

CONDOMINIUM 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 Office of the Lieutenant Governor as required by Section 92-7(b), Hawaii Revised Statutes.

Date: June 15, 2007

Time: Upon adjournment of the Education Review Committee meeting which follows the Laws and Rules Review Committee meeting scheduled to convene at 9:00 a.m.

Place: State Office Building
Conference Rooms A, B, & C
3060 Eiwa Street
Lihue, Kauai

Present: William Chee, Chair, Broker / Honolulu Commissioner
Mark Suiso, Vice Chair, Public / Honolulu Commissioner
Louis Abrams, Broker / Kauai Commissioner
Trudy Nishihara, Broker / Honolulu Commissioner
Michele Sunahara Loudermilk, Public / Honolulu Commissioner
Frances Gendrano, Salesperson / Honolulu Commissioner

Calvin Kimura, Supervising Executive Officer
Cynthia Yee, Senior Condominium Specialist
Diane Choy Fujimura, Senior Real Estate Specialist
Shari Wong, Deputy Attorney General
Irene Kotaka, Recording Secretary

Others: None.

Absent: Annette Aiona, Broker / Hilo Commissioner
Carol Ball, Broker / Maui Commissioner
Stanley Kuriyama, Broker / Honolulu Commissioner

Call to Order: Chair Chee called the meeting to order at 10:30 a.m., at which time quorum was established.

Chair's Report: No report was presented.

Commissioners Aiona, Ball and Kuriyama were excused from the meeting. Prior notification of their non-attendance was received.

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.

Condominium
Specialist's
Report:

Additional Distribution

The following materials were distributed prior to the start of the meeting:

4. Condominium Governance and Management
 - d. Condominium Seminars and Symposium
5. CPR Registration and Developer's Public Reports
 - a. Condominium Projects and Developer's Public Reports
 - 5) Proposed Registration and effective date for CPR The Parkside At Kilani #6298 – Developer Parkside at Kilani LLC

Minutes:

Upon a motion by Commissioner Abrams, seconded by Commissioner Loudermilk, it was voted on and unanimously carried to accept the minutes of the May 9, 2007 Condominium Review Committee meeting as circulated.

Condominium
Governance and
Management:

AOAO Registrations

It was reported that as of May 31, 2007, 1,205 2007-2009 AOAO Biennial Registration applications have been received of which 284 AOAOs have successfully registered. Of the 1,205 registration applications, 586 applications were received online and 510 applications were received via the postmaster or over the counter.

Education Advisory Group

Vice Chair Suiso reported on the initial meeting of the Ad Hoc Committee on Condominium Education and Research that was held on May 3, 2007.

The Ad Hoc Committee identified issues that were consistent with and different from the Commission's last Five Year Condominium Management Education and Research Plan 1992-1997 and Rollover Fifth Year 1998 and also problems that may be anticipated because of the current law.

The next meeting will be held in the third week of July.

Condominium Seminar and Symposium

Vice Chair Suiso reported that he had attended CAI-Hawaii Chapter's Seminar, "Psycho, Pot Pushers & Prostitutes," on June 7, 2007. At the seminar, Mr. Motooka acknowledged that there had been some complaints regarding the title of the seminar. Mr. Motooka also reported that in response to the complaints CAI Hawaii sent a letter explaining that they had not intended to offend anyone. He reiterated the intent at the seminar.

Approximately 150 people were in attendance at the seminar. Vice Chair Suiso said that the content of the seminar was excellent. The seminar discussed how to set up policies, how to enforce them and discussed the legal issues of management.

The Commission had received a letter from Ms. Marya Grambs, Executive Director of Mental Health America of Hawaii, expressing serious concerns with the title and flyer for the seminar. Staff drafted a letter in response, which was in the process of being reviewed and approved by Administration. A copy of the draft was provided to the Commissioners for their review.

Upon a motion by Commissioner Loudermilk, seconded by Commissioner Gendrano, it was voted on and unanimously carried to approve the draft of the letter, which will be signed by the Chair of the Condominium Review Committee. Further, the Commission would like to extend an invitation to Mental Health America of Hawaii to write an article for the Condominium Bulletin that would be appropriate to condominium living.

CAI-Hawaii Chapter informed the Commission that they will not be offering the "Zen & Art of Community Association Living" seminar on July 21, 2007. The Legislative Update & Aging in Place Seminar will be moved up to take the July 21, 2007 date. The "One Hour Board Meeting Seminar" will be held on August 30, 2007. The speaker will be Craig Huntington, the President of CA Banc.

Case Law Review Program

The article entitled "Association Liable for Contractor Employee Injuries" from the June 2007 issue of *Community Association Management Insider* was distributed for informational purposes.

Condominium Related Articles

The following articles were distributed for informational purposes:

- 1) Vendome Group E- Alert
 - a) "Association Member with Service Animal Sues for Discrimination" 5/01/07
 - b) "Hawaii Amends Condo Law" 5/01/07
 - c) "Condo Owner Jailed for Code Violations" 5/29/07
 - d) "Former Manager Pleads Guilty" 5/29/07
- 2) *Community Association Management Insider* (June 2007)
 - a) "Make Sure Contractor's Insurance Protects Association and You"
 - b) "Make Sure Your Fitness Center's Rules Comply with Fair Housing Law"
- 3) *Common Ground* (May June 2007)
 - a) "Eternal Truths"
 - b) "For the Record"
- 4) *Star Bulletin* May 29, 2007 – "Homes next target for smoking ban"

Condominium
Project
Registration:

Condominium Project Registration - Public Reports Issued

A list of those condominium projects issued effective dates during the month of May 2007 were distributed for informational purposes.

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Proj #	Project Name	Project Address	TMK	Report	Date
6282	1667 AND 1669 KANALUI STREET	1667 KANALUI ST HONOLULU HI	(1)3-03-061:008 96816	B Rpt	05/24/07
6310	2312 PALENA STREET	2312 PALENA ST HONOLULU HI	(1)1-03-013:019 96819	B Rpt	05/21/07
6329	2833 ROUND TOP DRIVE	2833 ROUND TOP DRIVE HONOLULU HI	(1)2-05-005:049 96822	B Rpt	05/30/07
6307	45-517 LIKELIKE HIGHWAY CONDO	45-517 LIKELIKE HWY KANEHOE HI	(1)4-05-017:002 96744	B Rpt	05/15/07
6180	6675 PUUPILO PLACE	6675 PUUPILO PL KAPAA HI	(4)4-02-022:050 96746	B Rpt	05/23/07
3429	87-1732 FARRINGTON HWY CPR	87-1732 FARRINGTON HWY WAIANAE HI	(1)8-07-033:023 96792	Suppl 1	05/02/07
5850	ALLIGATOR ROCK ESTATES	61-234 KAMEHAMEHA HWY HALEIWA HI	(1)6-01-003:035 96712	Suppl 1	05/02/07
6064	ARAKAKI CONDOMINIUM	1615 PUU RD KALAHEO HI	(4)2-03-006:008 96741	Suppl 1	05/25/07
6328	BLUE WATERS CONDOMINIUM	73-1186 AHIKAWA ST KAILUA KONA HI	(3)7-03-022:016 96740	B Rpt	05/30/07
5956	GREEN THURSTON CONDOMINIUMS	1050 GREEN ST HONOLULU HI	(1)2-04-017:037 96822	Final	05/31/07
6237	HAIGHS' FARM CONDOMINIUMS	6437 KAHUNA RD KAPAA HI	(4)4-06-006:059 96746	B Rpt	05/04/07
6192	HALE MALUHIA	280 HUIINA STREET KAPAA HI	(4)4-02-014:030 96746	B Rpt	05/17/07
6163	HONU A KAI CONDO (BLDG NE-A)	LOT 4 KAANAPALI HI	(2)4-04-014:006	B Amend 1	05/11/07
6164	HONU A KAI CONDO (BLDG NE-B)	LOT 4 KAANAPALI HI	(2)4-04-014:006	B Amend 1	05/11/07
6165	HONU A KAI CONDO (BLDG NE-C)	LOT 4 KAANAPALI HI	(2)4-04-014:006	B Amend 1	05/11/07
5426	KAHILI MAHI'AI	LOT 17E MOLOAA KAWAIHAU HI	(4)4-09-009:026	Suppl 1	05/22/07
5493	KAI MAKANI	S KIHEI RD KIHEI HI	(2)3-09-041:002 96753	Suppl 1	05/31/07
6312	KALIKANANI	5116 KALIKA ST KAPAA HI	(4)4-06-036:168 96746	B Rpt	05/24/07
4003	KAULANAMAUNA	LOT 7 WAIONO MEADOWS N KONA HI	(3)7-06-002:030	Suppl 1	05/18/07
5773	KEEAUMOKU HALE	1440 KEEAUMOKU ST HONOLULU HI	(1)2-4-021:020 96822	Suppl 2	05/21/07
6297	KUIAHA VALLEY CONDOMINIUM	1010 E KUIAHA RD HAIKU HI	(2)2-07-012:102 96708	B Rpt	05/31/07
6313	KULALANI AT MAUNA LANI (PH 3)	68-118 N KANIKU DR KAMUELA HI	(3)6-08-022:007 96743	Cont. Final	05/22/07
5597	LOFT @ WAIKIKI	427 LAUNIU ST HONOLULU HI	(1)2-06-017:068 96815	Suppl 1	05/25/07
6287	LOT 20-B CONDOMINIUM	180/184 AWAIKU ST LAHAINA HI	(2)4-07-009:021 96761	B Rpt	05/14/07
6325	MAHINUI ESTATES	45-536 MAHINUI RD KANEHOE HI	(1)4-05-097:019 96744	B Rpt	05/17/07
4543	MAI'A SPLIT ACRES CONDO	3755 WAHA RD KALAHEO HI	(4)2-03-018:002 96741	Suppl 3	05/23/07
5606	MALAE MAKAI	LOT 107 MOLOKOA SUBDIV UNIT 3 LIHUE HI	(4)3-06-019:049 96746	Suppl 1	05/14/07
6302	MANAKO PLACE CONDO	4980 MANAKO PL KAPAA HI	(4)4-01-016:027 96746	B Rpt	05/21/07
6271	MULHOLLAND-ARAKAKI CONDO	WAILAU PLACE LOT 12 LAHAINA HI	(2)4-07-010:077 96761	B Rpt	05/04/07
6276	OHANA AINA CONDOMINIUM	412 NIHOA ST KAHULUI HI	(2)3-08-025:031 96732	B Rpt	05/24/07
6301	OLOHENA ESTATES	6451 KALAMA RD KAPAA HI	(4)4-04-002:115 96746	B Rpt	05/17/07
5990	PIILANI MAHINA CONDOMINIUM	LOT 14 HANALEI HI	(4)5-04-004:053 96714	Suppl 1	05/21/07
6308	TABUCHI OHANA	3085 HUALI ST LIHUE HI	(4)3-06-020:022 96766	B Rpt	05/18/07
6315	TOWN HOMES AT FAIRWAY'S EDGE INCR 8 THE	KEONEULA BLVD EWA BEACH HI	(1)9-01-012:070 96706	B Rpt	05/15/07
6324	TOWN HOMES AT FAIRWAY'S EDGE INCR 9 THE	KEONEULA BLVD EWA BEACH HI	(1)9-01-012:070 96706	B Rpt	05/23/07
6333	UNITS 51-624A & 51-624A1	51-624A & 51-624A1 KAMEHAMEHA	(1)5-01-005:014	B Rpt	05/30/07

6284	KAMEHAMEHA HWY VILLA DELMONTE WILSON	KAAAWA HI 2105 WILSON PL HONOLULU HI	96730 (1)1-03-029:044 96825	B Rpt	05/21/07
5893	VILLAS AT PUALI (PHASE II) THE	4261 PUHI RD LIHUE HI	(4)3-03-003:039 96766	Suppl 1	05/14/07
6000	VILLAS AT PUALI (PHASE III-A) THE	4261 PUHI RD LIHUE HI	(4)3-03-003:039 96766	Suppl 2	05/14/07
5179	VILLAS AT PUALI (PHASE III-D) THE	4261 PUHI ROAD LIHUE HI	(4)3-03-003:039 96766	Suppl 1	05/14/07
6305	WAIPIO BUSINESS CENTER	94-1363 MOANIANI ST WAIPAHU HI	(1)9-04-128:005 96797	B Rpt	05/23/07
6258	WALLAU CONDOMINIUM	10855 KULA HWY KULA HI	(2)2-02-001:057 96790	B Rpt	05/14/07
Preliminary Reports: 0					
Contingent Final Reports: 1					
Final Reports: 1					
Supplementary Reports: 14					
B Reports: 23					
B Amendment Reports: 3					
Total: 42					

Annual Report to Developer's Public Report Form – Proposed Draft

Commissioner Loudermilk reviewed the proposed draft for the Long Form.

It appears that the developer is not obligated to distribute the annual report to anyone. The annual report was felt to be a good trigger to see if there were any changes and it would help staff to determine if there was any material or pertinent changes that were made which should be reported.

It was suggested that references to the form being distributed be deleted from the form as it appears it is not a requirement.

Staff will work on the form and will present it to the Commission after the changes are made.

Letter from County of Maui Department of Water Supply dated May 24, 2007 – Requesting Opportunity to Comment on Proposed CPRs

The instructions will be revised to include the County of Maui's Department of Water Supply in the distribution of the public reports.

Proposed Registration of and effective date for CPR The Parkside at Kilani, #6298 – Developer Parkside at Kilani LLC

Senior Specialist Yee informed the Committee that this request has been withdrawn.

Senior Specialist Yee also noted that although this issue was withdrawn for this particular project, it will probably come up again later for a different project.

The Deputy Attorney General recommended that the consultants be sensitive to this issue and they need to ensure that the subassociation's limited common elements and common elements do not conflict with the laws and rules.

Program of Work: **Condominium Recodification and Education – "Homefront – Regulation Uniformity"**

The article entitled, "Homefront – Regulation Uniformity," which appeared in the May/June 2007 issue of Common Ground, was distributed to the Commissioners for their information.

Government and Legislative Participation & Report

The SEO reported that the Governor has not signed the condo bill into law yet.

Interactive Participation with Organizations – Report on CAI's 56th National Conference, April 25-28, 2007

The committee acknowledged receipt of Specialist Grupen's participation at CAI's 56th National Conference and Exposition

Program of Work and Budget, FY08

Upon a motion by Commissioner Loudermilk, seconded by Commissioner Abrams, it was voted on and unanimously carried to accept Draft 2-A of the proposed Program of Work and Budget, FY08 and to forward the finalized version to the Director for approval prior to June 30, 2007.

Condominium Organizations Forum: No comments, recommendations or concerns were received from the following: Community Associations Institute Hawaii Chapter, Alakahi Foundation, Hawaii Council of Association of Apartment Owners, Hawaii Independent Condominium and Cooperative Owners, Hawaii State Bar Association/Real Property & Financial Services Section, Land Use Research Foundation, Condominium Council of Maui, Hawaii Association of Realtors/Institute of Real Estate Management Hawaii Chapter/ Oahu Arm Committee, others.

Open Forum: No discussion presented.

CEF Budget & Finance Report: No report presented.

Next Meeting: July 11, 2007
Upon adjournment of the Education Review Committee meeting which follows the Laws and Rules Review Committee meeting scheduled to convene at 9:00 a.m.
Queen Liliuokalani Conference Room
King Kalakaua Building
335 Merchant Street, First Floor
Honolulu, Hawaii

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Adjournment: With no further business to discuss, Chair Chee adjourned the meeting at
11:15 a.m.

Respectfully submitted:

/s/ Cynthia M. L. Yee

Cynthia M. L. Yee
Senior Condominium Specialist

July 11, 2007

Date

Minutes approved as is.

Minutes approved with changes; see minutes of _____

CY/isk/070627