

**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 10, 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: Bruce Faulkner, Chair / Broker / Kauai Commissioner  
Aileen Wada, Vice Chair, Broker / Honolulu Commissioner  
Scott Arakaki, Public Member / 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, Hawaii Association of Realtors®  
Ethel Keyes, Hawaii Association of Realtors®

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

Call to Order: The Chair called the meeting to order at 9:48 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 Klein were excused from the meeting. Prior notification of his/her non-attendance was received.

Real Estate  
Specialist's Report:

Minutes of Previous Meeting

Upon a motion by Commissioner Lee, seconded by Commissioner Wada, it was voted on and unanimously carried to accept the minutes of the August 8, 2018, Education Review Committee meeting.

Continuing Education: Administrative Issues

**2018-2019 Continuing Education Providers and Courses Ratification List**

Upon a motion by Commission Lee, seconded by Commissioner Ginoza, it was voted on and unanimously carried to ratify the following for September 12, 2018:

<u>Registration/Certification</u>	<u>Effective Date</u>
<b>Provider(s)</b>	
"Hawaii Association of REALTORS"	01/01/2019
<b>Course(s)</b>	
"Hawaii 8 Hour Elective" Property Management: (8 credits) (At Your Pace Online, LLC/ARELLO)	08/07/2018
"Concepts in Appraising Green Residential Buildings" (3 credits) (OnCourse Learning Corp, dba OnCourse Learning Real Estate/ARELLO)	08/20/2018

Upon a motion by Commission Lee, seconded by Commissioner Wada, it was voted on and unanimously carried to ratify the following for October 10, 2018:

<u>Registration/Certification</u>	<u>Effective Date</u>
<b>Provider(s)</b>	
"Investment Property Exchange Services, Inc."	09/14/2018
"Ralph Foulger's School of Real Estate"	09/18/2018
<b>Course(s)</b>	
"A Real Estate Licensee's Responsibilities During Escrow" (3 credits) (Marion Haller)	01/01/2019

"Advanced 1031 Exchanges" (3 credits) (Investment Property Exchange Services, Inc.)	09/14/2018
"Ethics: Disclosure and Cooperation" (4 credits) (Ralph Foulger's School of Real Estate)	09/18/2018
"Real Estate Law" (4 credits) (Ralph Foulger's School of Real Estate)	09/18/2018
"Basic Real Estate Finance" (6 credits) (Ralph Foulger's School of Real Estate)	09/18/2018
"Commercial Leases" (6 credits) (Ralph Foulger's School of Real Estate)	09/18/2018
"Tax Advantages of Home Ownership" (6 credits) (Ralph Foulger's School of Real Estate)	09/18/2018

Applications

**Applications – Course – "Trust It! A land trust course to inspire the new real estate advisor"; Author/Owner: Saul Lerner, Ph.D., LL.M; Provider: Abe Lee Seminars; Course Categories: Contracts, Investment, Real Estate Law, Property Ownership and Development; Clock Hours: 3**

Executive Session: Upon a motion by Commissioner Arakaki, 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 Arakaki, seconded by Commissioner Kyono, it was voted on and unanimously carried to move out of executive session.

Upon motion by Commissioner Love, seconded by Commissioner Arakaki it was voted on and unanimously carried to defer, "TRUST-IT! A land trust course to inspire the new real estate advisor" as a 3-credit hour continuing education elective course, under the course categories Contracts, Investment, Real Estate Law, Property Ownership and Development, subject to the following recommendations:

- 1) Remove any promotional reference which is prohibited in Hawaii Administrative Rules (HAR) §16-99-101(4).
- 2) Review the total number of minutes for the course.
- 3) Include the Real Estate Commission disclaimer (pending approval)
- 4) Simplify the course for real estate licensees using general and basic concepts of land trusts

**Provider – Build It Green; School Administrator – Christopher Becker**

Upon a motion by Commissioner Ginoza, seconded by Commissioner Kyono, it was voted on and unanimously carried to approve, Build It Green: as a continuing education provider.

**Course – "Green Day 1: The Resource-Efficient Homes – Retrofits, Remodels, Renovations, and New Home Construction"; Author/Owner: John Shipman; Provider: Build it Green – pending; Course Categories: Investment, Property Management, Property Ownership and Development, Technology and the Licensee; Clock Hours: 6**

Commissioner Faulkner requested clarification between the clock hours and credit hours for the course.

Commissioner Lee requested that references be made to Hawaii's standards of home resource efficiency.

Commissioner Faulkner noted the course appears to be an NAR designation course, which should be disclosed to potential students.

Commissioner Lee moved to approve "Green Day 1: The Resource-Efficient Homes – Retrofits, Remodels, Renovations, and New Home Construction" as a 6 credit hours continuing education elective course, under the course categories Investment, Property Management, Property Ownership and Development, Technology and the Licensee, subject to review clock hours and credit hours difference, include references made to Hawaii standard home resources, and to include NAR disclosure regarding NAR designation. Commissioner Love seconded the motion. The motion was voted on and unanimously carried.

**Course – "Green Day 2: Representing Buyers and Sellers - Resource-Efficient Homes NAR's Green Designation"; Author/Owner: John Shipman; Provider: Build It Green – pending; Course Categories: Investment, Technology and the Licensee; Broker Management; Clock Hours: 6**

The same concerns noted above for – "Green Day 1: The Resource Efficient Homes – Retrofits, Remodels, Renovations, and New Home Construction" are also applicable to – "Green Day 2: Representing Buyers and Sellers - Resource-Efficient Homes NAR's Green Designation".

Commissioner Lee moved to approve "Green Day 2: Representing Buyers and Sellers - Resource-Efficient Homes NAR's Green Designation" as a 6 credit hour continuing education elective course, under the course categories Investment, Technology and the Licensee; Broker Management, subject to review clock hours and credit hours difference, include references made to Hawaii standard home resources, and to include NAR disclosure regarding NAR designation. Commissioner Ginoza seconded the motion. The motion was voted on and unanimously carried.

Continuing Education Core Course – 2019-2020 Core Course Topics

2019-2020 Core Course topics – Core Course, Part A, "Laws that Affect Your Real Estate Practice" and Core Course, Part B, "Principal Brokers and Brokers-in-Charge" - "Do You Know, Do You Care?" or "The Buck Stops Here!"

Condominium Specialist Stone suggested including HRS Chapter 514B for Core A with simple concepts such as, "What is a Condo", etc.

Commissioner Arakaki suggested including a discussion of teams in light of the current laws and rules, along with common mistakes made in advertising.

Upon a motion by Commissioner Ginoza, seconded by Commissioner Lee, it was voted on and unanimously carried to approve "2019-2020 Core Course Topics."

Administration of  
Examinations:

PSI

**Licensing Examination Statistics – August and September 2018**

Examination statistics for August and September 2018 were distributed to the Commissioners for their information.

**School Pass/Fail Rates – August and September 2018**

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

**School Summary by Test Category – August and September 2018**

Copies of the August and September 2018 test category summary reports, by school, were distributed to the Commissioners for their information.

Examination Contract – Exam Contract Award

A copy of Notice of Award was distributed to the Commissioners for their information.

Senior Real Estate Specialist Fujimura informed the Commission PSI is our current test administrator and we will be continuing with PSI.

Real Estate Specialist Endo informed the Commissioners the award is a new 5-year contract with an option to extend for another 5 years.

Program of Work:

Annual Report, Quarterly Bulletin, and School Files

Senior Specialist Fujimura reported that the October 2018 issues of School Files were distributed, and a copy will be made available on the Commission's website: [www.hawaii.gov/hirec](http://www.hawaii.gov/hirec).

Budget and Finance  
Report:

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 period ending June 30, 2018.

Next Meeting: Wednesday, November 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 Faulkner adjourned the meeting at 10:36 a.m.

Reviewed and approved by:

/s/ Diane Choy Fujimura

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Diane Choy Fujimura  
Senior Real Estate Specialist

October 19, 2018

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Date

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Minutes approved as is.

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Minutes approved with changes, see minutes of \_\_\_\_\_

DCF:da10/19/18