

**LAWS AND RULES REVIEW COMMITTEE**  
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 Office of the Lieutenant Governor, as required by Section 92-7(b), Hawaii Revised Statutes.

Date: Wednesday, August 8, 2007

Time: 9:00 a.m.

Place: Queen Liliuokalani Conference Room  
King Kalakaua Building  
335 Merchant Street, 1<sup>st</sup> Floor  
Honolulu, Hawaii

Present: Louis Abrams, Chair, Broker/Kauai Commissioner  
Michele Sunahara Loudermilk, Vice Chair, Public/Honolulu Commissioner  
Annette Aiona, Broker/Hawaii Commissioner  
Carol Ball, Broker/Maui Commissioner  
William Chee, Broker/Honolulu Commissioner  
Stanley Kuriyama, Broker/Honolulu Commissioner  
Trudy Nishihara, Broker/Honolulu Commissioner  
Mark Suiso, Public/Honolulu Commissioner

Calvin Kimura, Supervising Executive Officer  
Neil Fujitani, Executive Officer  
Diane Choy Fujimura, Senior Real Estate Specialist  
Cynthia Yee, Senior Condominium Specialist  
Ryan Yamashiro, Real Estate Specialist  
Amy Endo, Real Estate Specialist  
Cheryl Leong, Condominium Specialist  
David Grupen, Condominium Specialist  
Shari Wong, Deputy Attorney General  
Irene Kotaka, Secretary

Others: Myoung Oh, Hawaii Association of REALTORS  
Marsha Shimizu, Hawaii Association of REALTORS

Absent: Frances Gendrano, Broker/Honolulu Commissioner

Call to Order: The Chair called the meeting to order at 9:00 a.m., at which time quorum was established.

Chair's Report: No report was presented.

The Chair announced that the Committee may move into executive session 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.

SEO's  
Report:

**Minutes of Previous Meetings**

Upon a motion by Commissioner Kuriyama, seconded by Commissioner Chee, it was voted on and unanimously carried to accept the minutes of the July 11, 2007 Laws and Rules Review Committee meeting.

**Schedule of Availability – August through December 2007**

The Commissioners were asked to turn in their schedule of their availability for the months of August through December, 2007 to staff as soon as possible. They were also asked to notify staff if there are any changes to their schedule.

Program of  
Work, FY08:

**Licensing, Registration and Certification Administration**

Excerpts from the latest Geographic Report, dated July 23, 2007, were distributed to the Commissioners for their information. As of the date of the report, there were a total of 19,945 real estate licenses.

**Rulemaking, Chapter 99, HAR, Real Estate Brokers and Salespersons**

The Commission is currently working on amending the rules relating to real estate brokers and salespersons and is seeking comments or suggestions for amendments. Mr. Oh was asked to assist the Commission in notifying HAR members of the opportunity to submit their proposed amendments with a justification for consideration.

**Interactive Participation with Organizations**

Upon a motion by Commissioner Ball, seconded by Commissioner Chee, it was voted on and unanimously carried to approve sending up to two participants (one Commissioner and one staff) to the National Association of REALTORS Meeting, to be held on November 13 to 15, 2007, in Las Vegas, Nevada, subject to budget and DCCA approval. The REC Chair and the SEO will determine the participants.

The SEO provided a review of the travel approval process.

**Neighbor Island Outreach**

The next neighbor island outreach will be held on the island of Hawaii, on Monday, September 10, 2007. The Committee meetings will begin at 9:30 a.m. and will be held at the Waikoloa Beach Marriott Resort, located at 69-275 Waikoloa Beach Drive, Waikoloa, Hawaii. The Specialists Office for the Day program will be held in conjunction with the meetings from 9:30 a.m. to 11:30 a.m. There will be an educational seminar on the condominium laws and rules in the afternoon and in Hilo on September 11, 2007.

**Commissioners' Education Program**

A copy of the June-July 2007 issue of OpenLine, was distributed to the Commissioners for their information.

### **Ad Hoc Committee on Consumer-Broker Relationships**

The Chair announced that the next meeting will be held on Friday, August 24, 2007, at 1 p.m.

The Chair reported that the Committee met on July 27, 2007 and discussed agency standards and duties. The discussion will continue at the August 24, 2007 meeting.

ARELLO,  
Other  
Organizations  
and  
Jurisdictions:

#### **ARELLO**

A copy of the report on the ARELLO Midyear Meetings, prepared by Commissioners Nishihara and Abrams and the SEO, was distributed to the Commissioners for their information.

The SEO also summarized the pertinent information that was contained in the report.

#### **National Association of Realtors and Other Boards of Realtors**

A copy of the report on the National Association of Realtors Midyear Meetings, prepared by Commissioner Nishihara and the SEO, was distributed to the Commissioners for their information.

The SEO noted some of the findings of NAR's 2007 Scan study, which surveys key people in the real estate industry.

Since privacy and confidentiality issues are currently a big concern, it was suggested that an article be written for the Real Estate Bulletin, which would contain information on identity theft and privacy concerns.

#### **Federal Trade Commission (FTC) and Department of Justice (DOJ)**

A copy of the May 8, 2007 News Release from the Federal Trade Commission, entitled "Federal Trade Commission and U. S. Department of Justice Issue Report on Competition in the Real Estate Brokerage Industry, was distributed to the Commissioners for their information.

#### **Consumer Federation of America**

A copy of the June 4, 2007 News Release from the Consumer Federation of America, entitled "Most Consumers View Real Estate Industry and Services Favorably but Understand Them Poorly and Object to Specific Practices, " was distributed to the Commissioners for their information.

Open Forum: None.

Budget &  
Finance  
Report: None.

Next Meeting:           **Monday, September 10, 2007**  
                                  **9:30 a.m.**  
                                  **Naupaka III Ballroom**  
                                  **Waikoloa Beach Marriott Resort**  
                                  **69-275 Waikoloa Beach Drive**  
                                  **Waikoloa, Hawaii**

Adjournment:   With no further business to discuss, the Chair adjourned the meeting at 9:43 a.m.

Reviewed and approved by:

/s/ Calvin Kimura  
Calvin Kimura  
Supervising Executive Officer

September 10, 2007  
Date

[  ]       Approved as is.  
[        ]       Approved with amendments. See minutes of \_\_\_\_\_ meeting.

CK:isk 070809