

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: May 17, 2019

Time: 9:00 a.m.

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

Present: Michael Pang, Chair, Broker/Honolulu Commissioner
Bruce Faulkner, Broker/Maui Commissioner
Sean Ginoza, Broker/Hawaii Island Commissioner
Aleta Klein, Broker/Honolulu Commissioner
Laurie A. Lee, Broker/Honolulu Commissioner
John Love, Public Member/Honolulu Commissioner
Russell Kyono, Broker/Kauai Commissioner
Aileen Wada, Broker/Honolulu Commissioner

Miles Ino, Executive Officer
Diane Choy Fujimura, Senior Real Estate Specialist
Amy Endo, Real Estate Specialist
David Grupen, Real Estate Specialist
Carole Richelieu, Senior Condominium Specialist
Dathan Choy, Condominium Specialist
Lorie Sides, Condominium Specialist
Shari Wong, Deputy Attorney General
Kristen Kekoa-Nakasone, Recording Secretary

Others: Luigi Spinillo
Lei S. Fukumura, Esq.

Absent: Scott Arakaki, Vice Chair, Public Member/Honolulu Commissioner

Call to Order: The Chair called the meeting to order at 9:01 a.m., at which time quorum was established.

Chair's Report: 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.

Commissioner Arakaki was excused from the meeting. Prior notification of his non-attendance was received.

Executive Officer's Report: The Commission shall afford all interested persons an opportunity to submit data, views, or arguments, in writing, on any agenda item and shall provide all interested parties an opportunity to present oral testimony on an agenda item subject to the conditions set forth in section 16-99-83, HAR. The Commission may remove any person or persons, who willfully disrupt a meeting to prevent and compromise the conduct of the meeting in accordance with section 92-3, HRS.

Each speaker will be limited to a five-minute time period pursuant with section 16-99-83 (a)(5), HAR.

Additional Distribution

The following material was distributed prior to the start of the meeting:

4. Committees and Program of Work
 - a. Laws and Rules Review Committee – Real Estate Recovery Fund Report
 - b. Condominium Review Committee – Condominium Education Trust Fund Report
 - c. Education Review Committee – Real Estate Education Trust Fund 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 26, 2019 meeting.

Chair Pang announced he would be taking agenda items out of order for efficiency purposes.

Licensing –
Ratification:

Upon a motion by Commissioner Ginoza, seconded by Commissioner Faulkner, it was voted on and unanimously carried to ratify the May 17, 2019, Approved Applications List.

Chapter 91, HRS,
Adjudicatory
Matters:

The Chair called for a recess from the meeting at 9:08 a.m., to discuss and deliberate on the following adjudicatory matters, pursuant to Chapter 91, HRS:

In the Matter of the Real Estate License of Nancy Lam, also known as Nancy Au Lam: REC 2018-364-L

Upon a motion by Commissioner Wada, seconded by Commissioner Faulkner, it was voted on to approve the settlement agreement. Commissioners Wada, Faulkner, Ginoza, Kyono, Lee, Love and Pang voted aye. Commissioner Klein voted nay. The motion passed.

In the Matter of the Real Estate Broker License of Jill Y. Izuno: REC 2019-43-L

Upon a motion by Commissioner Faulkner, seconded by Commissioner Ginoza, it was voted on and unanimously carried to accept the settlement agreement.

In the Matter of the Real Estate License of Christine Terese Ajirogi: REC 2019-23-L

Upon a motion by Commissioner Wada, seconded by Commissioner Kyono, it was voted on and unanimously carried to accept the settlement agreement.

In the Matter of the Real Estate License of Donovan L. Bailey: REC 2019-28-L

Upon a motion by Commissioner Faulkner, seconded by Commissioner Wada, it was voted on and unanimously carried to accept the settlement agreement.

In the Matter of the Real Estate License of Grace M. Bunao: REC 2018-172-L

Upon a motion by Commissioner Wada, seconded by Commissioner Ginoza, it was voted on to approve the settlement agreement. Commissioners Wada, Ginoza, Faulkner, Kyono, Lee, Love and Pang voted aye. Commissioner Klein voted nay. The motion passed.

In the Matter of the Real Estate Broker's License of Viheart L. Smith also known as Vicky Smith: REC 2018-264-L

Upon a motion by Commissioner Ginoza, seconded by Commissioner Wada, it was voted on and unanimously carried to accept the settlement agreement.

In the Matter of the Real Estate Broker's License of Art Balmaceda a/k/a Arthur G. Balmaceda d/b/a A F Properties: REC 2018-237-L

Upon a motion by Commissioner Klein, seconded by Commissioner Kyono, it was voted on and unanimously carried to accept the settlement agreement.

Following the Commission's review, deliberation, and decisions in these matters, pursuant to Chapter 91, HRS, the Chair announced that the Commission was reconvening its scheduled meeting at 9:21 a.m.

Licensing –
Applications:

The Executive Officer informed the Commissioners that the information provided to the Commissioners is related only to the issue that is before the Commission for consideration. The other materials submitted are available for the Commissioners review should they desire to review it. If the applicants have an issue, which is personal in nature, they have the right to request that their application be considered in executive session.

Licensing –
Applications:

Luigi Joseph Spinillo

Mr. Spinillo was present and was asked if he wished to have his application for real estate salesperson considered in executive session. He accepted the offer.

Executive Session:

Upon a motion by Commissioner Faulkner, seconded by Commissioner Klein, it was voted on and unanimously carried to enter into executive session, pursuant to section 92-5(a)(8), HRS, "To deliberate or make a decision upon a matter that requires the consideration of information that must be kept confidential pursuant to a state or federal law, or a court order." 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 Lee, it was voted on and unanimously carried to move out of executive session.

Luigi Joseph Spinillo

After review of the information presented by the applicant, Commissioner Wada moved to approve the real estate salesperson's license of Luigi Joseph Spinillo. Commissioner Ginoza seconded the motion. The motion was voted on and unanimously carried.

Hai Van Schaeffer

After review of the information presented by the applicant, Commissioner Lee moved to most likely approve the real estate salesperson's license of Hai Van Schaeffer. Commissioner Love seconded the motion. Commissioners Lee, Love, Kyono and Wada voted aye. Commissioners Faulkner, Ginoza, Klein and Pang voted nay. The motion did not pass. The Commission deferred this matter to its June 28, 2019, meeting.

Anthony Nguyen

After review of the information presented by the applicant, Commissioner Klein moved to most likely approve the real estate salesperson's license of Anthony Nguyen. Commissioner Love seconded the motion. The motion was voted on and unanimously carried.

Jason Minoru Pascua

After review of the information presented by the applicant, Commissioner Ginoza moved to most likely deny the real estate salesperson's license of Jason Minoru Pascua. Commissioner Klein seconded the motion. Commissioners Ginoza, Klein, Lee and Pang voted aye. Commissioners Faulkner, Kyono, Love and Wada voted nay. The motion did not pass. The matter was deferred to the Real Estate Commission's June 28, 2019, meeting.

Committees and
Program of Work:

Laws and Rules Review Committee – upon Commission direction, staff evaluated the feasibility and impact of increasing the limits for claims against the real estate recovery fund and creating an easier path for smaller claims. Staff, along with the real estate recovery fund attorney, will meet with a representative from the Hawaii Supreme Court's Chief Justice's office to discuss possible resolutions. Staff recommends against refunding monies as an option as it is next to impossible to refund fees to all licensees who have paid into the fund at the time of licensure. Furthermore, staff pointed out that language in the Act apparently conflicts with existing statute 92-28, HRS.

Condominium Review Committee – upon Commission direction, staff evaluated the feasibility of creating a condominium board member college and a condominium managing agent's college. The Real Estate Branch currently offers many educational opportunities and resources for unit owners and the public. However, staff recognizes it could do more and recommends the Commission and the Branch work towards offering fully-subsidized informational workshops to condominium board members.

Education Review Committee – upon Commission direction, staff evaluated the real estate education fund budget, expenses, and fund balance to determine if a fee reduction is appropriate and financially feasible prior to the 2020 renewal. Executive Officer Ino informed the Commission that it did not appear the fund will meet or exceed the new Act's statutory funding level of \$1,713,510 and added the division has implemented a fee reduction in the past and that this will be evaluated prior to the next renewal period to determine if it is fiscally responsible and/or necessary.

Upon a motion by Commissioner Ginoza, seconded by Commissioner Lee, it was voted on and unanimously carried to accept staff evaluations and recommendations.

Next Meeting: Friday, June 28, 2019
 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 10:14 a.m.

Reviewed and approved by:

/s/ Miles I. Ino

Miles I. Ino
Executive Officer

May 29, 2019

Date

[x] Approved as circulated.
[] Approved with corrections; see minutes of _____ meeting.

MI:kn

APPROVED APPLICATIONS FOR REAL ESTATE
REAL ESTATE COMMISSION MEETING ON May 17, 2019

<u>Brokers – Individual</u>	<u>Effective Date</u>
Michael J. Dilks aka Mike Dilks	04/04/2019
Charles B. Lederman aka Charles Lederman	04/15/2019
Robert B. Chen	04/15/2019
Barry L. Ware aka Barry Ware	04/15/2019
John A. Greene aka John Greene	04/17/2019
Jeffrey T. Seifert aka Jeffrey Todd Seifert	04/17/2019
<u>Salesperson – Individual</u>	<u>Effective Date</u>
Teondra L. Mills	04/15/2019
Matthew Burke	04/15/2019
Nicholas C. Pereira	04/15/2019
Brandon S. K. Dumlao Brandon Sisifo Kaeo Dumlao	04/15/2019
William A. Vinson William Alexander Vinson	04/16/2019
Melissa M. Ransbottom	04/16/2019
Cheyanne D. Lobue Cheyanne Lobue	04/16/2019
Hartelaus Battle	04/17/2019
Jessica N. Pearson	04/17/2019
Jayson K. Smith Jayson Smith	04/17/2019
Pamela J. Stever aka Pam Stever	04/17/2019
Robin L. Reyes aka Robin Reyes	04/17/2019
Joe Kern	04/18/2019
Joseph P. Price aka Joseph Parker Price	04/18/2019
Sevren K. Smith	04/18/2019
Mary A. Smith	04/18/2019
Danielle A. Brill aka Danielle Brill	04/18/2019
Yuiko Miya	04/18/2019
Andrea D. Gabriel aka Andrea Gabriel	04/18/2019
Zennea S. Muniz aka Zennea Muniz	04/18/2019
Daniel A. Loli Batallani aka Daniel Loli Batallani	04/18/2019
Summer K. Bennett aka Summer Bennett	04/22/2019
Michael J. Tucker aka Michael Jenkins Tucker	04/22/2019
Karlson K. Keliikipi aka Karlson Keliikipi	04/22/2019

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Paula Nguyen	04/22/2019
Lysa D. Tracy	04/22/2019
aka Lysa Tracy	
Fiona S. Weisenberg	04/22/2019
aka Fiona Weisenberg	
Chantee K. Shiroma	04/22/2019
Baily M. Miller	04/22/2019
aka Baily Miller	
Daniel B. Perez	04/22/2019
Kristina E. Marshall	04/22/2019
aka Kristina Marshall	
Kristina M. Cabral	04/22/2019
aka Kristina Cabral	
Riwa Tanaka	04/23/2019
Novita Worley	04/23/2019
Matthew A. Ellis	04/23/2019
aka Andrew Ellis	
Tanya N. L. Ahina	04/23/2019
aka Tanya Ahina	
Cecelia A. K. McGuinn	04/23/2019
aka Hina Kong McGuinn	
Steven A. Pitts	04/23/2019
aka Steven Pitts	
Sarah S. Naseer	04/23/2019
aka Sarah Syed Naseer	
Alaa Chami	04/23/2019
Sara K. Young	04/23/2019
Stacy A. Spilman	04/24/2019
Kathryn E. Paun	04/24/2019
aka Katy Paun	
Veola H. Amous	04/24/2019
Sherry R. Peterson	04/24/2019
Margaret K. Shields	04/24/2019
aka Margaret Shields	
Pamela K. Scott	04/25/2019
aka Pam Scott	
Jasmine R. O'Brien	04/25/2019
aka Jasmine Rae O'Brien	
Kimberly A. Salvato	04/25/2019
aka Kimberly Salvato	
Leila Chin	04/25/2019
Jarod P. Sampson	04/25/2019
aka Jarod Sampson	
Amanda M. Semilla	04/25/2019
aka Amanda Semilla	
Angelica K. Gonzalez	04/25/2019
aka Angelica Kathleen Gonzalez	
Michael W. Manninen	04/26/2019
aka Michael Manninen	
Zoltan T. Tasato-Farkas	04/26/2019
Daniel D. Cantrell	04/26/2019
aka Daniel Cantrell	
Nazarena G. Copley	04/26/2019
Sandra Y. H. Sun-Shen	04/26/2019
aka Sandra Sun-Shen	

Christopher J. Weiss aka Chris Weiss	04/26/2019
Christopher M. Dortch	04/29/2019
Jacob F. Rockwell aka Jake Rockwell	04/29/2019

<u>Brokers – Limited Liability Company (LLC)</u>	<u>Effective Date</u>
Premier Pacific Properties, LLC dba Premier Pacific Properties Diana Valencia, PB	04/11/2019
Puna Realty, LLC Donald D. Carroll Jr., PB	04/12/2019
Smith Properties of Oahu, LLC Vicky Smith, PB	04/17/2019

<u>Brokers – Sole Proprietor</u>	<u>Effective Date</u>
Charles B. Lederman aka Charles Lederman	04/15/2019

<u>Corp/Partnership/LLC/LLP Legal Name Change</u>	<u>Effective Date</u>
Holo Imua Properties, LLC fka Holo I Mua Properties, LLC	04/15/2019

<u>Educational Equivalency Certificate</u>	<u>Expiration Date</u>
Julia Kristin Brooks	04/02/2021
Patrick Lam	04/18/2021
Rebecca Hidalgo Rains	04/18/2021
Michael Shannon Federwitz	04/18/2021
Sam Seyoung Choo	04/22/2021
Grace Helene Forney	04/22/2021
Maggie Ho Yee Chiu	04/22/2021
Teri Renee Kielow	04/22/2021
Jessica Ann Ord	04/22/2021
Craig Anthony Burch	04/23/2021

<u>Equivalency to Uniform Section of Examination Certificate</u>	<u>Expiration Date</u>
Julia Kristin Brooks	04/02/2021
Rebecca Hidalgo Rains	04/18/2021
Michael Shannon Federwitz	04/18/2021
Teri Renee Kielow	04/22/2021
Grace Helene Forney	04/22/2021
Jessica Ann Ord	04/22/2021
Keith John Costigan	04/23/2021
Craig Anthony Burch	04/23/2021

<u>Real Estate Broker Experience Certificate</u>	<u>Expiration Date</u>
Jimu Furuta	04/15/2021
Michael Shannon Federwitz	04/18/2021
Rebecca Hidalgo Rains	04/18/2021
Jeffrey Tetsuya Iwashita	04/22/2021
Lara Leimana Fonoimoana	04/24/2021
Brian Christopher Lee	04/24/2021
Suzzette M. Sorbets	04/24/2021
Kyle Haruo Michibata	04/25/2021
Yukiko Brady	04/25/2021