement was formed, Respondent was not a real estate licensee.

Upon obtaining his real estate broker's license on or about August 28, 2015 Respondent failed to execute the Management Agreement in writing with MSV expressing the exact agreements of the parties and setting forth essential terms and conditions of the same.

Violations:

HRS § 436B-19(7), HRS § 436B-19(17), HRS § 467-14(13), HAR § 16-99-3(a) and HAR § 16-99-3(f).

Sanctions:

Fine of \$2,500.00

KENNETH H. NAKAGAWA

RS 73617

Case No. REC 2019-440-L

Dated 10/22/21

RICO Allegations:

In or about July 2018, Respondent prepared a written rental agreement concerning a high-rise condominium unit located in the City and County of Honolulu, State of Hawaii.

In that written rental agreement, Respondent inadvertently included the name of a real estate brokerage firm with which Respondent was no longer associated at the bottom of the first page of the agreement.

Respondent prepared the rental agreement for a domestic limited liability company ("LLC") in which Respondent held no membership or ownership interest.

That LLC did not and does not possess a Commission-issued real estate broker's license;

and although that LLC did not and does not directly hold recorded title to the referenced high-rise condominium unit, it nevertheless managed and rented out that condominium unit to unrelated renters, tenants, and other members of the public.

Representations by Respondent:

Respondent is represented in this matter by Peter C.K. Fong, Esquire.

Violations:

HRS § 467-14(1) and HRS § 436B-19(6).

Respondent has fully cooperated with RICO's investigation into this matter.

RICO intends to address any licensing claims against the LLC through separate means, as appropriate.

Sanctions:

Fine of \$2,500.00

JASON P. SOUKI

RS 72765

Case No. REC 2021-64-L

Dated 10/22/21

RICO Allegations:

On Respondent's renewal application for his real estate salesperson's license, dated on or about November 6, 2020, Respondent answered "yes" to question 3 which asked, "In the past 20 years have you been convicted of a crime in which the conviction has not been annulled or expunged?"

By letter dated November 6, 2020 to the Professional & Vocational Licensing Division, Respondent indicated he accepted a no contest plea for an Operating a Vehicle Under the Influence of an

Intoxicant (hereinafter "OVUII") charge on June 12, 2019. Respondent represented he complied with all court orders, and a proof of compliance was entered by the court on November 27, 2019.

Violations:

HRS § 436B-19(12), HRS § 436B-19(14) and HRS § 436B-19(17).

Sanctions:

Fine of \$500.00

(cont. page 6)

Administrative Actions (cont. from page 5)

October 2021

ROBERT J. CELLA

RB 17859

Case No. REC 2019-593-L

Dated 10/22/21

RICO Allegations:

From December 7, 2009, through September 7, 2017, inclusive, Respondent was the principal broker of CBIP, Inc., doing business as Coldwell Banker Island Properties ("CBIP"), a real estate brokerage firm that, at all times relevant herein, did business in the County of Maui, State of Hawaii, under license number RB-16822.

Between February and November 2015, Respondent failed to ensure that CBIP complied with federal requirements relating to lead-based paint disclosures in connection with sales contracts for three real properties on Maui.

Respondent has fully cooperated with RICO's investigation into this matter.

The licensing claims against Respondent's real estate brokerage firm have already been resolved through a Commission-approved settlement agreement. *In the Matter of the Real Estate Broker's License of CBIP, Inc., doing business as Coldwell Banker Island Properties, Settlement Agreement Prior to Filing of Petition for Disciplinary Action and Commission's Final Order, REC 2019-593-L (September 8, 2021).*

Violations:

HRS § 467-1.6(a) and HRS § 467-1.6(b)(2).

Sanctions:

Fine of \$500.00

November 2021

JOE-ANN K. LINDSEY-RAPOZA

RS 82775

Case No. REC 2021-15-L

Dated 11/19/21

RICO Allegations:

On or about March 1, 2018, Respondent was convicted of Operating a Vehicle Under the Influence of an Intoxicant (hereinafter "OVUII").

On Respondent's initial application for her real estate salesperson's license, which was dated on or about January 1, 2020, Respondent answered "no" to question 2 which asked, "During the past 20 years have you ever been convicted of a crime where there has not been an order annulling or expunging the conviction?".

Violations:

HRS § 436B-19(2), HRS § 436B-19(5), HRS § 436B-19(17) and HRS § 467-20.

Sanctions:

Fine of \$1,000.00

CHESTER Q. NEW

RS 40970

Case No. REC 2021-108-L

Dated 11/19/21

Uncontested Facts:

RICO received a complaint alleging that Respondent failed in his fiduciary duties as property manager for the property at 2256 Metcalf Street, Honolulu, Hawaii 96822 ("Subject Property") by failing to protect the Subject Property from financial damage, and failed to conduct a complete move out inspection of the Subject Property after the tenants requested to terminate their rental agreement.

RICO alleges that from approximately October 24, 2019 through September 23, 2020 Respondent undertook management of the Subject Property and accepted security deposits and rent payments

on behalf of the owner of the Subject Property without the knowledge and consent of his principal broker, Vincent Lao, real estate license no. RB-18180, and accepted compensation for property management services directly from the owner of the Subject Property totaling three thousand and no/100 dollars (\$3,000.00).

Violations:

HRS §§ 467-7, 467-14(5), 467-14(6), 467-14(13), 436B-19(7) and HAR § 16-99-3(h).

Sanctions:

Fine of \$3,000.00

Administrative Actions (cont. from page 6)

November 2021

DIEGO O. CARRILLO, also known as DIEGO OSCAR CARRILLO
RS 77308

Case No. REC 2020-151-L

Dated 11/19/21

RICO Allegations:

Respondent's real estate salesperson's license was placed on inactive status for more than thirteen months, from January 1, 2019, through February 5, 2020, after Respondent inadvertently failed to complete continuing education requirements in a timely manner. In that time, Respondent engaged in and earned commissions from multiple real estate transactions.

Respondent became aware of the issue regarding the status of his license status on or about January 24, 2020, at which point Respondent halted his real estate activities, addressed and completed his outstanding continuing education requirements, and restored his real estate salesperson's license to active status effective February 6, 2020.

Violations:

HRS § 467-7

Respondent has fully cooperated with RICO's investigation into this matter.

The licensing claims involving Respondent's then-principal broker have already been resolved, through a Commission-approved settlement agreement. *In the Matter of the Real Estate Broker's License of Laura Awana Lewis, Settlement Agreement Prior to Filing of Petition for Disciplinary Action and Commission's Final Order, REC 2020-152-L (February 26, 2021)*.

Sanctions:

Fine of \$1,500.00

SHERRY A. BATES
RS 63145

Case No. REC 2020-439-L

Dated 11/19/21

RICO Allegations:

On or about October 1, 2020, Respondent wrote to the tenant of a property under Respondent's management, and informed the tenant that the tenant's lease was "null and void," when in fact the lease was legal and enforceable, and there was time remaining on the lease.

The foregoing allegations, if established at an administrative hearing before the Commission, would constitute violations of the following provision(s) of the Hawaii Revised Statutes ("HRS") and/or Hawaii Administrative Rules ("HAR") governing real estate licensees in the State of Hawaii:

Violations:

HRS § 467-14(1)

Respondent has fully cooperated with RICO's investigation into this matter.

Any licensing claims against Respondent's associated real estate brokerage firm and principal broker will be handled through separate means, as appropriate.

Sanctions:

Fine of \$2,500.00

TERRY E. BOOKER
RB 22434

Case No. REC 2020-439-L

Dated 11/19/21

RICO Allegations:

On or about October 1, 2020, a real estate salesperson under Respondent's supervision wrote to the tenant of a property under the salesperson's management, and informed the tenant that the tenant's lease was "null and void," when in fact the lease was legal and enforceable, and there was time remaining on the lease.

The foregoing allegations, if established at an administrative hearing before the Commission, would constitute violations of the following provision(s) of the Hawaii Revised Statutes ("HRS") and/or Hawaii Administrative Rules ("HAR") governing real estate licensees in the State of Hawaii:

Violations:

HRS § 467-1.6(a) and (b)(3).

Respondent has fully cooperated with RICO's investigation into this matter.

Any licensing claims against Respondent's real estate brokerage firm and associated real estate salesperson will be handled through separate means, as appropriate.

Sanctions:

Fine of \$1,500.00

Administrative Actions (cont. from page 7)

December 2021

**RICHARD P. PASCUA, Sr.,
KAMA'AINA REALTY LLC,
and XDITTO LLC.**
RB 18584

Case No. REC 2021-76-L

Dated 12/17/21

Uncontested Facts:

At all relevant times herein, Pascua was licensed by the Real Estate Commission (hereinafter the "Commission") as a real estate broker under license number RB-18584. Pascua's license was first issued on or about January 1, 2005, and will expire or forfeit on or about December 31, 2022, unless timely renewed by or before that date.

At all relevant times herein, Kama'aina Realty LLC was licensed by the Commission as a real estate broker under license number RB-18585. Kama'aina Realty LLC's license was first issued on or about January 1, 2005 and expired on December 31, 2016.

At all relevant times herein, XDITTO LLC was licensed by the Commission as a real estate broker under license number RB-22726. XDITTO LLC's license was first issued on or about November 27, 2018, and will expire or forfeit on or about December 31, 2022 unless timely renewed by or before that date. XDITTO LLC filed the Articles of Termination with the Business Registration Division (hereinafter "BREG"), DCCA, State of Hawaii on September 30, 2021. XDITTO LLC's real estate broker's license is currently on inactive status.

Kama'aina Realty LLC's real estate broker's license (RB-18585) expired on December 31, 2016. The name "Kama'aina Realty LLC" changed to "Gen Realty LLC" on October 25, 2018 with BREG. Gen Realty LLC obtained a new real estate broker's license (RB 22726) on November 27, 2018. The name "Gen Realty LLC" changed to "XDITTO LLC" with BREG on September 9, 2019 and the name change was filed with the Commission effective October 3, 2019.

Pascua was the principal broker of Kama'aina Realty LLC during the majority of the relevant times herein, between January 1, 2005 to May 15, 2015, and August 19, 2015 to November 15, 2016. Pascua was also a managing member of Kama'aina Realty LLC since December 14, 2004 and remained a managing member as Kama'aina Realty LLC changed its name to Gen Realty LLC and then to XDITTO LLC.

Pascua is currently a principal broker of Fathom Realty HI LLC effective September 1, 2021.

RICO Allegations

At all relevant times herein Pascua was the principal broker and managing member of XDITTO LLC, a real estate brokerage firm in the State of Hawaii.

At all times relevant herein Joane K. K. Iokia (hereinafter "Iokia") was a real estate salesperson associated with XDITTO LLC, and subject to Pascua's management and supervision.

Between January 1, 2021 and March 15, 2021, Iokia performed real estate transactions and earned commission without an active, current, and valid real estate salesperson's license, in good standing. Iokia restored her license status to active, current, valid, and in good standing, on or about March 16, 2021.

Iokia will be subject to a separate proceeding or Settlement Agreement, as appropriate, with respect to the foregoing matters.

On May 15, 2020, the Department of Tax (hereinafter "DOT"), State of Hawaii recorded a Certificate of State Tax Lien against Kama'aina Realty LLC, which is a former name of XDITTO, LLC, and Richard P. Pascua for unpaid tax liabilities. The tax lien arose out of income that Respondents earned between 2009 to 2016 from Respondents' real estate related activities.

Pascua entered into a payment plan with DOT to satisfy his outstanding tax liabilities, and made arrangements to address the matters referenced herein.

Violations:

HRS §§ 467-1.6(a), 467-1.6(b)(7) and § 467-14(20).

Sanctions:

Fine of \$2,500.00

Administrative Actions (cont. from page 8)

December 2021

**THE HONOLULU GROUP,
LTD., doing business as
RE/MAX HONOLULU
RB 16591**

Case No. REC 2020-439-L

Dated 12/17/21

RICO Allegations:

On or about October 1, 2020, one of Respondent's real estate salespersons wrote to the tenant of a property under Respondent's management, and informed the tenant that the tenant's lease was "null and void," when in fact the lease was legal and enforceable, and there was time remaining on the lease.

The foregoing allegations, if established at an administrative hearing before the Commission, would constitute violations of the following provision(s) of the Hawaii Revised Statutes ("HRS") and/or Hawaii Administrative Rules ("HAR") governing real estate licensees in the State of Hawaii:

Violations:

HRS § 467-14(13) and HAR § 16-99-3(b).

Respondent has fully cooperated with RICO's investigation into this matter.

Any licensing claims against Respondent's principal broker and associated real estate salesperson will be addressed through separate means, as appropriate.

Sanctions:

Fine of \$2,500.00

CORRECTION

In the November 2021 issue of the Real Estate Commission Bulletin, page 6, Administrative Actions, Jaten L. McGriff was inadvertently listed with the respondents for Case No. REC 2019-683-L. Mr. McGriff is not related to this case.

Statutory/Rule Violations

Settlement Agreement (Allegations/Sanction): The Respondent does not admit to the allegations set forth by the Regulated Industries Complaints Office (RICO) and denies having violated any licensing law or rule. The respondent enters in a Settlement Agreement as a compromise of the claims and to conserve on the expense of proceeding with a hearing on the matter.

Disciplinary Action (Factual Findings/Order): The respondent is found to have violated the specific laws and rules cited, and the Commission approves the recommended order of the Hearings Officer.

- HRS §436B-19(2) Engaging in false, fraudulent, or deceptive advertising, or making untruthful or improbable statements.
- HRS §436B-19(5) Procuring a license through fraud, misrepresentation, or deceit.
- HRS §436B-19(6) Aiding and abetting an unlicensed person to directly or indirectly perform activities requiring a license.
- HRS §436B-19(7) Professional misconduct, incompetence, gross negligence, or manifest incapacity in the practice of the licensed profession or vocation.
- HRS §436B-19(12) Failure to comply, observe, or adhere to any law in a manner such that the licensing authority deems the applicant or holder to be an unfit or improper person to hold a license.
- HRS §436B-19(14) Criminal conviction, whether by nolo contendere or otherwise, of a penal crime directly related to the qualifications, functions, or duties of the licensed profession or vocation.
- HRS §436B-19(17) Violating this chapter, the applicable licensing laws, or any rule or order of the licensing authority.
- HRS §467-1.6(a) The principal broker shall have direct management and supervision of the brokerage firm and its real estate licensees.
- HRS §467-1.6(b)(2) The principal broker shall be responsible for: The brokerage firm's records, contracts, and documents;

Statutory/Rule Violations (cont. from page 9)

- HRS 467-1.6(b)(3) The principal broker shall be responsible for: All real estate contracts of the brokerage firm and its handling by the associated real estate salesperson;
- HRS §467-1.6(b)(7) The principal broker shall be responsible for: Ensuring that the licenses of all associated real estate licensees and the brokerage firm license are current and active;
- HRS §467-7 No person within the purview of this chapter shall act as real estate broker or real estate salesperson, or shall advertise, or assume to act as real estate broker or real estate salesperson without a license previously obtained under and in compliance with this chapter and the rules and regulations of the real estate commission.
- HRS §467-14(1) Making any misrepresentation concerning any real estate transaction.
- HRS §467-14(5) When the licensee, being a real estate salesperson, accepts any commission or other compensation for the performance of any of the acts enumerated in the definition set forth in section 467-1 of real estate salesperson from any person other than the real estate salesperson's employer or the real estate broker with whom the real estate salesperson associates or, being a real estate broker or salesperson, compensates one not licensed under this chapter to perform any such act.
- HRS §467-14(6) When the licensee, being a real estate salesperson, acts or attempts to act as a real estate broker or represents, or attempts to represent, any real estate broker other than the real estate salesperson's employer or the real estate broker with whom the real estate salesperson is associated;
- HRS §467-14(13) Violating this chapter, chapters 484, 514A, 514B, 514E, or 515, or section 5§16-71, or the rules adopted pursuant thereto.
- HRS §467-14(20) Failure to maintain a reputation for or record of competency, honesty, truthfulness, financial integrity, and fair dealing.
- HRS §467-20 False statement.
- HAR §16-99-3(a) Licensee shall fully protect the general public in its real estate transactions.
- HAR §16-99-3(b) The licensee shall protect the public against fraud, misrepresentation, or unethical practices in the real estate field. The licensee shall endeavor to eliminate any practices in the community which could be damaging to the public or to the dignity and integrity of the real estate profession. The licensee shall assist the commission in its efforts to regulate the practices of brokers and salespersons in this State.
- HAR §16-99-3(f) The licensee, for the protection of all parties with whom the licensee deals, shall see that financial obligations and commitments regarding real estate transactions, including real property rental management agreements, are in writing, express the exact agreements of the parties, and set forth essential terms and conditions, and that copies of those agreements, at the time they are executed, are placed in the hands of all parties involved. When working with a seller in a "For Sale By Owner" or a "Courtesy to Broker" situation, the licensee shall disclose who, if anyone, the licensee represents and who will pay a commission, if any.
- HAR §16-99-3(h) When acting as agent in the management of property, the licensee shall not accept any commission, rebate, or profit on expenditures for or from an owner, without the owner's and principal broker's knowledge and consent.

Prelicensure Schools

Abe Lee Seminars	808-942-4472
American School of Real Estate Express LLC	866-739-7277
Carol Ball School of Real Estate	808-280-0470
The CE Shop, LLC	888-827-0777
Continuing Ed Express, LLC	866-415-8521
Diamond Resorts Real Estate Academy – Hawaii, LLC	480-392-2337
Excellence in Education dba Maui Real Estate School	808-212-4861
Inet Realty	808-955-7653
Maui Real Estate Academy, LLC dba Hawaii Real Estate Academy	808-633-5737
Mayfield Real Estate, Inc., dba Global Real Estate School	573-756-0077
Mbition Learn Real Estate	800-532-7649
Ralph Foulger’s School of Real Estate	808-239-8881
Real Estate School Hawaii	808-551-6961
REMI School of Real Estate	808-230-8200
Scott Alan Bly School of Real Estate, LLC dba Bly School of Real Estate	808-738-8818
Seiler School of Real Estate	808-874-3100
Vitousek Real Estate Schools, Inc.	808-946-0505



State of Hawaii Real Estate Commission

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This material may be made available to individuals with special needs. Please call the Senior Real Estate Specialist at 808-586-2643 to submit your request.

Continuing Education Providers

Abe Lee Seminars	808-942-4472	Hawaii Island Realtors	808-935-0827
At Your Pace Online, LLC	877-724-6150	Honolulu Board of Realtors	808-732-3000
The Berman Education Company, LLC	808-572-0853	International Association of Certified Home Inspectors (InterNACHI)	720-735-7125
Building Industry Association of Hawaii	808-629-7505	Kauai Board of Realtors	808-245-4049
Carol Ball School of Real Estate	808-280-0470	Mbition Learn Real Estate	800-532-7649
The CE Shop, LLC.	888-827-0777	McKissock, LLC	800-328-2008
CMPS Institute, LLC	888-608-9800	Preferred Systems, Inc.	888-455-7437
Continuing Ed Express, LLC	866-415-8521	Ralph Foulger’s School of Real Estate	808-239-8881
Dexterity CE, LLC	512-893-6679	Real Estate School Hawaii	808-551-6961
Eddie Flores Real Estate Continuing Education	808-223-6301	Realtors’ Association of Maui, Inc.	808-873-8585
ExceedCE	415-885-0307	REMI School of Real Estate	808-230-8200
Finance of America Reverse	330-807-8948	Scott Alan Bly School of Real Estate, LLC dba Bly School of Real Estate	808-738-8818
Hawaii Association of Realtors	808-733-7060	Systems Effect LLC, dba Training Cove	480-517-1000
Hawaii Business Training	808-250-2384	WebCE Inc.	877-488-9308
Hawaii CCIM Chapter	808-528-2246		
Hawaii First Realty, LLC	808-282-8051		

State of Hawaii
Real Estate Commission
King Kalakaua Building
335 Merchant Street, Room 333
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2022 Real Estate Commission Meeting Schedule

Laws & Rules Review Committee – 9:00 a.m.
Condominium Review Committee – Upon adjournment of the
Laws & Rules Review Committee Meeting
Education Review Committee – Upon adjournment of the
Condominium Review Committee Meeting

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Real Estate Commission – 9:00 a.m.

Friday, January 28, 2022
Friday, February 25, 2022
Thursday, March 24, 2022
Friday, April 22, 2022
Friday, May 27, 2022
Friday, June 24, 2022
Friday, July 22, 2022
Friday, August 26, 2022
Friday, September 23, 2022
Friday, October 21, 2022
Friday, November 18, 2022
Friday, December 16, 2022

*Pursuant to ongoing COVID-19 complications, committee meetings for the foreseeable future are canceled. Any issues needing Commission approval will be reviewed at the regularly scheduled Commission meeting. Thank you for your understanding.

Meeting dates and times are subject to change without notice. Please visit the Commission's website at www.hawaii.gov/hirec or call the Real Estate Commission Office at (808) 586-2643 to confirm the dates and times of the meetings. This material can be made available to individuals with special needs. Please contact the executive officer at (808) 586-2643 to submit your request.