

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

Date: May 8, 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: Bruce Faulkner, Chair / Broker / Maui 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
Russell Kyono, Broker / Kauai Commissioner

Neil K. Fujitani, Supervising Executive Officer
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 Pacheco, Honolulu Board of REALTORS®
Ethel Keyes, Honolulu Board of REALTORS®
James Stone Jr., West Hawaii Association of REALTORS®
Jeremy Robinson

Absent: Aileen Wada, Vice Chair, Broker / Honolulu Commissioner
Michael Pang, Broker / Honolulu Commissioner

Call to Order: The Chair called the meeting to order at 9:37 a.m., at which time quorum was established.

Chair's Report: No reports were presented.

The 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.

Commissioners Pang and Wada 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 Lee, seconded by Commissioner Kyono, it was voted on and unanimously carried to accept the minutes of the April 17, 2019, Education Review Committee meeting.

Continuing Education: Administrative Issues

2019-2020 Continuing Education Providers and Courses Ratification List

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

<u>Registration/Certification</u>	<u>Effective Date</u>
Course(s)	
"What Home Inspectors Look for in Appliances and Home Safety" (3 credits) (Preferred Systems, Inc.)	04/01/2019
"NARPM Code of Ethics" (3 credits) (Hawaii Association of REALTORS®/National)	04/04/2019
"Professionalism: Part One" (3 credits) (James M.K. Stone, Jr.)	04/10/2019
"Finance: Cash Flow Analysis" (6 credits) (Hawaii Association of REALTORS®/National)	04/11/2019

Applications

**Course – "Professionalism, Part Two: The New Purchase Contract;"
Author/Owner: James M.K. Stone Jr.; Provider: West Hawaii Association of REALTORS®; Course Categories: Contracts, Real Estate Law, Risk Management;
Clock Hours: 3**

Mr. James Stone was present to answer any questions the committee may have.

Mr. Stone stated that what underpins every transaction is the purchase contract.

Mr. Stone shared how the course focuses on the importance of changes made to the HAR purchase contracts. The course will cover the basic concepts of a purchase contract, the important changes made in the HAR purchase contract, and Purchase Contract provisions. Mr. Stone stated the importance of changes made in the Purchase

Contract regarding the Default Terminations Provisions and the deadlines of a scheduled closing date. Also, provided real-life experience regarding the various provisions and a 10-point outline of helpful tips for a purchase contract.

Commissioner Lee asked Mr. Stone when the course is scheduled for West Hawaii Association of REALTORS® in Kona. Mr. Stone responded the 3 or 4th week of July.

No schedule with Honolulu Board of REALTORS® has been set.

Upon a motion by Commissioner Klein, seconded by Commissioner Arakaki, it was voted on and unanimously carried to approve "Professionalism, Part Two: The New Purchase Contract" as a 3-credit hour continuing education course, under the course categories contracts, real estate law, and risk management.

Provider – Real Estate School Hawaii LLC; Administrator: Trudy Nishihara

Commissioner Klein verified a "yes" response under 7A item 3 with no explanation attached. The information about the prior RICO complaint and warning letter is included with the Real Estate School Hawaii, LLC application.

Upon a motion by Commissioner Kyono, seconded by Commissioner Klein it was voted on and unanimously carried to approve "Real Estate School Hawaii, LLC" as a Continuing Education Provider.

Prelicensure Education: Administrative Issues

Administrative Issues – 2019-2020 Prelicensing Education Schools, Courses, Instructors Ratification List

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

<u>Registration/Certification</u>	<u>Effective Date</u>
School(s)	
Maui Real Estate Academy, LLC, dba Hawaii Real Estate Academy	04/25/2019
Instructor(s)	
Lisa Teichner	04/24/2019

Applications

School – Excellence in Education LLC dba Maui Real Estate School; Principal: Eva Bondar; Broker Curriculum – add; Classroom

Upon a motion by Commissioner Kyono, seconded by Commissioner Lee, it was voted on and unanimously carried to approve "Excellence in Education, LLC dba Maui Real Estate School" as prelicense education school.

**School – Real Estate School Hawaii LLC; Principal: Trudy Nishihara;
Salesperson and Broker Curricula; Classroom**

Upon a motion by Commissioner Ginoza, seconded by Commissioner Kyono, it was voted on and unanimously carried to approve "Real Estate School Hawaii, LLC" as a prelicense education school.

Administration of
Examinations:

PSI

Licensing Examination Statistics – April 2019

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

School Pass/Fail Rates – April 2019

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

School Summary by Test Category – April 2019

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

Jeremy Robinson – Salesperson Candidate

Mr. Jeremy Robinson was present and was asked if he wished to have his real estate salesperson examination considered in executive session. He accepted the offer.

Executive Session:

Upon a motion by Commissioner Arakaki, seconded by Commissioner Klein, 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 pursuant to 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 Arakaki, seconded by Commissioner Ginoza, it was voted on and unanimously carried to move out of executive session.

Upon a motion by Commissioner Arakaki, seconded by Commissioner Kyono, it was voted on and unanimously carried to recommend issuance of a Commission's Proposed Final Order to bar Jeremy Robinson from taking any Hawaii real estate licensing exam for a period of one year, and strongly recommend that he take a LIVE prelicensing course.

Program of Work:

Annual Report, Quarterly Bulletin, and School Files

Senior Specialist Fujimura reported that the May 2019 Bulletin will be distributed shortly, and a copy will be made available on the Commission's website: www.hawaii.gov/hirec.

Next Meeting: Wednesday, June 12, 2019
Upon adjournment of the Condominium Review Committee Meeting, which is upon adjournment of the Laws and Rules Review Committee meeting, which convenes at 9:30 a.m.
West Hawaii Association of REALTORS®
75-5995 Kuakini Highway, #221
Kailua-Kona, HI 96740

Adjournment: With no further business to discuss, Chair Faulkner adjourned the meeting at 10:22 a.m.

Reviewed and approved by:

/s/Miles Ino

Miles Ino
Executive Officer

May 16, 2019

Date

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