

**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: February 14, 2018

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: Rowena Cobb, Chair / Broker / Kauai Commissioner  
Aileen Wada, Vice Chair, Broker / Honolulu Commissioner  
Bruce Faulkner, Broker / Maui Commissioner  
Scott Arakaki, Public Member / Honolulu Commissioner  
Nikki Senter, Public Member / Honolulu Commissioner  
Laurie A. Lee, Broker / Honolulu Commissioner  
Sean Ginoza, Broker / Hawaii Island Commissioner

Neil K. Fujitani, Supervising Executive Officer  
Miles Ino, Executive Officer  
Diane Choy Fujimura, Senior Real Estate Specialist  
Amy Endo, Real Estate Specialist  
Carole Richelieu, Senior Condominium Specialist  
Dathan Choy, Condominium Specialist  
Shari Wong, Deputy Attorney General  
Dorothy Aquino, Recording Secretary

Others: Rayann E. Chavez, WSB/Abe Lee  
Benjamin Yeung, WSB/Abe Lee

Absent: Michael Pang, Broker / Honolulu Commissioner  
Aleta Klein, Broker / Honolulu Commissioner

Call to Order: The Chair called the meeting to order at 10:15 a.m., at which time quorum was established.

Chair's Report: 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.

Commissioner Pang and Commissioner Klein 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 Ginoza, it was voted on and unanimously carried to accept the minutes of the January 10, 2018, Education Review Committee meeting.

Continuing Education: Administrative Issues

### **2017-2018 Continuing Education Providers and Courses Ratification List**

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

<u>Registration/Certification</u>	<u>Effective Date</u>
<b>Course(s)</b>	
"Millionaire Marketing on a Shoestring Budget" (3 credits) (Debra Jason)	1/3/2018
"e-Pro Day 1" (6 credits) (ARELLO/The CE Shop, Inc.)	1/26/2018
"e-Pro Day 2" (6 credits) (ARELLO/The CE Shop, Inc.)	1/26/2018

#### Applications

**Course – "Financial Education Workshops for Real Estate Agents"; Author/Owner: Benjamin Yeung; Provider: Abe Lee Seminars.; Course Category: Finance; Clock Hours: 6**

Mr. Yeung and Ms. Chavez were present to answer any questions the committee may have. Mr. Yeung informed the committee, he and Ms. Chavez are licensed in the financial industry. Mr. Yeung's goal is to educate the real estate agents with tools and basic financial knowledge to help guide the consumers when purchasing a home.

Commissioner Lee questioned Mr. Yeung if he is looking for business through the real estate agents to help with his financial company. Mr. Yeung commented they are not soliciting, if a student approaches and asks for advice with financial planning the service may be provided.

Commissioner Wada commented the bank requires financial information from the consumers before a loan is given and agrees a lot of agents don't know how to manage their finances.

Ms. Chavez commented taking the course will help the agent manage their own finances and assist their clients when purchasing a home.

Commissioner Faulkner commented income in real estate fluctuates throughout the year. The course does not prepare the agent to save income for the future.

Executive Officer Ino stated clients may not be willing to share their income information with their agents. Ms. Chavez commented approaching the client with knowledge and education will help the client to open up regarding their finances.

Commissioner Senter asked what the introduction would be for the course and asked how the purpose of the course would be presented. Mr. Yeung responded the agents will learn how to manage their income and plan for retirement, as well as how to accumulate emergency funds.

Mr. Yeung commented the course has been offered to other companies and schools with no soliciting. Their company, World System Builders is a part of Trans America, a national company.

Commissioner Senter questioned if the course is offered in other jurisdictions for real estate continuing education? Mr. Yeung commented there are workshops held in the US and Canada, but not as a real estate continuing education course.

Upon motion by Commissioner Wada, seconded by Commissioner Senter, it was voted on and unanimously carried to take the matter under advisement.

**Course – "Complex Title Matters, Part Two"; Author/Owner: Suzette Nasser; Provider: TBD; Course Categories: Property Ownership and Development, Other – Recognizing red flags in title report; Clock Hours: 3**

Commissioner Senter suggested including in the "Encumbrance Challenges" section, private recorded encumbrances, and other encumbrances which may be contained in the declaration documents.

Upon a motion by Commissioner Wada, seconded by Commissioner Arakaki, it was voted on and unanimously carried to approve "Complex Title Matters, Part Two" as a three-credit hour continuing education course, under the course categories Property Ownership and Development, Other – Recognizing red flags in title report; subject to including in the "Encumbrance Challenges" section, a brief discussion of private, recorded encumbrances, which may be noted in declaration documents, e.g. private, shared roadways.

**Provider – OnCourse Learning Corporation dba OnCourse Learning Real Estate; Administrator – Dana Taulli**

Senior Real Estate Specialist Fujimura informed the committee the provider changed their name from ProShools Inc and Career WebSchools to OnCourse Learning Corporation dba OnCourse Learning Real Estate.

Upon a motion by Commissioner Wada, seconded by Commissioner Arakaki, it was voted on and unanimously carried to approve "OnCourse Learning Corporation dba OnCourse Learning Real Estate" as a Continuing Education Provider.

#### Evaluation and Education Program

#### **Continuing Education Instructor and Course Evaluation Committee**

A report of the January 22, 2018 meeting was distributed.

Senior Real Estate Specialist Fujimura informed the committee the draft evaluation form for CE Instructors and Courses is ready and will be "tested" by Hawaii Island REALTORS®. The on-line course criteria and evaluation form is also ready for use.

Senior Real Estate Specialist Fujimura informed the committee the impact of the new online CE course requirements may affect primarily the local CE providers/instructors who will no longer be able to video tape themselves to create an online CE course. All evaluations must be completed by the licensee for each course. The CE provider is to retain the course records up to four years according to Hawaii Administrative Rules.

Senior Real Estate Specialist Fujimura stated the new evaluation forms and the new online CE course requirements information will be posted in the upcoming April 2018 School Files and the May 2018 Real Estate Commission Bulletin.

Upon a motion by Commissioner Wada, seconded by Commissioner Ginoza, it was voted on and unanimously carried to accept the report of the January 22, 2018 Continuing Education Instructor and Course Evaluation Committee meeting.

Prelicense Education: Administrative Issues

School(s)

**OnCourse Learning Corporation dba OnCourse Learning Real Estate; Principal -Brian Sholly**

Senior Real Estate Specialist Fujimura informed the committee ProSchools, Inc. changed their name to OnCourse Learning Corporation dba OnCourse Learning Real Estate.

Upon a motion by Commissioner Ginoza, seconded by Commissioner Wada, it was voted on and unanimously carried to approve "OnCourse Learning Corporation dba OnCourse Learning Real Estate" as a Prelicense School.

**OnCourse Learning Corporation dba OnCourse Learning Real Estate: Prelicense Independent Study/Online Course, Salespersons and Brokers; Principal – Brian Sholly**

Senior Real Estate Specialist Fujimura informed the committee ProSchools, Inc. changed their name to OnCourse Learning Corporation dba OnCourse Learning Real Estate.

Upon a motion by Commissioner Ginoza, seconded by Commissioner Wada, it was voted on and unanimously carried to approve "OnCourse Learning Corporation dba OnCourse Learning Real Estate" as a Prelicense School offering independent study online prelicense courses for salespersons and brokers.

Administration of Examinations:

PSI

**Licensing Examination Statistics – January 2018**

Examination statistics for January 2018 were distributed to the Commissioners for their information.

**School Pass/Fail Rates – January 2018**

School pass/fail rate statistics for January 2018 were distributed to the Commissioners for their information.

### **School Summary by Test Category – January 2018**

Program of Work: Copies of the January 2018 test category summary reports, by school, were distributed to the Commissioners for their information.  
Annual Report, Quarterly Bulletin, and School Files

Senior Specialist Fujimura reported that the February 2018 *Bulletin* will be distributed shortly and a copy will be made available on the Commission's website: [www.hawaii.gov/hirec](http://www.hawaii.gov/hirec).

#### Neighbor Island Outreach

A report of the January 10, 2018 Commission Committee meetings was distributed.

#### Real Estate Specialists' Office for the Day

A report of the January 10, 2018 Commission Committee meetings was distributed.

#### Ad Hoc Committee on Education (ACE)

A report of the January 31, 2018 Commission Committee meetings was distributed.

Senior Real Estate Specialist Fujimura raised concerns regarding instructors who may teach Core B 2017-2018 Agency-Dual Agency in an unacceptable way. A suggestion was proposed to offer the course on-line only to avoid personal input by instructors. The ERC recommended the course be available in both live and online formats. The ERC also stated the instructors for Core B 2017 – 2018 must adhere to the instructor's manual to teach Core B.

Senior Real Estate Specialist Fujimura reported the Hawaii Real Estate School Pass-Fail rates will be published in the April 2018 issue of School Files, and include the time frames 1/1/2016 – 12/31/2017 and 2018 quarterly statistics on a rolling basis.

Upon a motion by Commissioner Senter, seconded by Commissioner Faulkner, it was voted on and unanimously carried to accept the ACE report of January 31, 2018 meeting.

Budget and Finance  
Report:

#### Real Estate Education Fund

Upon a motion by Commissioner Lee, seconded by Commissioner Wada, it was voted on and unanimously carried to accept the Real Estate Education Fund report for the fiscal year ending September 30, 2017.

Executive Session:

Upon a motion by Commissioner Lee, seconded by Commissioner Ginoza, 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 Faulkner, seconded by Commissioner Wada, it was voted on and unanimously carried to move out of executive session.

Upon a motion by Commissioner Senter, seconded by Commissioner Ginoza, it was voted on and carried to deny "Financial Education Workshops for Real Estate Agents" as a 6-credit hour continuing education course, under the course categories Finance. Commissioner Senter stated, "The course appears to be a self-improvement course and did not meet the definition of continuing education." The ERC stated that the course did not appear to be for the purpose of benefitting the consumer/client and did not meet the definition of "continuing education" (see Hawaii Administrative Rules ("HAR") §16-99-101(7) as defined in Hawaii Administrative Rules ("HAR") §16-99-87, "...elective courses that involve areas designed to improve a licensee's competency or professional standards and practice, and which courses are determined by the commission to exceed minimum entry level competency in the subject matter of the course, including consumer protection in real estate transactions." Commissioner Arakaki abstained.

Next Meeting: Wednesday, March 14, 2018  
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, Chair Cobb adjourned the meeting at 11:24 a.m.

Reviewed and approved by:

/s/Diane Choy Fujimura

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Diane Choy Fujimura  
Senior Real Estate Specialist

February 23, 2018

\_\_\_\_\_  
Date

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