

**CONDOMINIUM REVIEW COMMITTEE**  
REAL ESTATE COMMISSION  
Professional and Vocational Licensing Division  
Department of Commerce and Consumer Affairs  
State of Hawaii  
[www.hawaii.gov/hirec](http://www.hawaii.gov/hirec)

MINUTES OF MEETING

The agenda for this meeting was filed with the Office of the Lieutenant Governor as required by Section 92-7(b), Hawaii Revised Statutes.

Date: August 7, 2019

Time: Upon adjournment of the Laws and Rules Review Committee meeting scheduled to convene at 9:00 a.m.

Place: Queen Liliuokalani Conference Room  
King Kalakaua Building  
335 Merchant Street, First Floor  
Honolulu, Hawaii

Present: Laurie A. Lee, Chair, Broker / Honolulu Commissioner  
Bruce Faulkner, Broker / Maui Commissioner  
Scott Arakaki, Public / Honolulu Commissioner  
Aleta Klein, Broker / Honolulu Commissioner  
Michael Pang, Broker / Honolulu Commissioner  
Sean Ginoza, Broker / Hawaii Island Commissioner  
Russell Kyono, Broker / Kauai Commissioner  
Derrick Yamane, Broker / Interim Honolulu Commissioner

Neil Fujitani, Supervising Executive Officer  
Miles Ino, Executive Officer  
Carole Richelieu, Senior Condominium Specialist  
Dathan Choy, Condominium Specialist  
Lorie Sides, Condominium Education Specialist  
Diane Choy Fujimura, Senior Real Estate Specialist  
Amy Endo, Real Estate Specialist  
David Grupen, Real Estate Specialist  
Shari Wong, Deputy Attorney General  
Tammy Norton, Recording Secretary

Others: Chatney Pacheco, Hawaii Association of REALTORS®  
Ethel Keyes, Hawaii Association of REALTORS®  
Suzanne Young, Honolulu Board of REALTORS®  
Daryl Nishizawa, Honolulu Board of REALTORS®  
Lee Wang, Locations, LLC  
Stacey Wong, Abe Lee Seminars  
Jenny Brady, Honolulu Board of REALTORS®  
Harold Berman The Berman Education Company LLC

Absent: John Love, Public / Honolulu Commissioner

Call to Order: The Chair called the meeting to order at 9:12 a.m., at which time quorum was established.

Chair's Report: No report was presented.

The Chair announced that the Commission may move into executive session to consider and evaluate personal information relating to individuals applying for licensure in accordance with Section 92-5(a)(1), HRS, and/or to consult with the Commission's attorney on questions and issues pertaining to the Commission's powers, duties, privileges, immunities, and liabilities in accordance with Section 92-5(a)(4), HRS.

Condominium  
Specialist's  
Report:

### **Announcements**

Specialist Richelieu announced that the Branch is working on a possible condominium multi-media project which would be obtained through procurement.

### **Additional Distribution**

The following materials were distributed prior to the start of the meeting:

3. Condominium Governance and Management
  - c. Condominium Seminars and Symposium - REB request for REC approval to procure for free-to-condominium owners statewide basic condominium seminars for fiscal years 2020 and 2021 pursuant to program of work directive to consider registration fee subsidies for unit owners

### **Minutes**

Upon a motion by Commissioner Pang, seconded by Commissioner Klein, it was voted on and unanimously carried to accept the minutes of the July 10, 2019 Condominium Review Committee meeting.

Condominium  
Governance and  
Management:

### **AOUO Registrations**

Specialist Richelieu reported that as of July 31, 2019, 986 AOUOs have successfully registered for the 2019 – 2021 biennium registration.

### **Ad Hoc Committee on Condominium Education and Research**

The Ad Hoc Committee on Condominium Education and Research will be meeting on August 29, 2019.

### **Condominium Seminars and Symposium - REB request for REC approval to procure for free-to-condominium owners statewide basic condominium seminars for fiscal years 2020 and 2021 pursuant to program of work directive to consider registration fee subsidies for unit owners**

Specialist Richelieu reported that the committee had previously suggested offering free yearly Condorama events on the neighbor islands. The subject request is to expand on the suggestion and procure for free-to-condominium owners statewide basic condominium seminars for fiscal years 2020 and 2021 pursuant to the program of work directive to consider registration fee subsidies for unit owners.

This request is separate from the procurement request of Condoramas offered on Oahu and the contract entered into with CAI Hawaii to offer 9 condominium seminars of which 7 are offered on Oahu and 2 on the neighbor islands.

Commissioner Pang questioned if there was a dollar amount attached to this request.

Specialist Richelieu responded in the negative and commented that the request is to allow staff to procure for the services at which time vendors will provide their bids. Upon receipt of the bids, the Commission can then review the bids received and determine whether they would like to procure.

Commissioner Arakaki requested that the procurement include videoing of the seminars.

Chair Lee noted that the prior Condoramas offered have been video-taped and are posted on the Commission's website. She questioned how many hits on viewership does it receive.

Specialist Choy responded that the numbers are not great. Staff is working on getting the information out and making the condominium community more aware of what is available.

Commissioner Klein noted that the Commission has a library of valuable information and may want to look into creating an informational 4x6 post card for distribution to the condominium associations. The Associations can then post these cards on their condominium's bulletin board. It's an inexpensive way to reach the condominium community.

SEO Fujitani responded that to tie in with the comments noted by Specialist Choy and Commissioner Klein, as Specialist Richelieu noted, the Branch is looking into a marketing plan to inform the condominium community of who the Real Estate Branch is, what we do, and how we can provide further condominium education. This marketing plan is in addition to the post cards the Commission has already created and distributed, the email blasts sent out quarterly, and the ongoing educational outreach activities staff has participated in.

Commissioner Pang commented that he estimates less than 10% of the condominium community have taken advantage of any of the condominium education available.

Upon a motion by Commissioner Pang, seconded by Commissioner Ginoza, it was voted on and unanimously carried to procure for free-to-condominium owners statewide basic condominium seminars for fiscal years 2020 and 2021, pursuant to the program of work directive to consider registration fee subsidies for unit owners.

**Case Law Review Program**

The following were distributed for informational purposes: Sanzaro et al., v. Ardiente Homeowners Association LLC, et al., Ninth Circuit, March 20, 2013, and Sanzaro et al., v. Ardiente Homeowners Association, LLC, Nevada Federal District Court, Feb. 25, 2019.

Condominium  
 Project  
 Registration:

**Condominium Project Registration - Public Reports Issued**

A list of those condominium projects issued effective dates during the month of July 2019, was distributed for informational purposes.

PROJ #	PROJECT NAME	PROJECT ADDRESS	TMK #	UNITS	REPORT	DATE
8029	'A'ALI'I	987 QUEEN ST HONOLULU HI 96814	132002067	752	B AMEND 2	7/17/2019
8375	1182 AND 1184 PALEKAIKO STREET	1182 & 1184 PALEKAIKO ST PEARL CITY HI 96782	197073067	2	B REPT	7/5/2019
8379	1239 AND 1243 15TH AVENUE	1239 & 1243 15TH AVE HONOLULU HI 96816	133010036	2	B REPT	7/9/2019
8381	1531D AND 1531E KEWALO STREET	1531D & 1531E KEWALO ST HONOLULU HI 96822	124021043	2	B REPT	7/17/2019
8351	53-18A MAKAO ROAD	53-018 MAKAO RD A HAUULA HI 96717	153016027	2	B REPT	7/22/2019
8362	57 S. HONOKALA	57 S HONOKALA RD HAIKU HI 96708	229004080	3	B REPT	7/1/2019
8376	67-236 GOODALE AVENUE & 67-091 NAUKANA AVENUE	67-236 GOODALE AVE & 67-091 WAIALUA HI 96791	167016009	2	B REPT	7/18/2019
8385	84-993 LAHAINA STREET	84-993 LAHAINA ST WAIANAE HI 96792	184012022	4	B REPT	7/19/2019
8344	87-105 MANA STREET, 87-180 FARRINGTON HIGHWAY, AND	87-105 MANA ST, 87-180 WAIANAE HI 96792	187012080	3	B REPT	7/10/2019
8323	DOWSETT ESTATES CONDO 17 & 18	151 RAGSDALE PL HONOLULU HI 96817	122047015	2	B REPT	7/19/2019
8241	HARMONY FARMS	5631 HAUAALA RD KAPAA HI 96746	446014056	5	B AMEND	7/9/2019

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8365	HAUAALA ROAD ESTATES	4802 HAUAALA RD KAPAA HI 96746	446016033	2	B REPT	7/19/2019
7994	HO'OLUANA CONDO AT KOHEA LOA	HANAMAULU TRIANGLE LIHUE HI 96766	437003020	94	B AMEND 2	7/2/2019
8387	HUAPALA CONDOMINIUM	74 E HUAPALA PL LAHAINA HI 96761	247010058	3	B REPT	7/23/2019
7808	KAMALANI	PIILANI HWY KIHEI HI 96753	238004030	170	B AMEND 3	7/1/2019
8309	KAPALUA BAY CONDOMINIUM PH II	1 BAY DR LAHAINA HI 96761	242004028	151	B AMEND	7/23/2019
8213	KOHINA AT HO'OPILI	ROAD E EWA BEACH HI 96707	191017138	276	B AMEND	7/19/2019
7848	LOT 10 OF KUA'AINA MAUKA	148 TAM YAU PL MAKAWAO HI 96768	223043051	2	B REPT	7/15/2019
7849	LOT 11 OF KUA'AINA MAUKA	140 TAM YAU PL MAKAWAO HI 96768	22304351	2	B REPT	7/15/2019
7850	LOT 12 OF KUA'AINA MAUKA	132 TAM YAU PL MAKAWAO HI 96768	223043051	2	B REPT	7/15/2019
7851	LOT 13 OF KUA'AINA MAUKA	124 TAM YAU PL MAKAWAO HI 96768	223043051	2	B REPT	7/18/2019
7852	LOT 14 OF KUA'AINA MAUKA	116 TAM YAU PL MAKAWAO HI 96768	223043051	2	B REPT	7/18/2019
7853	LOT 15 OF KUA'AINA MAUKA	108 TAM YAU PL MAKAWAO HI 96768	223043051	2	B REPT	7/18/2019
7854	LOT 16 OF KUA'AINA MAUKA	100 TAM YAU PL MAKAWAO HI 96768	223043051	2	B REPT	7/18/2019
7843	LOT 5 OF KUA'AINA MAUKA	139 TAM YAU PL MAKAWAO HI 96768	223043051	2	B REPT	7/22/2019
7844	LOT 6 OF KUA'AINA MAUKA	147 TAM YAU PL MAKAWAO HI 96768	223043051	2	B REPT	7/22/2019
7845	LOT 7 OF KUA'AINA MAUKA	155 TAM YAU PL MAKAWAO HI 96768	223043051	2	B REPT	7/22/2019
7846	LOT 8 OF KUA'AINA MAUKA	164 TAM YAU PL MAKAWAO HI 96768	223043051	2	B REPT	7/22/2019
7847	LOT 9 OF KUA'AINA MAUKA	156 TAM YAU PL MAKAWAO HI 96768	223043051	2	B REPT	7/15/2019
8383	MAKILA RANCHES LOT 12 CONDO	LOT 12 MAKILA RANCH PH 2 LAHAINA HI 96761	247014012	9	B REPT	7/15/2019
8364	MENEHUNE HALE	4603 & 4611 MENEHUNE RD WAIMEA HI 96796	416003040	2	B REPT	7/23/2019
8369	MIMO AINA	0 MIMO RD HAIKU HI 96708	228006054	2	B REPT	7/10/2019
8380	T.C. KAWAMOTO CONDOMINIUM	943 11TH AVE HONOLULU HI 96816	132019021	2	B REPT	7/23/2019
8391	TENTH AVENUE HILLSIDE ESTATES	2047 10TH AVE HONOLULU HI 96816	133037033	2	B REPT	7/30/2019
8120	WAIHONU PLACE	95-092 WAIHONU PL MILILANI HI 96789	195005047	2	B AMEND	7/9/2019
8006	WILLIAM HENRY ESTATES	45-252 WILLIAM HENRY ROAD KANEHOE HI 96744	145017009	6	B AMEND	7/30/2019
8339	WU ESTATES CONDOMINIUM	7025 KOKEANU PL KAPAA HI 96746	442014034	2	B REPT	7/1/2019
0	<b>Preliminary Reports</b>					
0	<b>Contingent Final Reports</b>					
0	<b>Final Reports</b>					
0	<b>Supplementary Reports</b>					
29	<b>B Reports</b>					
8	<b>B Amendment Reports</b>					
37	<b>TOTAL REPORTS</b>					

Program of Work: **Condominium Laws and Education**

Staff has or will be providing condominium education outreach at the following events: CAI Hawaii Legislative Update Seminar, July 18, 2019; Hawaiian Properties Annual Board Seminar, August 9, 2019; and the BIA show, August 9-11, 2019.

Copies of the Commission's newest brochures relating to condominiums were distributed for informational purposes: The Repeal of Chapter 514A and Partial Reenactment; Condominium 2019 Legislative Session Update; and Information for Developers Post Chapter 514A, HRS.

**Legislative Acts and Resolutions – Status of follow up on Act 223 (chapter 514A)**

A letter regarding Act 223, SLH 2019, temporarily resurrecting certain development sections of chapter 514A until July 1, 2020, has been sent to condominium consultants,

developer's attorneys, escrow depositories, timeshare developers, property management companies, the Hawaii Association of REALTORS®, Division of Financial Institutions, Hawaii Bankers Association, National Association of Industrial and Office Properties – Hawaii Chapter, Hawaii Credit Union League, City and County of Honolulu Department of Planning and Permitting, County of Maui Planning Department, Kauai County Planning Department, County of Hawaii Planning Department, US Department of Veteran's Affairs – Honolulu Regional Office, Mortgage Bankers Association of Hawaii, and the Hawaii State Bar Association – Real Property & Financial Services Section.

Articles were also provided and will be published in the HSBA Journal, School Files, the Real Estate Bulletin, Hawaii Condominium Bulletin, and included as a link on the Commission's quarterly email blast. The HSBA Real Property & Financial Services Section also provided the information to its members.

A notice will also be published in the following publications: Star Advertiser; MidWeek; The Garden Island; Hawaii Tribune-Herald; West Hawaii Today; and the Maui News. Staff has already updated its website, FAQs, and forms.

**Condominium Specialists Office for the Day – Kauai, September 11, 2019**

The next Specialists Office for the Day program will be held on the island of Kauai at the Grove Farm Building on September 11, 2019, in conjunction with the Real Estate Commission committee meetings.

**Condominium Speakership Program**

Staff will participate as a speaker at the following condominium educational programs: Hawaiian Properties Annual Board Seminar: Legislative Update Forum, August 9, 2019; and Title Guaranty's Education Session on the island of Kauai, September 11, 2019.

Condominium Organizations Forum: No comments, recommendations, or concerns were received.

Next Meeting: September 11, 2019  
Upon adjournment of the Laws and Rules Review Committee meeting scheduled to convene at 9:30 a.m.  
Grove Farm Building Conference Room  
3-1850 Kaumuali'i Hwy.  
**Lihue, Kauai**

Adjournment: With no further business to discuss, the Chair adjourned the meeting at 9:42 a.m.

Respectfully submitted:

/s/ Carole R. Richelieu

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Carole R. Richelieu  
Senior Condominium Specialist

August 15, 2019

\_\_\_\_\_  
Date

Minutes approved as is.  
 Minutes approved with changes; see minutes of \_\_\_\_\_