

CONDOMINIUM REVIEW COMMITTEE
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 filed with the Office of the Lieutenant Governor as required by Section 92-7(b), Hawaii Revised Statutes.

Date: November 6, 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
John Love, Vice Chair, Public / 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
Diane Choy Fujimura, Senior Real Estate Specialist
Amy Endo, Real Estate Specialist
Shari Wong, Deputy Attorney General
Tammy Norton, Recording Secretary

Others: Ethel Keyes, Hawaii Association of REALTORS®
Chatney Higa-French, Hawaii Association of REALTORS®
Stacey Wong, Abe Lee Seminars

Absent: None

Call to Order: The Chair called the meeting to order at 10:30 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

Staff will provide educational outreach at the following events: November 8, 2019, Community Council of Maui's Roofing/Window Seminar and Tradeshow and November 16, 2019, Associa Hawaii's Board Success Seminar.

Additional Distribution

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

- 4. CPR Registration and Developer's Public Reports
 - a. Condominium Projects and Developer's Public Reports – October 2019

Minutes:

Upon a motion by Commissioner Klein, seconded by Commissioner Kyono, it was voted on and unanimously carried to accept the minutes of the October 9, 2019 Condominium Review Committee meeting as circulated.

Condominium
 Governance and
 Management:

AOUO Registrations

It was reported that as of October 31, 2019, 1,402 AOUOs have successfully registered.

Condominium Seminars and Symposium – CAI Hawaii "Almost Free Legal Advice" – October 10, 2019

Staff's evaluations of the seminar were distributed for informational purposes. Staff noted that the seminar was offered in a new unstructured format which turned out well. The audience responded with a wide range of questions.

Chair Lee asked whether the Commission is provided with the attendees' evaluations. Specialist Richelieu responded in the affirmative.

Case Law Review Program

The following case was distributed for informational purposes: Turtle Rock III Homeowners Association v. Fisher, Arizona, October 26, 2017.

Condominium
 Project
 Registration:

Condominium Project Registration - Public Reports Issued

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

PROJ #	PROJECT NAME	PROJECT ADDRESS	TMK #	UNIT	REPORT	DATE
8414	A.R.C. CONDOMINIUM	347 KAULANA RD KAPAA HI 96746	441001015	3	B REPT	10/22/2019
8423	BARRETTO CONDOMINIUM	4899 LANI RD KAPAA HI 96746	445016013	2	B REPT	10/28/2019
8080	KALAWAI GARDENS	4643-D PUUWAI RD KALAHEO HI 96741	424014014	4	B AMEND	10/24/2019
8406	KAMAU CONDOMINIUM	KAMAU RD HAIKU HI 96708	228004017	2	B AMEND	10/28/2019
8415	KAUHIKOA FARMS LOT 3-F CONDO	695 KAUAHEAHE PL HAIKU HI 96708	227008223	2	B REPT	10/28/2019
8400	LILIUOKALANI LANE	2477 LILIUOKALANI ST KILAUEA HI 96754	452020078	2	B REPT	10/22/2019
8425	LOKO MAIKA'I PLACE CONDOMINIUM	LOT 3-A KULAIKI KULA HI 96790	223070003	2	B REPT	10/21/2019
8420	LOT 3 MAKILA RANCHES PH II CONDO	LOT 3 MAKILA RANCHES - PHASE 2 LAHAINA HI 96761	247014003	3	B REPT	10/21/2019
8403	MTH CONDOMINIUM	1196 & 1200 EHU RD MAKAWAO HI 96768	224033002	2	B REPT	10/2/2019

8410	PALOLO LANDING	2117A-F PALOLO AVE HONOLULU HI 96816	134006002	6	B REPT	10/2/2019
5898	PARK PLAZA	1300 N HOLOPONO ST KIHEI HI 96753	222024008	26	B AMEND	10/16/2019
8157	PU'UNOA PARADISE CONDOMINIUM	LOT 13 PU'UNOA SUBDIVISION LAHAINA HI 96761	247003030	3	B AMEND	10/7/2019
4545	PUNAWAI CONDOMINIUM	UHA RD LAWAI KOLOA HI 96756	425006013	6	SUPPL	10/23/2019
7965	TIERRA BONITA CONDOMINIUM	6130 OLOHENA ROAD KAPAA HI 96746	444003004	3	B AMEND	10/24/2019
8413	TURNER CONDOMINIUM	99-139 A-D NAPUANANI RD AIEA HI 96701	199009087	5	B REPT	10/9/2019
0	Preliminary Reports					
0	Contingent Final Reports					
0	Final Reports					
1	Supplementary Reports					
9	B Reports					
5	B Amendment Reports					
15	TOTAL REPORTS					

Condominium Project Registration Reminders – REC Memorandum 2019-3, October 22, 2019

REC Memorandum 2019-3 has been posted on the Commission's website at www.hawaii.gov/hirec. The memorandum issued is a form of education to developers contemplating "nested condominiums" and encourages developers to contact the Commission prior to submitting a developer's public report for a nested condominium so the developer can fully address the Commission's concerns in their submission.

It was noted that there has only been 1 nested condominium registered that has passed the consumer protection concerns of the Commission.

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

CAI Hawaii – "Almost Free Legal Advice" – Honolulu – October 10, 2019 – a written report of staff's educational outreach at CAI Hawaii's seminar was submitted by Specialist Sides for the Commission's information.

Kauai Board of Realtors® Tech Expo – Kauai – Staff participated in KBR's Tech Expo on October 29th and provided condominium educational outreach to those in attendance.

Condorama VI - The Commission along with CAI Hawaii will present Condorama VI on November 9, 2019, at the State Capitol Auditorium. Speakers and topics are as follows:

- Effective Participation in the Legislative Process - Act 282 (2019), the "Nonjudicial Foreclosure Bill", A Case Study; Gordon M. Arakaki, Esq.
- Legal Issues Relating to Board Meetings; John A. Morris, Esq.
- Parliamentary Procedure and Best Practices for Owners and Boards at Board Meetings; Rachel Glanstein, PRP.

Rulemaking, Chapter 119

It was announced that the proposed rules for Chapters 119.1 through 119.8 will be entering step 2 for the Department's rulemaking procedures for review by the Office of the Attorney General.

Legislative Acts and Resolutions

An unofficial copy of Chapter 514A has been posted to the Commission's website at www.hawaii.gov/hirec. The Real Estate Branch copy is currently the only available source as the Legislative Reference Bureau will not post as they consider the law repealed.

The updated chapter 514B will be posted to the Commission's website soon.

Condominium Speakership Program

Title Guaranty Educational Session – Kauai – September 11, 2019 –staff provided a copy of Mr. Chun's handout on Pitfalls that Delay Condominium Conversions for informational purposes.

Hawaii State Bar Association – 2019 Bar Convention – Honolulu – Oct. 11, 2019 – Specialists Richelieu and Choy were speakers at the Real Property & Financial Section CLE Seminar presenting on condominium law update for real property attorneys. Commissioner Love commented that it was a good program and that many of the attorneys were unaware of the Chapter 514A sunset.

Condominium
Organizations Forum:

No comments, recommendations, or concerns were received.

Next Meeting:

December 11, 2019
Upon adjournment of the Laws and Rules Review Committee meeting scheduled to convene at 9:00 a.m.
Queen Liliuokalani Conference Room
King Kalakaua Building
335 Merchant Street, First Floor
Honolulu, Hawaii

Adjournment:

With no further business to discuss, the Chair adjourned the meeting at 10:48 a.m.

Respectfully submitted:

/s/ Carole R. Richelieu

Carole R. Richelieu
Senior Condominium Specialist

November 8, 2019

Date

Minutes approved as is.
 Minutes approved with changes; see minutes of _____

CRR:tn/