

REAL ESTATE COMMISSION MEETING
Professional and Vocational Licensing Division
Department of Commerce and Consumer Affairs
State of Hawaii
www.hawaii.gov/hirec

AGENDA

Date: February 24, 2023
Time: 9:00 a.m.

Virtual Location: Virtual Videoconference Meeting – Zoom Webinar (link below)
<https://dcca-hawaii-gov.zoom.us/j/99795309838>
Phone: 1 669 900 6833
Webinar ID: 997 9530 9838

Physical Location: Real Estate Branch
King Kalakaua Building
335 Merchant Street, Room 333
Honolulu, Hawaii

Agenda: Posted on the State electronic calendar as required by HRS section 92-7(b).

In light of the COVID-19 pandemic, protecting the health and safety of the community is of utmost concern. If you wish to submit written testimony on any agenda item, please email your testimony to hirec@dcca.hawaii.gov or submit by hard copy mail to: Attn: Real Estate Commission, 335 Merchant Street, Room 333, Honolulu, Hawaii 96813. We request submission of testimony at least 24 hours prior to the meeting to ensure that it can be distributed to the Commission members.

INTERNET ACCESS:

To view the meeting and provide live oral testimony during the meeting, please use the above link. You will be asked to enter your name in order to access the meeting as an attendee. The Commission requests that you enter your full name, but you may use a pseudonym or other identifier if you wish to remain anonymous. You will also be asked for an email address. You may fill in this field with any entry in an email format, e.g., *****@***mail.com.

As an attendee, your microphone will be automatically muted by Commission staff during the meeting unless you are providing testimony. For each agenda item you wish to testify on, please click the Raise Hand button found on your Zoom screen. The Chair will individually enable each testifier to unmute their microphone. When recognized by the Chair, please unmute your microphone before speaking and mute your microphone after you finish speaking in order to prevent audio feedback.

PHONE ACCESS:

If you cannot get internet access, you may get audio-only access by calling the Zoom Phone Number listed at the top on the agenda. Upon dialing the number, you will be prompted to enter the Meeting ID which is also listed at the top of the agenda. After entering the Meeting ID, you will be asked to either enter your panelist number or wait to be admitted into the meeting. You will not have a panelist number. So, please wait until you are admitted into the meeting.

If you need an auxiliary aid/service or other accommodation due to a disability, contact Miles Ino, Executive Officer, at (808) 586-2643 or at hirec@dcca.hawaii.gov, as soon as possible, preferably within two (2) business days of the meeting. If a response is received after that date, we will try to obtain the auxiliary aid/service or accommodation, but we cannot guarantee that the request will be fulfilled. Upon request, this notice is available in alternate formats such as large print, Braille, or electronic copy.

When the Chairperson asks for public testimony, you may indicate you want to testify by entering "*" and then "9" on your phone's keypad. After entering "*" and then "9", a voice prompt will let you know that the host of the meeting has been notified. When recognized by the Chairperson, you may unmute yourself by pressing "*" and then "6" on your phone. A voice prompt will let you know that you are unmuted. Once you are finished speaking, please enter "*" and then "6" again to mute yourself.

For both internet and phone access, when testifying, you will be asked to identify yourself and the organization, if any, that you represent. Each testifier will be limited to five minutes of testimony per agenda item.

If connection to the meeting is lost for more than 30 minutes, the meeting will be continued on a specified date and time. This information will be provided on the Commission's website at www.hawaii.gov/hirec.

Instructions to attend State of Hawaii virtual board meetings may be found online at <https://cca.hawaii.gov/pvl/files/2020/08/State-of-Hawaii-Virtual-Board-Attendee-Instructions.pdf>

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.

1. Call to Order, Public Notice, Quorum
2. Chair's Report
3. Executive Officer's Report
 - a. Announcements
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 any 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.
 - b. Introductions, Correspondence and Additional Distributions
 - c. Minutes of Previous Meeting
4. Licensing and Registration – Ratification

If you need an auxiliary aid/service or other accommodation due to a disability, contact Miles Ino, Executive Officer, at (808) 586-2643 or at hirec@dcca.hawaii.gov, as soon as possible, preferably within two (2) business days of the meeting. If a response is received after that date, we will try to obtain the auxiliary aid/service or accommodation, but we cannot guarantee that the request will be fulfilled.

Upon request, this notice is available in alternate formats such as large print, Braille, or electronic copy.

5. Committees and Program of Work
 - a. Laws and Rules Review Committee
 - 1) Legislative and Government Participation Report
 - a) Senate Bill No. 729 / House Bill No. 1161 Relating to Board Members – Requires members boards of directors and officers of the condominium associations, cooperative housing corporations, and planned community associations to certify the receipt and reading of certain documents or complete a board leader course from an instructor certified by the Community Associations Institute, or similar nationally recognized organization.
 - b) Senate Bill No. 1202 Relating to Condominium Associations – Expands the real estate commissions enforcement authority to include violations of requirements for association meetings and board of director elections. Requires newly elected or appointed condominium association board members to certify in writing compliance with specified duties and obligations. Clarifies electronic voting device procedures. Eliminates proxy voting for condominium associations. Establishes additional requirements and procedures for association meetings and board of director elections, including notices of election, notice of intent to run for election, ballots, and runoff elections. Establishes penalties for improper voting and forgery of ballot envelopes.
 - c) House Bill No. 1509 H.D.1 Relating to Common-Interest Developments – Establishes the common-interest development oversight task force to examine the feasibility of bringing the various commoninterest developments in the State under the oversight of the department of commerce and consumer affairs and investigate whether additional duties and responsibilities should be placed on members of boards of directors for cooperative housing corporations.
 - d) House Bill No. 176 H.D.1 Relating to Condominium Associations – Establishes the condominium voting and elections task force, including its composition and responsibilities.
 - b. Condominium Review Committee
 - 1) Request for Informal Non-Binding Interpretation Regarding Delivery of Documents and Notices via Electronic Mail
 - 2) Request for Informal Non-Binding Interpretation Regarding Cooperatives and Waiver of Owner-Occupant & Broker Requirements
 - c. Education Review Committee
 - 1) Continuing Education Administration, Curriculum, Courses, Provider, and Instructors
 - a) Administrative Issues – Continuing Education Providers and Courses Ratification List
 - 2) Prelicensing Education Administration, Curriculum, Schools, Instructors
 - a) Administrative Issues – Prelicensing Education Schools and Instructors Ratification List
 - 3) Instructor's Development Workshop (IDW) – Request for Quotes (RFQ) for the 2023-2024 IDW

If you need an auxiliary aid/service or other accommodation due to a disability, contact Miles Iino, Executive Officer, at (808) 586-2643 or at hirec@dcca.hawaii.gov, as soon as possible, preferably within two (2) business days of the meeting. If a response is received after that date, we will try to obtain the auxiliary aid/service or accommodation, but we cannot guarantee that the request will be fulfilled.

Upon request, this notice is available in alternate formats such as large print, Braille, or electronic copy.

- 4) Course – "Instructors PowerUp"; Provider – Hawaii Association of REALTORS® IDW course option for the 2025-2026 biennium
- 5) Ad Hoc Committee on Education (ACE) Report – February 8, 2023
- 6) Remote Proctoring Statistics 1/1/23 – 1/31/23
- 7) Annual Report, Quarterly Bulletin, and School Files – January 2023 School Files and February 2023 Real Estate Commission Bulletin distributed

6. Licensing – Applications

- a. Zhe Fang
- b. Kameron Kekoamaikapalihi'i Ko
- c. Leanna Jade Pohevitz
- d. Luther James Pugh

7. Chapter 91, Hawaii Revised Statutes, Adjudicatory Matters

- a. In the Matter of the Real Estate Broker's License of Kona Now LLC, doing business as Kona Now Hawaii Realty; REC 2021-282-L; REC 2021-296-L; REC 2021-317-L; REC 2021-366-L; Settlement Agreement Prior to Filing of Petition for Disciplinary Action and Commission's Final Order
- b. In the Matter of the Real Estate Broker's License of Jacqueline J. Frame also known as Jackie Frame; REC 2021-282-L; REC 2021-296-L; REC 2021-317-L; REC 2021-366-L; Settlement Agreement Prior to Filing of Petition for Disciplinary Action and Commission's Final Order

8. Next Meeting: March 24, 2023

9. Adjournment

If you need an auxiliary aid/service or other accommodation due to a disability, contact Miles Ino, Executive Officer, at (808) 586-2643 or at hirec@dcca.hawaii.gov, as soon as possible, preferably within two (2) business days of the meeting. If a response is received after that date, we will try to obtain the auxiliary aid/service or accommodation, but we cannot guarantee that the request will be fulfilled.

Upon request, this notice is available in alternate formats such as large print, Braille, or electronic copy.