

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 posted to the State electronic calendar and filed with the Office of the Lieutenant Governor, as required by Section 92-7(b), Hawaii Revised Statutes.

Date: April 26, 2024

Time: 9:00 am

Physical Location: Queen Liliuokalani Conference Room
King Kalakaua Building
335 Merchant Street, 1st Floor
Honolulu, Hawaii

Present: Derrick Yamane, Chair, Broker/Honolulu Commissioner
Nikki Senter, Vice Chair, Public Member/Honolulu Commissioner
John Love, Public Member/Honolulu Commissioner
Sean Ginoza, Broker/Hawaii Island Commissioner
Russell Kyono, Broker/Kauai Commissioner
Richard Emery, Broker/Honolulu Commissioner
Audrey Abe, Broker/Honolulu Commissioner
Jennifer Andrews, Broker/Honolulu Commissioner

Neil Fujitani, Supervising Executive Officer
Miles Ino, Executive Officer
Kristen Kekoa, Senior Real Estate Specialist
Amy Endo, Real Estate Specialist
Nohelani Jackson, Real Estate Specialist
Kedin Kleinhans, Senior Condominium Specialist
Dathan Choy, Condominium Specialist
Shari Wong, Deputy Attorney General
Tammy Norton, Secretary
Colleen Mar, Office Assistant
Joseph Benedict Pagkalinawan, Recording Secretary

Others: Nadine Ando, Director, Department of Commerce and Consumer Affairs
Dean I. Hazama, Deputy Director, Department of Commerce and Consumer Affairs
Crystal Bise, Hawaii Association of REALTORS®
Courtney Hara, Hawaii Association of REALTORS®
Bryan Andaya
Aaries Oda
Helena von Sydow

Absent: P. Denise La Costa, Broker/Maui Commissioner

Call to Order: The Chair called the meeting to order at 9:05 a.m., at which time quorum was established by roll call.

Chair's Report: 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 La Costa was excused from the meeting. Prior notification of her non-attendance was received.

Executive Officer Ino introduced DCCA Director Ando and DCCA Deputy Director Hazama who were attending the meeting.

Executive Officer's
Report:

Executive Officer Ino announced that 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 an 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. Each speaker will be limited to a five-minute time period pursuant with section 16-99-83(a)(5), HAR.

Executive Officer Ino presented additional distributions for agenda items 4(a), 6(c), and 6(f).

Executive Officer Ino introduced Joseph Benedict Pagkalinawan to the Commission. Mr. Pagkalinawan will be employed as a secretary for the Real Estate Branch as an 89-day hire. Mr. Pagkalinawan made a brief introduction of himself to the Commission as well as to the attendees. Chair Yamane expressed his best wishes to Mr. Pagkalinawan.

Minutes of Previous Meeting

Upon a motion by Commissioner Emery, seconded by Commissioner Andrews, it was voted on an unanimously carried to accept the minutes of the March 22, 2024, meeting.

Committees and
Program of Work:

Condominium Review Committee

Request for DCCA Compliance Resolution Fund (CRF) Assistance for *Act 189, SLH 2023* Task Force Study (HB1814, HD1 and SB 2726, SD2)

Director Ando summarized the events that transpired and led to the request from the Senate Consumer Protection Committee, through Senator Fukunaga's Office, requesting for DCCA compliance resolution fund assistance for Act 189, SLH 2023 Task Force Study. Director Ando noted that the compliance resolution fund (CRF) is the umbrella fund for DCCA. DCCA is self-funded by the CRF, with each DCCA division paying for its operational expenses from revenues collected. The fund is very specific in terms of what it can be used for and the CRF cannot be used to fund this request. Director Ando explained how the Condominium Education Trust Fund ("CETF") was identified by her office as an appropriate funding source and that it was determined that it had sufficient monies to fund the cost of the study which LRB estimates to be \$350,000. She noted the Legislature's concern regarding the State funding the study in light of the State's focus on the Lahaina disaster recovery, relaying that the Senate may be able to obtain \$200,000 from the general fund, and is now requesting the Department's assistance to cover the remaining \$150,000 rather than the initial \$350,000 ask. Director Ando stated that the task force study does fall within the real estate branch's program of work.

Deputy Director Hazama included in the request a status report showing the Real Estate Branch's current balance, stating that any funds unspent by the Branch are rolled over to its reserve.

Commissioner Emery sought to clarify if Director Ando is making a recommendation to the Commission. Director Ando replied that she is not making a recommendation but is asking the Commission to consider funding the LRB study. Commissioner Andrews questioned the scope and extent of the study, as well as the reasonableness of the estimated cost. Director Ando replied that she has no control of the cost and had posed the same question to LRB. The LRB Administrator stated that the estimated costs are determined based on their experience in handling similar studies, and that \$350,000 is the minimum, not the ceiling.

Commissioner Emery commented that there is no data to support positions on either side. Commissioner Emery supports the Legislature's request for LRB to conduct a study as it will provide factual data that can form legislation.

Vice Chair Senter commented that there is good intent behind this study and the Commission is always about education although she is concerned about the movement of trust funds to LRB in light of the Supreme Court decision in the *Hawaii Insur. V. Lingle* case. She added that there are checks and balances with moving funds from a trust fund to the general fund and asked how the CETF funds would be moved to fund the LRB study. Deputy Director Hazama responded that they would transfer the money out of the trust fund and give it directly to the LRB. Vice Chair Senter asked if moving the funds from an executive branch fund to the LRB fund is permissible, and if they need the Commission's consent if so. Deputy Director Hazama responded in the affirmative. Director Ando commented that the Lingle case is not relevant as this is not a situation where the Administration is directing the use of protected trust fund money to fund general funds. The issue is whether or not the Commission would decide in its discretion to use the funds from the CETF to fund the LRB study.

Vice Chair Senter commented that it is understandable that currently a lot of the general funds are being directed towards Maui but questioned the urgency in using these funds for a study when there are more pressing issues facing condo associations such as insurance. Director Ando responded that there are bills that are addressing the insurance issue through HHRF and HPIA.

Vice Chair Senter commented that in the past, studies have been funded, conducted, and then have not gone anywhere and emphasized the importance of setting a structure to get it done.

Director Ando responded that there is a structure that starts with a deadline for the Task Force to come up with its final report. The LRB study will be incorporated into the Task Force report which will be due in 2026.

Commissioner Abe commented that the Real Estate Branch through its CETF appears to have available funds based on the distributed financial report and inquired the desired range amount for the year-end balance. Condominium Specialist Choy disclosed being a member of the Task Force and explained that if the Commission provided \$150,000 it will need to eventually cancel contracts and increase fees.

Vice Chair Senter commented that there seems to be a discrepancy in the fund report and in her review of the projections, the CETF will run out of operating cost money until the next biennial registration. She suggested that DCCA look into the discrepancy and inform the Commissioners of the CETF's financial situation before the Commission makes any commitment. Deputy Director Hazama agreed that they should be provided with the REC data and reconcile it with Fiscal. Director Ando commented that this is the first time she heard of Condominium Specialist Choy's analysis and noted that there is a provision in the statute that allows use of the funds

for operational expenses, but that requires both the Commission and Director approval. The request to fund the study from CETF under section 514B-71 requires only approval by the Commission, not the Director. When questioned on when a response is needed, Commissioner Emery and Supervising Executive Officer Fujitani stressed that the Commission needs to provide response by 2:30 p.m. today, which is when the legislature's conference committee will reconvene next to discuss this matter.

Commissioner Abe noted that the revenues fluctuate and double every two years and questioned the source of the funding, why does it fluctuate so much, and do we have control over it. Specialist Choy responded that the condominium associations reregister every two years. He also noted that there is a sizeable carry over money due to mediation money not being spent. In order to bring the balance down, the Commission did a 50% fee reduction for condominium owners for two prior registrations. The most recent reregistration did not include a fee reduction. Commissioner Abe commented that the Commission does then, have the flexibility to increase the revenue. Specialist Choy responded in the negative. He noted that we can do up to a 50% fee reduction, but we cannot increase the fee.

Vice Chair Senter moved to take the matter under advisement. Commissioner Andrews seconded the motion. Commissioner Emery requested further discussion and sought recommendations from Commission staff.

Senior Condominium Specialist Kleinhans stated that it appears that according to the projections, using 2024 expenses, it appears to show that the CETF may reasonably fund the study. Condominium Specialist Choy disagreed that based on historical data staff is unsure whether or not that amount is correct and added that the CETF does not historically receive that large amount of revenue second year of the re-registration process.

In response to Commissioner Emery's request for a recommendation, Supervising Executive Officer Fujitani commented that prior to expenditure, the Commission has always done their research and approved items for expenditure with information readily available. In this situation, it is highly unusual for the Commission to make a decision based upon a request for money to fund LRB's procurement for the study and take its spending under good faith. He added that staff had conducted a similar review of other condominium ombudsman's programs in other jurisdictions costing less than \$350,000 but if the staff's study were published, it would be looked at negatively by the constituency that is asking for the study. Even funding a third party to do the study may be looked at negatively. Supervising Executive Officer Fujitani further commented that he feels that it would be best if LRB did the study without any influence or money coming in from anywhere else, especially the Commission. If so, then the study would be looked at as an objective study that everyone would be satisfied with. If LRB does the study at that cost and a condominium ombudsman is recommended, he also stressed a need for the study to provide a regulatory framework as part of the study's recommendation. By providing a regulatory framework, it would prevent any further delay in implementing any new programs to assist the condominium unit owner.

Commissioner Emery added that the Legislature is looking for an independent analysis with factual data so they have a basis to make a final decision to help the condo industry which is why the Task Force has requested the LRB study. Deputy Director Hazama commented that he briefly looked at staff's budget analysis and commented that historically the CETF has not spent their full allocation.

Commissioner Abe commented that the Commission could negotiate the amount of money to fund the study. Director Ando responded that the Commission cannot

negotiate with LRB, but the Commission could take a position to offer an amount the Commission is willing to supplement.

Commissioner Emery made a motion to approve \$100,000 to fund the LRB study. Chair Yamane noted that there is currently a motion by Commissioner Senter and a second by Commissioner Andrews on the table to take the matter under advisement. Commissioner Emery withdrew his motion.

Commissioners Senter, Andrews, Ginoza, Abe, Kyono, Love, and Yamane voted aye. Commissioner Emery voted nay. The motion passed unanimously to take the matter under advisement.

Education Review Committee

Administrative Issues – Continuing Education Providers and Courses Ratification List

Upon a motion by Commissioner Ginoza, seconded by Vice Chair Senter, it was voted on and unanimously carried to approve the Continuing Education Providers and Courses Ratification List:

<u>Registration/Certification</u>	<u>Effective Date</u>
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Courses

"Serving Generational Clients" (3 credits) (McKissock, LLC/ARELLO)	03/12/2024
"Bias Override: Overcoming Barriers to Fair Housing" (3 credits) (REALTORS Association of Maui/National)	03/12/2024

Applications

Course – "Actionable Marketing – In-Person & Online"; Author/Owner – Jillaine Morrison; Provider – West Hawaii Association of REALTORS®; Course Category – Marketing; Clock Hours – 3

Course – "Actionable Marketing – Before & After Closing"; Author/Owner – Jillaine Morrison; Provider – West Hawaii Association of REALTORS®; Course – Category – Marketing; Clock Hours – 3

Course – "Generational Marketing – Overview of all Generations & a Deep Dive on Millennials"; Author/Owner - Jillaine Morrison; Provider – West Hawaii Association of REALTORS®; Course – Category – Marketing; Clock Hours – 3

The Commission consolidated its discussion and decision for the three courses, agenda items 4.b.1) b) i, ii, and iii.

Commissioner Andrews raised a concern regarding the courses' validity for real estate continuing education, pointing that all three courses relate to marketing and not to real estate law or its practice.

Deputy Attorney General Wong directed the Commission to review its rules, Hawaii Administrative Rules (HAR) §16-99-101, Courses not acceptable for continuing education course certification.

Upon a motion by Commissioner Andrews, seconded by Vice Chair Senter, it was voted on and unanimously carried to deny the following courses based on HAR §16-99-101 (1):

"Actionable Marketing – In-Person & Online"; Author/Owner – Jillaine Morrison; Provider – West Hawaii Association of REALTORS®; Course – Category – Marketing; Clock Hours – 3;

"Actionable Marketing – Before & After Closing"; Author/Owner – Jillaine Morrison; Provider – West Hawaii Association of REALTORS®; Course Category – Marketing; Clock Hours – 3;

"Generational Marketing – Overview of All Generations & a Deep Dive on Millennials"; Author/Owner – Jillaine Morrison; Provider – West Hawaii Association of REALTORS®; Course Category – Marketing; Clock Hours – 3.

Course – "Ka Wai Ola! Our Water, Our Future"; Author/Owner – Bryan Andaya; Provider – Eddie Flores Real Estate Continuing Education; Course Categories – Real Estate Law, Other: Water Rights, Availability and Access to Water, and Disclosures; Clock Hours -3.

Mr. Andaya was present and highlighted the need to raise awareness about water and added that water and real estate goes hand in hand. Commissioner Abe commented that it is an excellent course, while Commissioner Andrews stressed the importance to understand water systems.

Vice Chair Senter disclosed that she worked with Mr. Andaya in the past but is able to make a fair and unbiased decision on the course.

Upon a motion by Commissioner Kyono, seconded by Commissioner Abe, it was voted on and unanimously carried to approve the course "Ka Wai Ola! Our Water, Our Future" as a 3-credit hour continuing education elective course under the course categories real estate law, other: water rights, availability and access to water, and disclosures.

Course – "Broker Responsibility in a NUTSHELL"; Author/Owner – Marcie Roggow; Provider – Hawaii Island Association of REALTORS®; Course Categories – Real Estate Law, Dispute Resolution, Risk Management, Broker Management, Other: Code of Ethics; Clock Hours – 3.

Upon a motion by Commissioner Andrews, seconded by Commissioner Kyono, it was voted on and unanimously carried to approve the course "Broker Responsibility in a NUTSHELL" as a 3-credit hour continuing education elective course under the course categories real estate law, dispute resolution, risk management, broker management, other: code of ethics.

Administration of Examinations

Licensing Examination Statistics 3/1/24 – 3/31/24

PSI submitted the monthly licensing examination statistics as requested.

School Pass/Fail Rates – 3/1/24 – 3/31/24

PSI submitted the monthly school pass/fail rates statistics as requested.

School Summary by Test Category – 3/1/24 – 3/31/24

PSI submitted the monthly school summary by test category statistics as requested.

Instructor's Development Workshop (IDW) – Response to Request for Quotes (RFQ) for the 2023 – 2024 biennium

Senior Real Estate Specialist Kekoa notified the Commission that one bid was submitted by the Hawaii Association of REALTORS®.

Commissioner Andrews moved to accept the quote received for the IDW 2023 – 2024 biennium from the Hawaii Association of REALTORS®. Commissioner Kyono seconded the motion. The motion was voted on and unanimously carried.

Licensing –
Ratification:

Upon a motion by Commissioner Ginoza, seconded by Commissioner Andrews, it was voted on and unanimously carried to ratify the April 26, 2024, Approved Applications List.

Licensing –
Applications:

The Chair informed the Commissioners that the information provided to the Commissioners is related only to the issue that is before the Commission for consideration. The other materials submitted are available for the Commissioners review should they desire to review it. If the applicants have an issue, which is personal in nature, they have the right to request that their application be considered in executive session.

Ms. von Sydow and Mr. Oda, both present, requested to have their application discussed during executive session. When contacted via telephone, Ms. Newton also requested to have her application discussed during executive session.

Kevin Wayne Sprenger

Upon a motion by Commissioner Ginoza, seconded by Commissioner Kyono, it was voted on and unanimously carried to approve the real estate salesperson license for Kevin Wayne Sprenger.

Jude Ann Rasmus

Executive Officer Ino explained that Ms. Rasmus filed a request for preliminary decision for a broker, disclosing an action filed against her in the State of Georgia which has been satisfied. Executive Officer Ino stated this complaint was filed in Georgia and staff does not have access to verify the document on file with another licensing authority. If the Commission approves Ms. Rasmus's request for a preliminary decision, staff requests a staff delegation to approve these types of applications if the applicant provides the required documentation.

After review of the information provided, Commissioner Andrews moved to most likely approve the real estate broker application of Jude Ann Rasmus. Commissioner Kyono seconded the motion. The motion was voted on and unanimously carried.

Delegation to Staff

Upon a motion by Commissioner Andrews, seconded by Commissioner Kyono, it was voted on and unanimously carried to delegate to staff to continue to process to approval, applications, including requests for preliminary decision applications, in which the out-of-state applicant answers "YES" to the application question regarding disciplinary actions where the applicant provides evidence that the conditions have been satisfied. This delegation shall not apply to disciplinary actions in which the applicant's license was denied, suspended or revoked.

MK Real Estate Services LLC (Change Form)

Executive Officer Ino explained that Marcia Moreno, principal broker of MK Real Estate Services LLC, is requesting to extend the temporary principal broker appointment of Albert Kauwe for an additional 6 months, due to her on-going religious mission trip. Executive Officer Ino seeks the Commission's determination if the request is applicable under section 16-99-3(a), and whether it is found to be for a good cause.

Commissioner Andrews raised questions whether this meets the parameter to decide, especially if the matter cannot be controlled. Vice Chair Senter expressed concern about precedential effect of the request's approval and requested an elaboration. Executive Officer Ino replied that Ms. Moreno stated the mission will not take 6 months but requested such period for precaution. Commissioner Love inquired any precedents in the past set by the Commission relative to the matter. Executive Officer Ino stated that extensions were typically approved involving applicants experiencing a terminal, life and death matter. Commissioner Andrews stated that in her understanding, the request does not fall under a life and death situation. Commissioner Abe commented that the request is a good cause, that the religious mission might be something meaningful for Ms. Moreno and disclosed that she had done religious missions in the past. Commissioner Emery also commented that he does not think the request is unreasonable.

Commissioner Andrews commented that Ms. Moreno could make the temporary principal broker (PB), Mr. Kauwe, the permanent PB, then change herself back to the permanent PB once she returns from her mission.

Commissioner Abe moved to approve MK Real Estate Services LLC's request to extend the temporary PB appointment for an additional 6 months, seconded by Commissioner Ginoza. Commissioners Abe, Emery, Ginoza and Kyono voted aye. Chair Yamane, Vice Chair Senter, and Commissioners Andrews and Love voted nay. The motion died.

Commissioner Ginoza moved to extend the temporary principal broker appointment for 60 days, seconded by Commissioner Abe. Commissioners Ginoza, Abe, Kyono, Emery, Andrews and Chair Yamane voted aye. Vice Chair Senter and Commissioner Love voted nay. The motion passed.

Executive Session:

Upon a motion by Commissioner Andrews, seconded by Commissioner Ginoza, it was voted on and unanimously carried to enter into executive session, pursuant to section 92-5(a)(1), HRS, "To consider and evaluate personal information relating to individuals applying for professional or vocational licenses cited in section 26-9 or both.", and/or section 92-5(a)(8), HRS, "To deliberate or make a decision upon a matter that requires the consideration of information that must be kept confidential pursuant to a state or federal law, or a court order." and/or section 92-5(a)(4), HRS,

"To consult with the board's attorney on questions and issues pertaining to the board's powers, duties, privileges, immunities, and liabilities."

Upon a motion by Commissioner Ginoza, seconded by Commissioner Andrews, it was voted on and unanimously carried by roll call vote to move out of executive session.

Licensing –
Applications:

Jillian Katherine Newton

After due consideration of the information and testimony provided by Ms. Newton, Commissioner Andrews moved to approve the real estate salesperson license for Jillian Katherine Newton. Commissioner Kyono seconded the motion. The motion was voted on and unanimously carried.

Helena Lane von Sydow

After due consideration of the information and testimony provided by Ms. von Sydow, Commissioner Abe moved to approve a conditional real estate salesperson license for Helena Lane von Sydow, pursuant to section 436B-19, HRS, subject to the following conditions:

1. That the Applicant shall comply with the terms and conditions of the Assurance of Voluntary Compliance (AVC) including but not limited to complying with all professional and vocational licensing laws, rules, and other requirements for a term of three (3) years. Noncompliance shall be grounds for revocation of license.
2. That the Applicant shall disclose a copy of the AVC document to her current and any new hiring or associating broker.
3. That failure to provide written notice within 30 days to the licensing authority of any judgment, award, disciplinary sanctions, order, or other determination, which adjudges or finds that the licensee is civilly, criminally or otherwise liable for any personal injury, property damage or loss caused by the licensee's conduct in the practice of the licensee's profession or vocation shall be grounds for revocation of license.
4. That the Applicant shall at all times be associated with and under the direct supervision of a principal broker ("PB") or one or more brokers in charge ("BIC"), for all real estate transactions.
5. That the Applicant shall inform the PB, sole proprietor real estate broker, or BIC of a real estate branch office with whom the Applicant associates that the Applicant holds a conditional real estate salesperson license and may only practice pursuant to certain terms of the conditional license. The Applicant shall present to the Applicant's PB, sole proprietor real estate broker, or BIC of a real estate branch office a copy of the Commission-issued conditional letter. The Applicant shall ensure that the PB, sole proprietor real estate broker, or BIC of a real estate branch office acknowledges the terms of the Applicant's conditional license by signing and returning a signed copy of the conditional letter to the Commission.
6. That ALL changes of association and/or employment by Applicant to another real estate broker shall be submitted in writing to the Commission. The new PB, sole proprietor real estate broker, or BIC of a real estate branch office shall acknowledge the terms of the Applicant's conditional license within ten (10) days of the change by submitting a completed

Change Form along with a copy of the conditional letter signed by the new PB. Failure to attach the signed conditional letter by the new PB may result in disciplinary action.

7. That the satisfaction of the Applicant from said conditions shall not change any terms of the conditional license.
8. That upon satisfaction of the aforementioned conditions, the Applicant must submit a written request to the Commission if the Applicant desires to have the conditions removed.

Should Ms. von Sydow submit a request for the conditions to be removed after satisfaction of the aforementioned conditions, staff may approve the removal of the conditions. Commissioner Andrews seconded the motion. The motion was voted on and unanimously carried.

Aaries T. Oda

After due consideration of the information and testimony provided by Aaries T. Oda, Commissioner Andrews moved to reaffirm the Commission's decision made at its January 26, 2024 meeting to deny the application for a real estate salesperson license for Aaries T. Oda, basing its decision on the non-disclosure of case numbers CHI-2017-1 L, CHI-2020-0004 L, CHI-2020-0005 L, CHI-2020-0007 L, CHI-2020-0014 L, CHI-2020-0025 L, and CHI-2021-0001 L, attached to his State of Hawaii Chiropractic license DC-1135 and on the following grounds of the Hawaii Revised Statutes ("HRS"), which find factual support in the records and files of Mr. Oda's application:

HRS §436B-10 (a) Application for a license shall be made on an application form to be furnished by the licensing authority. An applicant shall provide the following information on the application form:

(8) Disclosure of disciplinary action by any state or territory against any license held by the applicant; and

(9) Any other information the licensing authority may require to investigate the applicant's qualifications for licensure; and

HRS §436B-19 Grounds for refusal to renew, reinstate or restore and for revocation, suspension, denial, or condition of licenses. In addition to any other acts or conditions provided by law, the licensing authority may refuse to renew, reinstate or restore or may deny, revoke, suspend, or condition in any manner, any license for any one or more of the following acts or conditions on the part of the licensee or the applicant thereof:

(5) Procuring a license through fraud, misrepresentation, or deceit; and

(13) Revocation, suspension, or other disciplinary action by another state or federal agency against a licensee or applicant for any reason provided by the licensing laws or this section; and

(17) Violating this chapter, the applicable licensing laws, or any rule or order of the licensing authority; and

HRS §467-20 False statement. It shall be unlawful for any person or the person's agent to testify before or file with the commission, or the testing service agency designated by the commission, any notice, statement, or other document required under this chapter, that is false or untrue or contains any material misstatement of

fact, or contains forgery. In addition to any sanctions or remedies as provided in this chapter, any violation of this section shall constitute a misdemeanor punishable pursuant to section 706-640 or 706-663, or both, and not pursuant to section 467-26.

Commissioner Ginoza seconded the motion. Commissioners Andrews, Ginoza, Abe, Kyono, Love, Vice Chair Senter and Chair Yamane voted aye. Commissioner Emery voted nay. The motion passed.

Committees and
Program of Work:

Condominium Review Committee

Request for DCCA Compliance Resolution Fund (CRF) Assistance for **Act 189, SLH 2023** Task Force Study (HB1814, HD1 and SB 2726, SD2)

Commissioner Andrews moved to deny funding specific to CETF, based on a negative financial effect and impact on the CETF. Vice Chair Senter seconded the motion. Vice Chair Senter, Commissioners Andrews, Ginoza, and Love voted aye. Chair Yamane and Commissioners Abe, Emery, and Kyono voted nay. The motion did not pass.

Commissioner Emery moved to approve \$75,000 of funding from the CETF with notice to the Legislature regarding the funding's negative impact and its potential unavailability in the future. Commissioner Abe seconded the motion. Chair Yamane and Commissioners Abe, Emery, and Kyono voted aye. Vice Chair Senter and Commissioners Andrews, Ginoza, and Love voted nay. The motion did not pass.

Next Meeting: Friday, May 24, 2024, 9:00 a.m.

Physical Location: Real Estate Branch
King Kalakaua Building
Queen Liliuokalani Conference Room
335 Merchant Street, First Floor
Honolulu, Hawaii

Adjournment: With no further business to discuss, the meeting was adjourned at 12:24 p.m.

Reviewed and approved by:

/s/ Miles Ino

Miles Ino
Executive Officer

5/2/2024

Date

[x] Approved as circulated.
[] Approved with corrections; see minutes of _____ meeting;

MI:jp/tn

APPROVED APPLICATIONS FOR REAL ESTATE
REAL ESTATE COMMISSION MEETING ON APRIL 26, 2024

<u>Brokers – Individual</u>	<u>Effective Date</u>
Charlotte Kanani Kekela aka Charlotte K Kekela	02/27/2024
David Curtis Brown aka Dave Brown	03/04/2024
Gary Patrick Lee aka Gary P Lee	03/05/2024
Joy Alexandra Dillon aka Joy A Dillon	03/11/2024
Nathan Daniel O'hanlon aka Nathan O'hanlon	03/20/2024
Natasha Kaiulani Tomas aka Natasha Tomas	03/21/2024
Amberlyn C Castro aka Amberlyn Castro	03/22/2024
Darrell Lee Kennedy aka Darrell Kennedy	03/25/2024
Amy Lynn Engler	03/27/2024
Christine Thanh Dung Ho	03/28/2024
Harold D Wilkerson Jr aka Hal Wilkerson	03/28/2024
Kimi M Hammonds	04/01/2024
Albert Wen-Long Tsao	04/02/2024
Jessica Anne Figueroa	04/09/2024
<u>Salesperson – Individual</u>	<u>Effective Date</u>
Yumiko Matsuda Cohen	03/14/2024
June Hee Yu aka June Yu	03/14/2024
Rickie Lee Ota	03/06/2024
Henry Kenneth Johnston Hume aka Henry Hume	03/06/2024
Thomas Andrew Solie aka Thomas Solie	03/06/2024
Hyun Ju Park	03/06/2024
Maiki Tihada	03/07/2024
Danielle Marie Perrault aka Danielle Perrault	03/07/2024
Nohea P Marlow aka Nohea Marlow	03/07/2024
Jacqueline Hada aka Jacque Hada	03/07/2024
Robyn Sonnenberg	03/08/2024
Hong Diep Shannon	03/08/2024
Joseph Edward Michaloski aka Joe Michaloski	03/11/2024
Ian Crawford Vallance aka Ian Vallance	03/11/2024
Taylor-Marie Ali'ilani Ybarbo	03/11/2024

aka Taylor-Marie Ybarbo	
Hee Kyoung Nam	03/11/2024
aka Kaylee Nam	
David Michael Danby	03/11/2024
aka David Danby	
Lucianne Zoe Pahia Pukahi-Viernes	03/11/2024
aka Luci Pukahi-Viernes	
Glenda J Perez	03/13/2024
Kate Roy Moss	03/13/2024
aka Kate Moss	
Kyle Wesley Boals	03/13/2024
aka Kyle Boals	
Cheryl A Putonen	03/15/2024
aka Cheryl Putonen	
Normie Mark Daulong Caga-anan	03/15/2024
aka Normie Mark D Caga-anan	
Sherry Ann Ah Sam	03/15/2024
aka Sherry A Ah Sam	
Bryan D Henson	03/18/2024
Danee Lee Morrill	03/18/2024
aka Danee Morrill	
Maria Anna Bernadette Unabia Stankovits	03/18/2024
aka Maria Stankovits	
Kathleen Danielle Long	03/18/2024
aka Kathleen Long	
Star Rana Ostman	03/18/2024
aka Star Ostman	
Cody Ryan Andrews	03/18/2024
Kevin Wayne Richie	03/18/2024
aka K W Richie	
Gabriela Mariano Martins	03/19/2024
aka Gabriela Martins	
Donald Travis Ballard	03/19/2024
aka Travis Ballard	
Erin Marie Wong	03/20/2024
aka Erin Wong	
Deborah Cho	03/20/2024
Laura Ann Mendolia	03/21/2024
aka Laura Mendolia	
Felicia Felix	03/21/2024
Daniel Brady Cromwell	03/22/2024
Jennifer Ann Renfro	03/22/2024
Litea Philomen Maiava	03/22/2024
aka Litea Maiava	
Ava G Ferretti	03/22/2024
aka Ava Ferretti	
Steven Todd Bergfeld	03/22/2024
aka Steve Bergfeld	
Carmen Kehaulani Su'a	03/22/2024
aka Carmen Su'a	
Jennifer Flanagan	03/22/2024
Kristi Gibbons	03/25/2024

Carol Ann Gristock aka Carol A Gristock	03/25/2024
Mandana Clarke	03/25/2024
Jasmin Maria Davis aka Jasmin Davis	03/25/2024
Kirk Stephen O'Neill aka Chip O'Neill	03/27/2024
Tracy Akemi Ng aka Tracy A Ng	03/27/2024
Leo Yosuke Shimizu	03/27/2024
Yumin Wang	03/28/2024
Tatiana Nicole Faumuina aka Tatiana Faumuina	03/28/2024
Charlene Tiumalu Dietz	03/28/2024
Tim Soennichsen	04/01/2024
Kaleigh Mackenzie Courts aka Kaleigh Courts	04/01/2024
Rowena Crisostomo	04/01/2024
Honey Lynn Holmes aka Honey Holmes	04/01/2024
Gary Wayne Moore Jr aka Gary W Moore Jr	04/02/2024
Alfonso Martinez	04/02/2024
Craig Stanger	04/03/2024
Kristen Ruth Shumaker aka Kristi Shumaker	04/03/2024
Destina Roja Kittiel aka Destina Kittiel	04/03/2024
Trevor Kalapana Kelihoomalua aka Trevor Kelihoomalua	04/04/2024
Vanessa Nicole White Eagle	04/04/2024
Eunbyul Lee aka Chloe Lee	04/04/2024
Raymond Charles Meek	04/04/2024
Cameron Kamaha'o Leopoldino aka Cameron Leopoldino	04/04/2024
Heather Joann Carver aka Heather Carver	04/08/2024
Christopher Chong Grandinette	04/09/2024
Catherine Brittain Engler Cooper aka Brittain Cooper	04/10/2024
Alexander Theodore Gustafson aka Alexander Gustafson	04/10/2024
Teerapat Suntharo	04/10/2024
Sadie Rachelle Leavitt aka Sadie Leavitt	04/11/2024
Ahren Pang Quon Nainoa Ah Chong aka Ahren Ah Chong	04/11/2024
Autumn Elise Grove aka Autumn Grove	04/11/2024
Takuto Tanaka	04/11/2024

Brokers – Corporations and Partnerships

Aloha Sotheby's International Realty Inc
Donna M Apisa, PB

Effective Date

03/15/2024

Brokers – Limited Liability Company (LLC)

Polu Hawaii Properties LLC

Peter Berezney, PB

Waena Group LLC

Eric C Ong, PB

Luva Referral Network LLC

Andrew Leskowitz, PB

Maui Real Estate Services LLC

Jennifer T Barr, PB

Tradewinds Realty Kauai LLC

Peter Mackenzie, PB

ARX VACATIONS FL LLC

Albert Tsao, PB

Effective Date

03/04/2024

03/12/2024

03/14/2024

03/27/2024

04/01/2024

04/02/2024

Brokers – Sole Proprietor

Christopher Patrick Breen

Effective Date

03/11/2024

Trade Name

Luxury Properties Hawaii LLC

aka Go Luxe Realty

Hawaii Ranch & Home LLC

aka Hawaii Ranch & Home

Luxe Maui Properties LLC

aka Luxe Maui Properties

Day-Lum Rentals & Management Inc

aka Day-Lum Realty

fka Day-Lum Rentals

License Park Realty LLC

aka Realty Connect

Effective Date

12/24/2023

01/02/2024

01/02/2024

01/15/2024

03/15/2024

Corp/Partnership/LLC/LLP Legal Name Change

Hawaii Home Sales and Management LLC

nka Hawaii Home Sales & Management LLC

fka Hawaii Home Sales and Management LLC

Effective Date

10/20/2023

Legal Name Change (Individual)

Maile J Ben-Dor

nka Maile Antinucci

fka Maile J Ben-Dor

Tawny Jade Bergman

nka Tawnya Jade Schor

fka Tawny Jade Bergman

Anna Marie Takano

nka Anna Marie Cryan

fka Anna Marie Takano

Lovene Crystal Conrad

nka Love Crystal Conrad

fka Lovene Crystal Conrad

Effective Date

12/15/2023

12/21/2023

01/30/2024

02/04/2024

Chunying Kainuma nka Athena Jin fka Chunying Kainuma	02/13/2024
Lori Lynn Apperson-Winterhalter nka Lori Lynn Winterhalter fka Lori Lynn Apperson-Winterhalter	02/21/2024
Tiffany F Hyde nka Tiffany M Peralto fka Tiffany F Hyde	03/11/2024
Krystal M L H Higa nka Krystal M L H Kwee-Zambrano fka Krystal M L H Higa	03/14/2024
Audrey Rae Morris nka Audrey Rae Roberts fka Audrey Rae Morris	03/20/2024
Shania Goertz Karolat nka Shania Karolat Fults fka Shania Goertz Karolat	03/21/2024
Chona A Montesines-Sonido nka Carol Chona A Montesines-Sonido fka Chona A Montesines-Sonido	03/28/2024
Ashley D Fierro nka Ashley D Moniz fka Ashley D Fierro	04/01/2024
Ashley Nahenahenani Demello nka Ashley Arashiro fka Ashley Nahenahenani Demello	04/09/2024

License Name Change (Individual)

Effective Date

Tiffany M Chen aka Tiffany Mika Chen	10/30/2023
Evalani M Exner aka Evalani Exner	12/14/2023
Ronald A Rigg aka Ron Rigg	01/31/2024
Love Conrad nka Love Crystal Conrad fka Love Conrad	02/04/2024
Michael Frank Krystoff aka Michael F Krystoff	02/07/2024
Mariko Sandra Eisner aka Mariko Eisner	02/16/2024
Lori Apperson-Winterhalter nka Lori Winterhalter fka Lori Apperson-Winterhalter	02/21/2024
Jonathan Chase Boyd aka Chase Boyd	02/22/2024
Tiffany Hyde nka Tiffany Peralto fka Tiffany Hyde	03/11/2024
Audrey Morris nka Audrey Roberts fka Audrey Morris	03/20/2024

Pualiimaikalani A Kahana aka Maikalani Kahana	03/19/2024
Shania Karolat nka Shania Fults fka Shania Karolat	03/21/2024
Stephanie Kalea Castro aka Stephanie Castro	03/25/2024
Ashley D Moniz aka Ashley Moniz	04/01/2024

Educational Equivalency Certificate

Expiration Date

Kelly Ann Karczmar	03/07/2026
Janelle R Dunn	03/11/2026
Chase Kelly Hartvigsen	03/11/2026
Thomas Bradley Sinclair	03/11/2026
Brian Jinwon Kim	03/11/2026
Robert Blaine Boettner	03/13/2026
Donald Eugene Hulen	03/13/2026
David S Dunn	03/13/2026
Michael James Reedy Jr	03/13/2026
Vina Vanessa Abapo Vogt	03/13/2026
Katherine Jodell Zeal	03/18/2026
Martyna Bielecka	03/19/2026
Heather Marie Chase	03/19/2026
Daniel Michael Brown	03/20/2026
Nan Xia	03/21/2026
Mark Foxx	03/21/2026
Sarai Korpacz	03/25/2026
Thomas Crottogini	03/27/2026
Elizabeth A Hooper	03/27/2026
Franklin Patricio Criollo	04/01/2026
Kimberly Phyllis Pafundi-Wakazuru	04/01/2026
Brent Robert Chisholm	04/01/2026
Klaire Cross	04/04/2026
Erin Brooke Picou	04/04/2026
Tiffany Tarae Russell	04/05/2026
Osman Muhammad Shahid	04/05/2026
Matthew Steven Horrocks	04/05/2026
Matthew William Brown	04/08/2026
Hunter Samuel Ainslie	04/10/2026
Shirlee Antoinette Davies	04/10/2026

Equivalency to Uniform Section of Examination Certificate

Expiration Date

Janelle R Dunn	03/11/2026
Chase Kelly Hartvigsen	03/11/2026
Robert Blaine Boettner	03/13/2026
Donald Eugene Hulen	03/13/2026
David S Dunn	03/13/2026
Michael James Reedy Jr	03/13/2026
Vina Vanessa Abapo Vogt	03/13/2026
Cynthia Marie Lyons	03/14/2026
Katherine Jodell Zeal	03/18/2026
Martyna Bielecka	03/19/2026

Heather Marie Chase	03/19/2026
Daniel Michael Brown	03/20/2026
Kristi Gibbons	03/21/2026
Mark Foxx	03/21/2026
Thomas Crottogini	03/27/2026
Elizabeth A Hooper	03/27/2026
Franklin Patricio Criollo	04/01/2026
Brent Robert Chisholm	04/01/2026
Klaire Cross	04/04/2026
Erin Brooke Picou	04/04/2026
Tiffany Tarae Russell	04/05/2026
Osman Muhammad Shahid	04/05/2026
Nan Xia	04/05/2026
Matthew Steven Horrocks	04/05/2026
Shirlee Antoinette Davies	04/10/2026

Real Estate Broker Experience Certificate

Expiration Date

Connor Girard Jetton	03/06/2026
Marc Roland Shackman	03/11/2026
Kelley Rochelle Fuller	03/11/2026
Harold Dennis Wilkerson Jr	03/12/2026
Lori Anne Henbest	03/14/2026
Cynthia Marie Lyons	03/14/2026
Genevieve Firestone	03/15/2026
Katherine Jodell Zeal	03/18/2026
Lisa Lindsay Myeni	03/19/2026
Shannon Rosalie Waltz Zervas	03/19/2026
Heather Marie Chase	03/19/2026
Daniel Michael Brown	03/20/2026
Mark Foxx	03/21/2026
Katsuyoshi Takahashi	03/22/2026
Elizabeth Noreen Sweeney	03/22/2026
Joan Eva Atamian	03/22/2026
Thomas Crottogini	03/27/2026
Chona Arcigal Montesines-Sonido	03/28/2026
Brenda Olivia Avery	03/28/2026
Brent Robert Chisholm	04/01/2026
Jaclyn Elaine Rideau	04/01/2026
Joelle Moana`ala Seashell	04/05/2026
Walter Preston Bell III	04/09/2026
Zachary Nathaniel Skousen Lanser	04/10/2026
Yukari Kozu Azuma	04/10/2026
Pukanala Ashley Llanes	04/10/2026
Shirlee Antoinette Davies	04/10/2026

Condominium Hotel Operator

Effective Date

365 Summer LLC

03/08/2024