

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: July 26, 2024

Time: 9:00 am

Physical Location: Queen Lili`uokalani 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
Audrey Abe, Broker/Honolulu Commissioner
Jennifer Andrews, Broker/Honolulu Commissioner
Richard Emery, Broker/Honolulu Commissioner
Russell Kyono, Broker/Kauai Commissioner
John Love, Public Member/Honolulu Commissioner
P. Denise La Costa, Broker/Maui 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
Lorie Sides, Condominium Education Specialist
Shari Wong, Deputy Attorney General
Colleen Mar, Office Assistant
Joseph Benedict Pagkalinawan, Recording Secretary

Others: Lei Fukumura, Special Deputy Attorney General
Courtney Hara, Hawaii Association of REALTORS®
Jason DeMarco
Ashlee Jones
Jesse James Kelii Jones
Lee Wang

Absent: Sean Ginoza, Broker/Hawaii Island Commissioner

Call to Order: The Chair called the meeting to order at 9:06 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 Ginoza was excused from the meeting. Prior notification of his non-attendance was received.

Organization of the Real Estate Commission

A copy of Chair Yamane's memorandum dated July 17, 2024, regarding the organization of the Real Estate Commission for fiscal year 2025 was distributed. Chair Yamane noted that the memorandum will be updated once changes in the Commission's composition occurred.

The leadership positions are as follows:

Real Estate Commission – Nikki Senter, Vice Chair
Laws and Rules Review Committee – Nikki Senter, Chair; Sean Ginoza, Vice Chair
Condominium Review Committee – John Love, Chair, P. Denise La Costa, Vice Chair
Education Review Committee – Audrey Abe, Chair; Russell Kyono, Vice Chair
Hawaii Association of REALTORS® Ad Hoc Committee – Jennifer Andrews, Chair

Upon a motion by Commissioner La Costa, seconded by Commissioner Andrews, it was voted and unanimously carried to approve the organization of Real Estate Commission for Fiscal Year 2025, as stated in the memorandum dated July 17, 2024.

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.

Additional Distribution

The following material was distributed prior to the start of the meeting:

6. Licensing – Applications
 - c. Jesse James Kelii Jones

Certificate of Appreciation

Senior Condominium Specialist Kleinhans announced that a Certificate of Appreciation will be given to Ms. Terry Day in recognition of her work as a condominium project consultant for approximately 30 years.

Minutes of Previous Meeting

Upon a motion by Commissioner Andrews, seconded by Chair Yamane, it was voted on and unanimously carried to accept the minutes of the June 28, 2024, meeting.

Committees and
Program of Work:

Laws and Rules Review Committee

Legislative Acts and Resolutions

Chair Yamane informed the Commission that the following Acts were provided for Commission's reference. Senior Condominium Specialist Kleinhans provided summaries of the Acts:

- a. ACT 042 Relating to Condominiums – Repeals provisions governing the use of electronic voting devices at condominium association meetings. Clarifies the procedure for electronic meetings, electronic voting, and mail voting.
- b. ACT 044 Relating to Condominiums – Authorizes the use of electronic mail to deliver certain documents when purchasing a condominium.

Regarding Act 042, Commissioner Emery praised its passage.

Condominium Review Committee

Rulemaking, Chapters 107/119 – Status Update on Proposed Repeal of Hawaii Administrative Rules ("HAR") Chapter 107 and Proposed Adoption of HAR Chapters 16-119.1 through 16-119.8

Senior Condominium Specialist Kleinhans provided the Commission a status update on its proposed repeal of HAR chapter 107 and simultaneous adoption of HAR chapters 16-119.1 through 16-119.8. The Small Business Regulatory Review Board ("SBRRB") approved the proposed rulemaking actions on June 20, 2024, followed by the Governor's Office in July 2024. A public hearing must now be scheduled and held to provide all interested parties the opportunity to present testimony on the proposed rulemaking actions.

Commissioner Emery commented that he supports the revision, adding that there are problems with the current rules that need to be addressed. Commissioner Love asked how the draft rules would proceed if the Commission were to accept amendments suggested in the public hearing. Senior Condominium Specialist Kleinhans replied that the Commission would consult with their Deputy Attorney General on how to proceed. For example, substantive changes may require additional review by State agencies and/or a second public hearing.

Professional Services of Condominium Consultants – Polyline, LLC Request for Amendments to the Proposed Contract

Jason DeMarco, partner and owner of Polyline, LLC, explained that Polyline, LLC is seeking the Commission's approval to amend the terms and conditions of its contract offered by the Commission for its services as a condominium consultant. Mr. DeMarco testified that Polyline seeks the proposed amendment to clarify words such as "contractor," and to align the terms and conditions with Hawaii Revised Statutes Section 103D-713, and its insurance policy.

When asked by Commissioner Andrews, Mr. DeMarco testified that the intent for the proposed amendments is to align with the Hawaii Revised Statutes. Commissioner Emery commented that it is unreasonable to allow revision of current language with Polyline, LLC alone, while excluding other contractors.

Upon a motion by Chair Yamane, seconded by Vice Chair Senter, it was voted on and unanimously carried to take Polyline, LLC's request under advisement.

Consumer Education

Real Estate Networking on Oahu (RNO) Meeting Report – June 24, 2024

Senior Condominium Specialist Kleinhans presented that RNO asked the condominium specialists to provide a presentation for their scheduled meeting on June 24, 2024. Senior Condominium Specialist Kleinhans, Condominium Specialist Choy, and Condominium Education Specialist Sides attended, presented a PowerPoint presentation, and answered several questions from attendees. Condominium specialists provided the Commission printed slides of the PowerPoint presentation and a list of questions they received.

Commissioner Andrews expressed her amazement for staff in conducting the outreach, noting the event's magnitude and how informative the outreach's materials are.

Honolulu Board of REALTORS® Summer General Membership Meeting 2024 Report – June 28, 2024

Condominium Education Specialist Sides presented that the Honolulu Board of REALTORS® conducted a General Membership Meeting on June 28, 2024, with staff in attendance to conduct outreach. Staff provided educational resources during the meeting and made 41 contacts. Staff also received comments on different matters such as the need to and praise for the Hawaii Condominium Living Guide videos.

Commissioners Emery, Andrews, and Chair Yamane conveyed their appreciation, with Commissioner Andrews adding the staff's outreach was well-received. Commissioner La Costa inquired if staff could conduct similar outreach in Maui.

Education Review Committee

Continuing Education Administration, Curriculum, Courses, Provider, and Instructors

Course – “AI and the Modern Hawaii Agent”; Author/Owner – Lee Wang; Provider – Poha School of Real Estate; Course Categories – Technology and the Licensee; Clock Hours – 3

Mr. Wang was present to answer any questions the Commission may have.

Chair Yamane disclosed that he worked with Mr. Wang in the past but was able to make a fair and unbiased decision on the course.

Commissioner Emery also disclosed that he knew Mr. Wang personally but could make a fair and unbiased decision on the course.

Commissioner Andrews asked how Artificial Intelligence (“AI”) helps with calls, and whether the course discusses what licensees are allowed to do when assisted by AI. Mr. Wang replied that the purpose of the course is to raise awareness on AI in the real estate industry. Commissioner Andrews recommended that the course include information that addresses what licensees are allowed to do when soliciting and disclosures when conducting AI-assisted calls.

Commissioner La Costa requested a summary of the course, which Mr. Wang provided. Mr. Wang added that the course uses case studies from other industries as no other case precedence has yet been established in the real estate industry.

Commissioner Emery commented it is important to be informed of a rapidly evolving technology such as AI. Chair Yamane concurred, stressing that awareness is needed to protect the public. Mr. Wang clarified that the term “Modern Hawaii Agent” in the title applies to all licensed real estate salespersons and brokers in the State of Hawaii.

Upon a motion by Commissioner Andrews, seconded by Commissioner La Costa, it was voted upon and unanimously carried to approve the course “AI and the Modern Hawaii Agent”; Author/Owner – Lee Wang; Provider – Poha School of Real Estate; Course Categories – Technology and the Licensee; Clock Hours – 3, subject to the following conditions and inclusions to the course material and slides:

- Information regarding the do not call list;
- Licensing law regarding Regulation Z; and
- Information regarding solicitation and advertising.

Course – “Art of Marketing a Listing”; Author/Owner – Lee Wang; Provider – Poha School of Real Estate; Course Categories – Other; Property Listing and Marketing; Clock Hours – 3

Commissioner Abe recommended clarifying the words “enhanced” in enhanced listing and “virtual” in virtual staging. She noted these words are not interchangeable and could result in misrepresentation. Commissioner Andrews recommended to include laws about signage, to which Commissioner La Costa echoed, and to assure that the course addresses the Real Estate Settlement Procedures Act (“RESPA”).

Chair Yamane stated that the Commission, as a regulatory body, needs to ensure that the laws are followed, adding that the field of marketing is a topic that can raise concerns. Commissioner La Costa recommended to include handouts during the course discussing what licensees are allowed to do when it comes to signage. Commissioner Andrews noted the importance that continuing education courses address licensee’s responsibilities and promote public protection.

Upon a motion by Commissioner Andrews, seconded by Commissioner Emery, it was voted upon and unanimously carried to approve the course “Art of Marketing a Listing”; Author/Owner – Lee Wang; Provider – Poha School of Real Estate; Course Categories – Technology and the Licensee; Clock Hours – 3, subject to the following conditions and inclusions to the course material and slides:

- Language to clarify enhanced and virtually staged;
- Hawaii law regarding advertising including proper signage; and
- RESPA information.

Prelicensing Education Administration, Curriculum, Schools, Instructors and Equivalency

Application - Jennifer L. Andrews - Prelicense Education Instructor; Salesperson and Broker Curriculum; Abe Lee Seminars

Commissioner Andrews recused herself from the discussion and vote and left the meeting room.

Upon a motion by Commissioner Emery, seconded by Commissioner La Costa, it was voted on and unanimously carried to approve Jennifer L. Andrews as a real estate prelicense education instructor for the salesperson and broker curriculums.

Commissioner Andrews returned to the meeting room.

Application – Lee Wang – Prelicense Education Instructor; Salesperson and Broker Curriculum; Poha School of Real Estate

Upon a motion by Commissioner Abe, seconded by Commissioner Andrews, it was voted on and unanimously carried to approve Lee Wang as a real estate prelicense education instructor for the salesperson and broker curriculums.

Administration of Examinations

Licensing Examination Statistics 6/1/24 – 6/30/24

PSI submitted the monthly licensing examination statistics as requested.

School Pass/Fail Rates 6/1/24 – 6/30/24

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

School Summary by Test Category 6/1/24 – 6/30/24

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

Licensing –
Ratification

Licensing and Registration - Ratification

Upon a motion by Commissioner La Costa, seconded by Commissioner Abe, it was voted on and unanimously carried to ratify the July 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.

Executive Session:

Upon a motion by Chair Yamane, seconded by Commissioner La Costa, 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 La Costa, seconded by Commissioner Andrews, it was voted on and carried to move out of executive session.

Chapter 91, HRS,
Adjudicatory Matters

The Chair called for a recess from the meeting at 10:31 a.m., to discuss and deliberate on the following adjudicatory matters, pursuant to Chapter 91, HRS:

In the Matter of the Application for a Real Estate Salesperson's License of Jay Scoratow: REC-LIC-2024-001; Commission's Final Order

Upon a motion by Commissioner Andrews, seconded by Commissioner La Costa, it was voted on and carried to approve the Commission's Final Order.

In the Matter of the Real Estate Salesperson's License of Karin M. Shaw, also known as Karin Shaw Ventura: REC 2023-0430-L; Settlement Agreement Prior to Filing of Petition for Disciplinary Action and Commission's Final Order

Upon a motion by Commissioner Emery, seconded by Commissioner Abe, it was voted on and carried to accept the settlement agreement.

Following the Commission's review, deliberation, and decision in this matter, pursuant to Chapter 91, HRS, the Chair announced that the Commission was reconvening its scheduled meeting at 10:36 a.m.

Licensing –
Applications:

Jesse James Kelii Jones

Mr. Jones stated he has worked hard to turn his life around, attending therapy and classes. He currently conducts outreach to raise awareness against domestic violence, partnering with different entities and individuals. Mr. Jones sought to obtain a real estate license to fulfill his childhood dream.

Mr. Jones' wife, Ashlee Jones, stated she has witnessed Mr. Jones' growth in the past 10 years. She added that Mr. Jones works hard in his current activities in conducting outreach and wishes not to have his past to identify and restrict him. Mrs. Jones noted she was an employee of Berkshire Hathaway.

Commissioner La Costa commended Mr. Jones for the work that he has done with the community. When asked by Commissioner Andrews, both Mr. Jones and Mrs. Jones clarified that Berkshire Hathaway assisted in completing Mr. Jones' application. Mr. Jones will work for Pacific Referral Partners, LLC, if his license application gets approved.

Upon a motion by Commissioner Emery, seconded by Commissioner Kyono, it was voted on and unanimously carried to approve the real estate salesperson application of Jesse James Kelii Jones.

Tatiana Maemomi Graham

Upon a motion by Commissioner Emery, seconded by Commissioner Andrews, it was voted on and unanimously carried to most likely approve the real estate salesperson application of Tatiana Maemomi Graham.

Mark Wayne Talaeai

Upon a motion by Commissioner Emery, seconded by Commissioner Abe, it was voted on and unanimously carried to approve the real estate salesperson application of Mark Wayne Talaeai.

Committees and
Program of Work:

Condominium Review Committee

Professional Services of Condominium Consultants – Polyline, LLC Request for Amendments to the Proposed Contract

Upon a motion by Commissioner Emery, seconded by Commissioner La Costa, it was voted on and unanimously carried to deny Polyline, LLC's request for amendment to the Proposed Contract regarding Professional Services of Condominium Consultants.

Next Meeting: Friday, August 23, 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 10:47 a.m.

Reviewed and approved by:

/s/ Miles Ino

Miles Ino
Executive Officer

8/7/2024

Date

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

MI:jp

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

<u>Brokers – Individual</u>	<u>Effective Date</u>
Holly K Querry aka Holly Querry	05/31/2024
Joelle Moana`ala Seashell aka Joelle Seashell	05/31/2024
Joseph Coe Kennedy	06/03/2024
Jenna B Lau	06/03/2024
Pamela M Maeda aka Pam Maeda	06/18/2024
Cynthia Sparks Tokos aka Cynthia Tokos	06/18/2024
Melissa Marie McGuire	06/19/2024
Jaclyn Elaine Rideau	06/20/2024
William Christopher Toney aka William Toney	06/25/2024
Gregory David Jones aka Gregory Jones	07/03/2024
<u>Salesperson – Individual</u>	<u>Effective Date</u>
Kainoa John Harrison aka Kainoa KJ Harrison	06/10/2024
Kendree Vair	06/10/2024
Tala Kikalaye	06/10/2024
Jessica Mayumi Mukai Fontanilla aka Jessica Fontanilla	06/10/2024
Kyu Weon Choi aka Kyu Choi	06/12/2024
Apolla Acosta-Bagaoisan Benito aka Apolla Benito	06/12/2024
Jeff H Hanh	06/12/2024
Radley Akira A'okea Kawamoto	06/12/2024
D'sean Sky Saunders aka D'sean Saunders	06/13/2024
Paea I Poasa aka Paea Poasa	06/13/2024
Young Jun Choi aka Young Choi	06/14/2024
Donald Joseph Patterson aka Don Patterson	06/14/2024
Peter P. Prentiss aka Peter Prentiss	06/17/2024
Brian James Macias aka Brian Macias	06/17/2024
Brandee Noel Kaleou'ilani Medeiros aka Brandee Medeiros	06/17/2024
Robert Bertholde aka Robert Bertholde Jr	06/17/2024
Liam Michael Conrad aka Liam Conrad	06/17/2024
Egor Matveev	06/18/2024
Lindsay Christine Brown aka Lindsay Brown	06/19/2024
Wakako K Masuda	06/19/2024

Melissa E Harriday	06/20/2024
Noah Ikaika Hedrick aka Noah Hedrick	06/20/2024
Levi Richard Kinney aka Levi Kinney	06/20/2024
Jarrold L Silcox aka Jarrod Silcox	06/20/2024
Kendall Walter Atkerson aka Ken Atkerson	06/21/2024
Samiuela Fifita aka Sam Fifita	06/24/2024
Samantha Susan Martin aka Samantha Martin	06/24/2024
Shoji Takemoto	06/24/2024
Lionel Kian Ning Loh aka Lionel Loh	06/24/2024
Christina Jia Yi Kim aka Christina Kim	06/25/2024
Michelle Joy Kiyomi Ito aka Michelle J K Ito	06/27/2024
Halcy O Clinton aka Halcy Clinton	06/27/2024
Sora Lim	07/01/2024
Sarah Chang Fumie aka Sarah Fumie	07/02/2024
Miriam Rafiq Braden	07/08/2024
Barbara L Bradbury	07/08/2024

Brokers – Limited Liability Company (LLC)

Effective Date

Affiliated Brokers LLC aka Kohala Brokers Jonathan R Brooke, PB	05/30/2024
QRE LLC aka Querry Realty Holly K Querry, PB	05/31/2024
HNL Solutions LLC Jin Kim, PB	06/17/2024
Maui Takes You LLC Cynthia Tokos, PB	06/18/2024
Y Lehua Group LLC DBA Y Lehua Hui aka NextHome Redefined Trenton K Wailehua, PB	06/19/2024
Carousel Realty Group World Holdings LLC aka Carousel Realty Group Alan Koenig, PB	06/20/2024

Brokers – Limited Liability Partnership (LLP)

Effective Date

Aloha O Kakou LP J J Jasinski, PB	06/06/2024
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Brokers – Sole Proprietor

Effective Date

Norman Chung	06/24/2024
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<u>Legal Name Change (Individual)</u>	<u>Effective Date</u>
Mina Otsuka nka Mina Dodo fka Mina Otsuka	06/13/2024
Laura Ann Flem nka Laura Ann Calzo fka Laura Ann Flem	06/14/2024
Carney Yim nka Carney Uyeki fka Carney Yim	06/18/2024
Aiuna Radnaeva nka Aiuna Baitz fka Aiuna Radnaeva	06/18/2024
Stacey A Shigekane nka Stacey Ayumi Chenevert fka Stacey A Shigekane	06/24/2024
Kassandra Lynn Teems nka Kassandra Lynn Starr fka Kassandra Lynn Teems	06/26/2024
Kaylee Soon Ji Cambra nka Kaylee Soon Ji Robins fka Kaylee Soon Ji Cambra	06/27/2024
Kazunari Iizuka nka Xavier Kazunari Windsor fka Kazunari Iizuka	06/28/2024
Courtney Ellen Borysewicz nka Courtney Ellen Park fka Courtney Ellen Borysewicz	07/11/2024
<u>License Name Change (Individual)</u>	<u>Effective Date</u>
Mina Otsuka nka Mina Dodo fka Mina Otsuka	06/13/2024
Stacey A Shigekane nka Stacey A Chenevert	06/24/2024
Kassandra Starr Teems nka Kassandra Starr fka Kassandra Starr Teems	06/26/2024
Kaylee Cambra nka Kaylee Robins fka Kaylee Cambra	06/27/2024
Amy Lynn Engler aka Amy Engler	07/01/2024
Misako N Batchelor aka Misako Michelle Batchelor	07/08/2024
Courtney Borysewicz nka Courtney Ellen Park fka Courtney Borysewicz	07/11/2024
<u>Educational Equivalency Certificate</u>	<u>Expiration Date</u>
Kayla-Al Gum-Lan Garces	06/17/2026
Michael Pyung Kang Choi	06/18/2026
Farris Derial Etterlee Jr	06/21/2026
Maria Fatima Montero Sasaki	06/25/2026
Stephanie Nak Kim	06/25/2026
Lauren M Serpa	06/26/2026
Richard Stephen Hoag	07/01/2026

Alex Everest

07/10/2026

Equivalency to Uniform Section of Examination Certificate

Expiration Date

Natalie Irene Norton

06/17/2026

Michael Pyung Kang Choi

06/18/2026

Stephanie Nak Kim

06/25/2026

Lauren M Serpa

06/26/2026

Richard Stephen Hoag

07/01/2026

Alex Everest

07/10/2026

Real Estate Broker Experience Certificate

Expiration Date

Michael Paul Tietz

06/18/2026

Matthew Stephen Curlee

06/18/2026

Catherine Lee Parsons

06/27/2026

Richard Stephen Hoag

07/01/2026

Mariel Haunani Maloof

07/01/2026

Alex Everest

07/10/2026

Continuing Education Equivalency (CEE)

Effective Date

Paula Josephine MacRae

06/19/2024

Restoration - Brokers – Corporations and Partnerships

Effective Date

The LFG Group Inc

03/11/2024

Cameron J K Higgins, PB