

**CONDOMINIUM PROPERTY REGIME TASK FORCE**  
Department of Commerce and Consumer Affairs  
State of Hawaii

**MINUTES OF MEETING**

Date: March 6, 2026

Time: 1:00 p.m.

In-Person Meeting Location: Queen Liliuokalani Conference Room  
HRH King Kalakaua Building  
335 Merchant Street, First Floor  
Honolulu, Hawaii 96813

Virtual Participation: Virtual Videoconference Meeting – Zoom Webinar  
[https://dcca-hawaii-gov.zoom.us/webinar/register/WN\\_r3T9X00KTHkr0ySEWm8PA](https://dcca-hawaii-gov.zoom.us/webinar/register/WN_r3T9X00KTHkr0ySEWm8PA)

Present: Philip Nerney, Chairperson  
Lila Mower, Vice Chairperson  
Kedin Kleinhans, Department of Commerce and Consumer Affairs  
Kealii Lopez, Member  
Raelene Tenno, Member  
  
Rochelle Araki, Technical Support  
Nohelani Jackson, Technical Support

Excused: Carol Fukunaga, State Senator  
Sean Quinlan, State Representative  
Patti Thiele, Member  
Shari Wong, Deputy Attorney General

In-Person Guest(s): Neil Fujitani, Real Estate Branch

Virtual Guest(s): Brooks Robinson  
Dale Head  
Dawn Smith  
Gregory Misakian  
Jeff Sadino  
Kasandra Shriver  
Lorraine Leslie

Agenda: The agenda for this meeting was posted to the State electronic calendar and filed with the Office of the Lieutenant Governor, as required by Hawaii Revised Statutes (“HRS”) section 92-7(b).

Call to Order: The meeting was called to order at 1:14 p.m., at which time quorum was established.

Guest, Gregory Misakian, requested to provide oral testimony.  
Chairperson Nerney recognized Mr. Misakian.

Mr. Misakian reported experiencing difficulties submitting his testimony. He provided a verbal summary, which expressed concerns regarding Chairperson Nerney as the Task Force's Chairperson.

Old Business: **Approval of Minutes**

September 11, 2023

Vice Chairperson Mower requested a correction to the last page, adding "#6. Enforcement of HRS chapter 514B" as a topic of discussion.

Mr. Kleinhans requested corrections to reflect the correct spelling of his last name, from "Kleinhaus" to "Kleinhans".

Upon a motion by Ms. Lopez, seconded by Ms. Tenno, it was voted on and unanimously carried to approve the minutes of the September 11, 2023, meeting with the corrections requested by Vice Chairperson Mower and Mr. Kleinhans.

January 30, 2026

Guest, Gregory Misakian, requested to provide oral testimony.  
Chairperson Nerney recognized Mr. Misakian.

Mr. Misakian requested corrections on the testimony he provided at this meeting. He stated that "little to no State funding" should be "no State funding".

Upon a motion by Ms. Lopez, seconded by Mr. Kleinhans, it was voted on and unanimously carried to approve the minutes of the January 30, 2026, meeting with the corrections requested by Mr. Misakian.

New Business: **Adoption of Meeting Rule Concerning Time Limit for Public Testimony**

Chairperson asked Task Force members whether any changes to the time limit for public testimony should be considered, for example, a two-minute limit for testimony.

Vice Chairperson Mower noted that the agenda currently specifies a five-minute limit.

Ms. Lopez stated that public testimony is important and is comfortable with the current five-minute limit. Vice Chairperson Mower agreed.

Guest, Gregory Misakian, requested to provide oral testimony.  
Chairperson Nerney recognized Mr. Misakian.

Mr. Misakian thanked the Task Force members for keeping the five-minute limit.

**Discussion Topic: Education at the Point of Sale**

Ms. Tenno presented examples of educational materials for prospective buyers regarding the sales process.

Chairperson Nerney stated that consumers do not have an accurate understanding of what they are buying into. He added that the LRB report also found that many buyers do not read the documents.

Vice Chairperson Mower asked whether this topic involved education for new sales or resales. Ms. Tenno responded that this topic involves both new sales and resales.

Vice Chairperson Mower stated that the sales process is overwhelming, and it is unclear how much information consumers are able to absorb. She added that the Hawaii State Department of Education and the University of Hawaii could provide educational content on, for example, financial literacy.

Ms. Tenno noted that a nationwide trend is developing in which schools are requiring students to take such courses.

Vice Chairperson Mower inquired about how the information involving the sales process could be made more palatable and understandable. She mentioned that real estate licensees could get more involved, and possibly receive more training.

Ms. Lopez stated that real estate licensees have so much responsibility when selling condominiums and that they, as well as consumers, should fully understand the property for sale.

Chairperson Nerney asked whether a change to HRS chapter 467 would be necessary. Mr. Kleinhans responded that the Hawaii Real Estate Commission currently has the authority to determine the content of any mandatory continuing education courses required for real estate licensees. Mr. Kleinhans further noted that the Task Force could request that the Hawaii Real Estate Commission include condominium content in its mandatory continuing education courses.

Ms. Tenno indicated that such request to the Hawaii Real Estate Commission should include legislative updates to HRS chapter 514B. She reported that the continuing education required for mortgage loan originators, regulated under the DCCA Division of Financial Institutions, includes Hawaii-specific content, taken annually. She suggested that the content of the course be related to condominiums and planned community associations.

Ms. Lopez inquired whether the Task Force is able to submit a request to both the Hawaii Real Estate Commission and the DCCA Division of Financial Institutions. Mr. Kleinhans confirmed, noting that the Task Force is administratively attached to the Department of Commerce and Consumer Affairs.

Chairperson Nerney requested confirmation if Task Force members believe there should be increased education on condominiums for both real estate licensees and mortgage brokers. Ms. Tenno and Ms. Lopez confirmed.

Discussion ensued on the ten-day timeframe buyers have to review sales documents. Ms. Lopez inquired whether extending the number of days would be useful for buyers. Vice Chairperson Mower responded that extending the number of days may lead to increased cancellations of sales transactions.

Chairperson Nerney expressed concerns regarding buyers that willingly choose not to read the sales documents. He added that it is unclear how to address the issue of getting such buyers to read, and he inquired where to draw the line.

Vice Chairperson Mower expressed additional concerns regarding the distribution of information by condominium managing agents. She added that the Department of Commerce and Consumer Affairs could be more proactive in education, such as writing an article for newspapers.

Chairperson Nerney asked if more “Condoramas” would be helpful. Vice Chairperson Mower believes it would.

Guest, Kasandra Shriver, requested to provide oral testimony. Chairperson Nerney recognized Ms. Shriver.

Ms. Shriver was present on behalf of Hawaii Realtors. She explained that real estate licensees must obtain twenty hours of continuing education every other year, and must take one mandatory core course on current law changes each year. She expressed concerns about requiring mandatory condominium education, as some real estate licensees do not engage in the sale of condominiums. Ms. Shriver provided an overview of the seller disclosure form and form RR-105c, which continuously changes and involves a fee. She added that extending the ten-day review period may lead to increased waivers, since many buyers will likely waive them to get their offers accepted. Ms. Shriver believes more public education before the transaction could be effective.

Ms. Lopez asked about seller disclosures, for example, must a seller disclose that the location of the property has a high crime rate, or that the association’s board is ineffective.

Ms. Shriver responded that a real estate licensee cannot steer buyers toward or away from certain neighborhoods, as this violates the Fair Housing Act. She noted that it would be difficult for a seller's agent to determine who is actually responsible for any issues. Real estate licensees are able to provide factual information and the material facts of the property, but they cannot assume or determine who or what is causing the issue.

Ms. Lopez asked if multiple lawsuits or legal fees involving a condominium are considered a material fact that must be disclosed to the buyer.

Ms. Shriver confirmed, noting that active lawsuits are listed in the RR-105c. She added that a civil dispute between two neighbors would also be disclosed as a material fact. Ms. Shriver believes having well-informed licensees and buyers are both important.

Ms. Tenno asked if it is possible for the mandatory ten-day review requirement to be made non-waivable by statute.

Ms. Shriver responded that the "M1" disclosures must be made because there is a statutory requirement. She agreed that, with research and careful crafting of language, it is possible to add into statute that the mandatory review cannot be waived. She added that obtaining condominium association documents can also be an issue. Ms. Shriver explained that the common goal is to provide as much information to buyers, noting that it would be beneficial to have the documents available online.

Vice Chairperson Mower agreed that there are issues obtaining association documents from managing agents. She noted that, with regard to the condominium association biennial registration application, associations answer "no" when asked whether any mediations were conducted; however, she is aware that mediations did occur.

Chairperson Nerney explained the condominium association biennial registration requirement. He asked whether there are opportunities to refine the information required for association registration.

Vice Chairperson Mower responded that there would be opportunities assuming the property manager accurately completes the association registration.

Chairperson Nerney stated that there is a big disincentive should a condominium association fail to register.

Chairperson Nerney asked Ms. Shriver for her thoughts on finding the balance point on considering changes to education at the point of sale.

Ms. Shriver responded that there are three parts to consider: (1) compliance enforcement for associations; (2) educating real estate licensees and keeping continuing education relevant to licensees; and (3) helping buyers understand the process.

Guest, Brooks Robinson, requested to provide oral testimony. Chairperson Nerney recognized Mr. Robinson.

Mr. Robinson expressed concerns regarding the arrangement of condominiums, noting that they are set up in a skewed way under the management companies. He added that there is no university that offers a full program to become a property manager. Mr. Robinson expressed further concerns regarding appraisals and the language in the appraisal form required by Fannie Mae and Freddie Mac. He stated that there needs to be changes to the appraisal form, and formal education programs should be required.

Guest, Gregory Misakian, requested to provide oral testimony. Chairperson Nerney recognized Mr. Misakian.

Mr. Misakian stated that fair housing in Hawaii is not fair housing, and believes a website needs to be available to owners. He expressed concerns regarding the Department of Commerce and Consumer Affairs' new website, noting that information previously available is no longer accessible.

Chairperson Nerney responded that the Department of Commerce and Consumer Affairs is aware of the issues involving the new website and is working to resolve them. He indicated that it would be helpful if comments remained related to the topic.

Mr. Misakian reported that it is difficult to research and find information when purchasing a condominium today. He believes real estate licensees could update their clients on legislative changes.

Mr. Misakian expressed additional concerns with the condominium association biennial registration form, noting that the registration only asks if mediations were performed, but not lawsuits. He requested if Mr. Kleinhans could look into this matter. Mr. Kleinhans acknowledged Mr. Misakian's request and will look into the matter.

Mr. Misakian believes that association documents should be made available to prospective purchasers on a website.

He also inquired whether there is a conflict of interest with HCCA, and why HCCA is doing most of the training.

Guest, Jeff Sadino, requested to provide oral testimony. Chairperson Nerney recognized Mr. Sadino.

Mr. Sadino reported that 85% of first-time home buyers are purchasing a condominium. He agreed that the volume of documents involved in the sales process are overwhelming, noting that even after taking an eight-hour educational course to prepare for his purchase, he still felt half as prepared as he should have been. Mr. Sadino suggested extending education by, for example, providing a one-page overview for associations and/or owners annually or on a periodic basis.

Mr. Sadino noted that an individual had reached out to him, indicating their willingness to attend and participate in a Task Force meeting, but felt that it was too intimidating. Ms. Tenno asked if Mr. Sadino could check whether the individual would like to participate by submitting written testimony instead.

Guest, Dale Head, requested to provide oral testimony. Chairperson Nerney recognized Mr. Head.

Mr. Head described his anecdotal experience of purchasing a condominium unit in 1987. During the sale, he was advised that the condominium was 25% owner-occupied. After the purchase, he discovered it was only 8% owner-occupied. He noted that at some point, maintenance fees skyrocketed past mortgage fees.

Guest, Dawn Smith, requested to provide oral testimony. Chairperson Nerney recognized Ms. Smith.

Ms. Smith reported that problems are outside the point-of-sale, citing that documents received from the management company should be honest. She added concern that volunteer boards of directors often cite business judgement rule as an excuse and that there is no retribution. She stated that they need more education so they can follow the rules. Ms. Smith further indicated that arbitration and mediation results are not published, and that the interpretation of laws, rules, and governing documents is the problem.

Ms. Lopez requested clarity on Ms. Smith's concerns regarding the board of directors, noting that for non-profit organizations, the board of directors can be held liable. Ms. Smith responded that board members have D&O insurance and therefore have little to lose.

Guest, Neil Fujitani, requested to provide oral testimony. Chairperson Nerney recognized Mr. Fujitani.

Mr. Fujitani asked whether the Task Force had any specific types of subjects for real estate licensees to learn. Chairperson Nerney responded that the Task Force will render a determination at a later meeting.

Chairperson Nerney recapped that real estate licensees may require more education, that consumers also have a role in becoming educated, and that the Task Force must determine where to draw the line when implementing changes.

Vice Chairperson Mower suggested that the next meeting cover the topic of “licensing of condominium management”.

Ms. Lopez asked whether the Task Force could consider adding an agenda item, citing Mr. Misakian’s testimony about Chairperson Nerney. She stated that the Task Force duly elected its Chairperson by vote. Mr. Kleinhans responded that HRS chapter 92 requires a two-thirds vote to add an item to the agenda, noting that the vote of all members present would not reach the two-thirds threshold.

Ms. Lopez asked Chairperson Nerney for his thoughts on the matter. Mr. Kleinhans reminded Task Force members that items to be considered must be on the meeting agenda.

Ms. Tenno requested if Mr. Kleinhans could work with administrative assistant, Kyle Ladao, in making the meeting agenda clearer, for example, bolding the instructions for public testimony. Mr. Kleinhans responded that he will work with Mr. Ladao.

Next Meeting: TBD

Adjournment: The meeting adjourned at 3:13 p.m.

Reviewed and approved by:

/s/ Philip Nerney

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(Mr.) Philip Nerney  
Task Force Chairperson

03/17/26 (Date Drafted)

( X ) Minutes approved as is.

( ) Minutes approved with changes:

PN:ra