

**EDUCATION 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 Lieutenant Governor's Office as required by Section 92-7(b), Hawaii Revised Statutes.

Date: October 9, 2019

Time: Upon adjournment of the Condominium Review Committee meeting, which is upon adjournment of the Laws and Rules Review Committee meeting, which convened at 9:00 a.m.

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

Present: Russell Kyono, Vice Chair / Broker / Kauai Commissioner  
Scott Arakaki, Public Member / Honolulu Commissioner  
Aleta Klein, Broker / Honolulu Commissioner  
John Love, Public Member / Honolulu Commissioner  
Laurie A. Lee, Broker / Honolulu Commissioner  
Sean Ginoza, Broker / Hawaii Island Commissioner  
Derrick Yamane, Broker / Interim Honolulu Commissioner

Miles Ino, Executive Officer  
Diane Choy Fujimura, Senior Real Estate Specialist  
Amy Endo, Real Estate Specialist  
David J. Grupen, Real Estate Specialist  
Carole Richelieu, Senior Condominium Specialist  
Benedyne Stone, Condominium Specialist  
Lorie Sides, Condominium Education Specialist  
Dathan Choy, Condominium Specialist  
Shari Wong, Deputy Attorney General  
Dorothy Aquino, Recording Secretary

Others: Chatney Higa-French, Hawaii Association of Realtors®  
Ethel Keyes, Hawaii Association of Realtors®  
Bryan Andaya, Eddie Flores Real Estate Continuing Education

Absent: Bruce Faulkner, Chair / Broker / Maui Commissioner  
Michael Pang, Broker / Honolulu Commissioner

Call to Order: The Vice Chair called the meeting to order at 10:26 a.m., at which time quorum was established.

Chair's Report: No reports were presented.

The Vice Chair stated the Committee 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 to consult with the Board's attorney on questions and issues pertaining to the Board's powers, duties, privileges, immunities, and liabilities in accordance with section 92-5(a)(4), HRS.

Commissioner Pang and Commissioner Faulkner were excused from the meeting. Prior notification of their non-attendance was received.

Real Estate  
Specialist's Report:

Minutes of Previous Meeting

Upon a motion by Commissioner Ginoza, seconded by Commissioner Yamane, it was voted on and unanimously carried to accept the minutes of the September 11, 2019 Education Review Committee meeting.

Continuing Education: Administrative Issues

**2019 - 2020 Continuing Education Providers and Courses Ratification List**

Upon a motion by Commission Ginoza, seconded by Commissioner Lee, it was voted on and unanimously carried to ratify the following:

<u>Registration/Certification</u>	<u>Effective Date</u>
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**Course(s)**

"Communication is the Key" (Online) (3 credits) (Celine Nelsen)	09/10/2019
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"J-Biz Protocol" (3 credits) (Ken Kiyohara)	09/30/2019
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Applications

**Course – "2019 Hawai'i Residential Landlord-Tenant Law Review & Update"; Author/Owner – Scott C. Arakaki, Esq.; Provider - Eddie Flores Real Estate Continuing Education; Course Category - Other – Landlord Tenant Code and related laws; Clock Hours: 3**

Commissioner Arakaki recused himself from discussion and decision making.

Mr. Brian Andaya was present to answer any questions the committee may have.

Mr. Andaya noted a correction on page 20, regarding HRS §521-39 where medical marijuana is now known as "medical cannabis".

Mr. Andaya stated the course is a basic four-part course which covers Hawaii's Residential Landlord-Tenant Code including Chapter 515, "Discrimination in Real Property Transactions", residential leases, law update and the eviction process.

Commissioner Klein asked if the student sees the answers to the test questions when the questions are given in class.

Mr. Andaya commented he incorporates polling with his classes. The students will use their phone and text their answer to a polling service and get real-time class responses. For every question the student answers, feedback is provided. Mr. Andaya's idea for polling came from the last IDW workshop sponsored by the Commission.

Commissioner Lee and Executive Officer Ino commented to proofread the course material for typos and grammatical errors.

Vice Chair Kyono suggested emphasizing security deposits in the course.

Commissioner Lee moved to approve "2019 Hawai'i Residential Landlord-Tenant Law Review & Update " as a 3 - credit hour continuing education elective course, under the course categories Other – Landlord Tenant Code and related laws, subject to incorporating suggestions given by the committee. Commissioner Klein seconded the motion. The motion was voted on and unanimously carried.

**Course – "Trusts and Real Estate for Real Estate Professionals: In Trusts We Trust? (2019)"; Author/Owner: Bryan Andaya; Provider – Eddie Flores Real Estate Continuing Education; Course Categories: Real Estate Law, Other: The role of Trusts, Estate Planning in the practice of real estate; Clock Hours: 3**

Commissioner Arakaki recused himself from discussion and decision making.

Mr. Brian Andaya was present to answer any questions the committee may have.

Mr. Andaya stated there are not many elective courses available regarding trusts. This course for the agent is simple and easy to understand. The trust is a legal abstract and agents will learn potential issues and may then make appropriate referrals to their clients.

Executive Officer Ino asked if the course materials may be used as a reference guide for the students, and will he have classroom discussion on the course materials due to the amount of information given.

Mr. Andaya commented he uses hypothetical examples in his class, which generate good discussions. The materials are also the basis of the online version of the course.

Upon a motion by Commissioner Lee, seconded by Commissioner Klein, it was voted on and unanimously carried to approve "Trusts and Real Estate for Real Estate Professionals: In Trusts We Trust? (2019)" as a 3 - credit hour continuing education course, under the course categories Real Estate Law, Other: The role of Trusts, Estate Planning in the practice of real estate.

Commissioner Arakaki returned to the meeting.

Prelicense Education: Application

**Instructor – Lori Lynn Winterhalter; Excellence in Education LLC dba Maui Real Estate School; Salesperson and Broker Curricula; Eva Bondar – Principal**

Senior Real Estate Specialist Fujimura reported to the committee Ms. Winterhalter is scheduled to take the Real Estate Instructor exam and needs to pass the exam to start teaching.

Commissioner Ginoza asked, "Doesn't the applicant need to pass the exam to complete her application?"

Senior Real Estate Specialist Fujimura stated Ms. Winterhalter has been informed that until she submits the PSI passing results for the instructor exam, she will not be able to teach.

Commissioner Arakaki moved to approve "Lori Lynn Winterhalter; Excellence in Education LLC dba Maui Real Estate School; Salesperson and Broker Curricula " as an instructor, subject to passing the PSI Instructor Exam. Commissioner Ginoza seconded the motion. The motion was voted on and unanimously carried.

Administration of Examinations:

PSI

**Licensing Examination Statistics – September 2019**

Examination statistics for September 2019 were distributed to the Commissioners for their information.

**School Pass/Fail Rates – September 2019**

School pass/fail rate statistics for September 2019 were distributed to the Commissioners for their information.

**School Summary by Test Category – September 2019**

Copies of the September 2019 test category summary reports, by school, were distributed to the Commissioners for their information.

Exam Monitoring

The committee acknowledged receipt of the PSI Hawaii Real Estate Educator's Forum report which was held on August 15, 2019 at the Prince Waikiki Hotel from 10:00 a.m. to 12:30 p.m. for the approved Prelicense Education Schools.

Real Estate Specialist Endo stated PSI holds a Real Estate Educator's Forum every year. A PSI update is given to all the Prelicense Schools, and the schools have the opportunity to express their concerns and questions related to PSI. PSI updated the schools on the November 2018 national exam portion and will implement a website for the schools to view their pass/fail rate reports. Also, there was discussion on whether the two-year period expiration date on the school completion certificate may be too long, and possibly changing the expiration period to a time frame less than two years.

Program of Work: Annual Report, Quarterly Bulletin, and School Files

Senior Specialist Fujimura reported that the October 2019 *School Files* was distributed, and a copy will be made available on the Commission's website: [www.hawaii.gov/hirec](http://www.hawaii.gov/hirec).

Real Estate Specialists' Office for the Day & Neighbor Island Outreach

The committee acknowledged receipt of the Real Estate Specialists' Office for the Day & Neighbor Island Outreach Report for September 11, 2019 submitted by Senior Condominium Specialist Richelieu and Senior Real Estate Specialist Fujimura.

Next Meeting: Wednesday, November 6, 2019  
Upon adjournment of the Condominium Review Committee Meeting, which is upon adjournment of the Laws and Rules Review Committee meeting, which convenes 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, Vice Chair Kyono adjourned the meeting at 10:47 a.m.

Reviewed and approved by:

/s/Diane Choy Fujimura

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Diane Choy Fujimura  
Senior Real Estate Specialist

October 11, 2019

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Date

[ X ] Minutes approved as is.  
[ ] Minutes approved with changes, see minutes of \_\_\_\_\_