

School Files

Hawaii Real Estate Commission

August 2002

<http://www.state.hi.us/hirec>

REAL ESTATE COMMISSION INFORMATIONAL NOTICE

NEW LICENSE APPLICANTS, LICENSE RENEWAL AND CONTINUING EDUCATION REQUIREMENT

All real estate licenses must be renewed by the renewal application deadline, **November 30, 2002**. All real estate licenses expire at the end of each even-numbered year, regardless of the initial date of licensure. Submission of a complete renewal application, payment of fees, and for active licensees, completion of continuing education courses, are required by the renewal application deadline to ensure the successful renewal of licenses before January 1, 2003. Licenses not successfully renewed will be considered forfeited as of January 1, 2003 and the licensee will not be able to conduct real estate activity or receive compensation.

If you are renewing your license on an active status, you must fulfill the mandatory continuing education requirement **prior** to submitting your renewal application. For a new salesperson licensee with a new license issued in 2002, see below – SALESPERSON APPLICANTS and SALESPERSON LICENSEES. If you are not able to complete the continuing education requirement, your license may be renewed on an inactive status and you may not conduct real estate activity or receive compensation. There is a \$25.00 fee to change from inactive status to active status, in addition to completion of the continuing education requirement.

SALESPERSON APPLICANTS and SALESPERSON LICENSEES:

- If you apply for a new salesperson license before the end of 2002, you will have to pay license fees twice in 2002. In addition to the fees you pay for your new license, you will have to pay renewal fees to renew your license by November 30, 2002. Fees are not prorated and basically cover the cost of processing, reviewing, and decision on the application.
- All salesperson licensees must complete the continuing education requirement prior to the renewal application deadline to successfully renew on an active status, unless you were issued a new salesperson license during calendar year 2002 and renew your license by November 30, 2002. If you were issued a new salesperson license in calendar year 2002 and renew your license by the renewal application deadline, you will be deemed to have completed equivalent to the continuing education requirement and will not have to complete the continuing education requirement for this license renewal.
- If your new salesperson license application deadline is on or after December 31, 2002 and you do not desire to be licensed as a salesperson in 2002, **and the licensing renewal application period is in effect**, you may submit your complete salesperson license application during the renewal application period and request that your new

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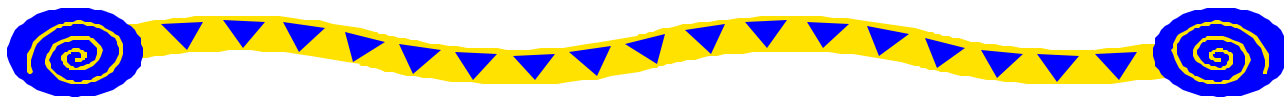
salesperson license be effective January 1, 2003. Please call for specific information on this procedure. The aforementioned continuing education equivalency will not be applicable if licensed in calendar year 2003.

BROKER APPLICANTS and BROKER LICENSEES:

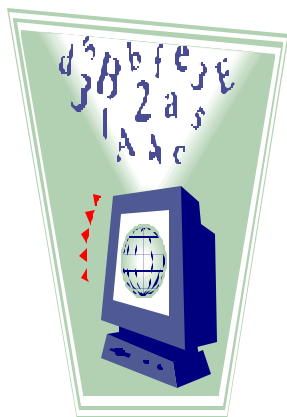
- All broker applicants and broker licensees must complete the continuing education requirement prior to the renewal application deadline in order to successfully renew their salesperson or broker license on an active status.
- If your broker license application deadline is on or after December 31, 2002, and you do not desire to be licensed as a broker in 2002, **and you received the renewal application for your salesperson license**, you may submit your complete broker license application during the renewal application period (must be received by November 30, 2002) and request that your salesperson license not be renewed and the new broker license be effective January 1, 2003. This procedure does not excuse completion of continuing education requirements for active licensees. Please call for specific information on this procedure.

For more information, please contact our office at 586-2643, or visit our website at www.state.hi.us/hirec.

THE LAW DOES NOT PROVIDE FOR: PRORATION OF FEES OR REFUND OR CREDIT OF FEES PAID; EXTENSION OF TIME TO APPLY FOR LICENSE; EXTENSION OF TIME TO RENEW A LICENSE.



CONTINUING EDUCATION CREDITS: ON-LINE ACCESS



You may check your records on file to see if you have completed the continuing education requirements for the upcoming licensing renewal.

- 1) Go to <http://www.ehawaii.gov/org/serv/pvl>
- 2) Select License Type (RB if you are a real estate broker, or RS if you are a real estate salesperson)
- 3) Type in the license number
- 4) Click on "Detail"
- 5) If you see "Education Code: CONTINUING EDUCATION", then you have fulfilled the continuing education requirement. If the Education Code is blank, then you need to fulfill the CE requirement in order to be on active status during the next biennium (2003-2004).

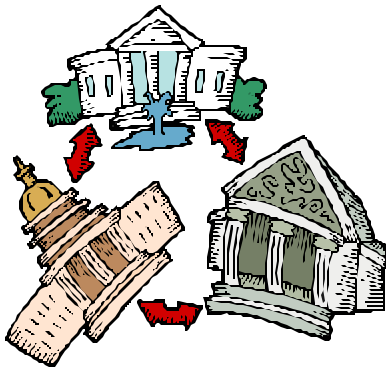
CAT*ASI NEWS

Assessment Systems, Inc. (ASI) recently merged with Computer Adaptive Technologies and is now known as CAT*ASI. CAT*ASI is contracted by the state of Hawaii to develop and administer its real estate examination program.



A new Real Estate Candidate Handbook has just been issued as of July 2002. The exam fee remains at \$68. Note that candidates may now test on Kauai on the 2nd and 4th Saturday of the month.

To receive information on placing an order to obtain Real Estate Candidate Handbooks, please contact CAT*ASI's call center at 1-800-274-7301.



ACT 129 CONTINUES SWAT CHANGES

ACT 129, enacted by the 2002 legislature, is a continuation of the Real Estate Commission's and the Professional and Vocational Licensing Division's efforts under the "Slice Waste and Tape" (SWAT) project. The SWAT project, under the direction of Lt. Governor Mazie Hirono, is a government initiative to repeal and reduce regulatory burdens on businesses, the general public, and State government. The amendments under ACT 129 went into effect as of July 1, 2002.

Principal Brokers and Brokers In Charge

The principal broker has direct management and supervision of the real estate brokerage firm and all associating real estate licensees. To provide flexibility in the management of brokerage firms, the new amendment will provide the principal broker with the authority to delegate management and supervision duties to one or more brokers in charge. Principal brokers will then be held accountable according to their own standards which shall be set forth in written policies and procedures. Principal brokers shall also be responsible for educating all participants, enforcing the policies, and keeping records regarding the policies. This will provide more flexibility for the management of different types of brokerage firms. The principal broker may delegate management and supervision duties to one or more brokers in charge subject to the principal broker's written policies and procedures. The principal broker shall be responsible for the education, enforcement, and records required of such policies and procedures.

§ 467-1.6(c), HRS

In addition, due to the delegated supervisory duties over real estate salespersons and the intent of providing flexibility in the management of brokerage firms, the Act allows the brokers in charge to certify the experience requirements for broker candidates. §467-9.5(a)(2)(B)(iii), HRS

Prelicensing Requirements for Out-of-State Licensees

Prior to July 1, 2002, a Hawaii broker candidate:

- 1) may be granted an equivalency to the Hawaii prelicensing education requirement with a current and active out-of-state license from a state with similar or superior prelicensing education requirements;

(Continued on Page 4)

- 2) may be granted an equivalency to the uniform portion of the Hawaii prelicensing exam with a current out-of-state license based on passage of the uniform portion of the exam in the other state; and
- 3) may be granted an equivalency to the experience requirement based on out-of-state real estate licensing experience up to a maximum of 30 months for the 36 months experience requirement.

Act 129 amends the section for the experience requirement and permits the Commission to grant an equivalency to the experience requirement for an out-of-state salesperson licensee with a current and unencumbered salesperson license based on real estate salesperson license experience. A broker candidate with a current and unencumbered out-of-state broker license may qualify for full equivalency without having to obtain a Hawaii real estate salesperson license initially. §467-9.5(a)(2)(B)(i) and (iii), HRS

CE Requirement for Hawaii Licensee with an Out-of-State License

Prior to July 1, 2002, the Commission had the authority to grant CE course equivalencies and could have considered out-of-state CE courses. Act 129 permits a Hawaii licensee with a current and unencumbered out-of-state license to request a determination of equivalency to Hawaii's CE requirement pertaining to elective course hours only. The equivalency shall be based on the successful completion of the CE requirements in the other state prior to the submission of the Hawaii license renewal application and the successful completion of the Hawaii designated mandatory core course. §46711.5(d), HRS

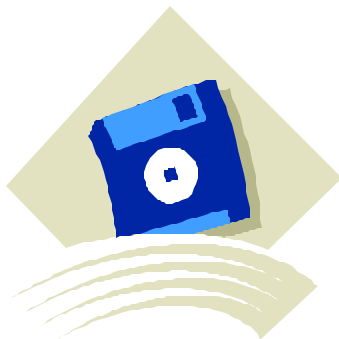
No CMA Registration and No Fidelity Bond requirement for Active Brokers

Act 129 deregulates the registration and fidelity bond requirements for condominium managing agents (CMAs) as it shall not apply to active real estate brokers in compliance with and licensed under chapter 467. CMAs with an active real estate broker's license will still have to comply with other CMA requirements but do not have to register with the Real Estate Commission or secure a fidelity bond. Active real estate brokers have to renew their licenses biennially and are covered under the real estate recovery fund. Note that CMAs that are not licensed as a real estate broker will continue to register and maintain a fidelity bond as they are not covered by the Real Estate Recovery Fund. §467-95(d), HRS

Limited-Equity Cooperatives

Act 129 deregulates the law on limited-equity cooperatives and removes the Commission from any administrative authority and the developer will not have to register with the Commission.

NEW CE ROSTER PROGRAM



We are currently testing a new Continuing Education roster program for CE providers to report the names of students attending their classes. The new program should be ready for general use shortly. You will still be able to mail in your roster information; however you will find the new program to be easy, cost-efficient, and time-saving.

FOUR NEW COMMISSIONERS BEGIN THEIR TERMS



The Real Estate Commission has a new look with the recent appointments to four-year terms beginning July, 2002, of Vern M. Yamanaka of Hilo, Louis Abrams of Kauai, Kathleen Kagawa, public member from Honolulu, and the interim appointment for one year of Marshall D. Chinen, public member from Honolulu.

Vern, born and raised in Hilo, is the President and Principal Broker of Yamanaka Enterprise, Inc. Vern has the distinction of being the only Commission “father-son” act in its history. His father, Hiromo Yamanaka, served on the Commission from August 1966 to December 1973. Vern serves as a director for the Hawaii Association of REALTORS®.

Louis is a third generation “local” and is the President and Principal Broker of Charlee & Associates, Ltd., a general real estate brokerage firm he co-owns with his wife, Charlee, in Koloa, Kauai. He is an active member of the Kauai Board of REALTORS® (KBR) from 1979, served as its president in 1984, as well as chaired numerous KBR committees, and is also a member of the Hawaii Association of REALTORS®. Louis served as chairperson of MLS Hawaii (Hawaii Information Service) from 1997-2000.

Kathleen is from Honolulu and is the President and Principal Broker of Hawaii 5-0 Properties, Inc. She is involved in numerous business enterprises and has traveled extensively in Asia, Europe and the mainland United States. Kathleen holds doctorates of Philosophy and Business Administration.

Marshall also hails from Honolulu, is a graduate of the University of Hawaii School of Law and is an attorney with Kaito & Ishida (since 1981) where he handles civil litigation cases. Marshall replaces former Commissioner Casey Choi.

A warm welcome to all the new Commissioners!

CONTINUING EDUCATION CREDIT FOR CONTINUING EDUCATION INSTRUCTORS



Continuing education instructors may receive CE credit for courses they taught by following the steps listed below:

- 1) After teaching the course, a **written request** must be submitted to the Commission and include the course title and date of offering; and
- 2) The course must be taught within the same biennium as the biennium the instructor is receiving continuing education credit.

Upon receipt and verification of the written request, the Commission will issue the continuing education certificate.

Please submit your written request by the **renewal deadline of November 30, 2002!** If you taught more than one offering of the same course, you will receive CE credit for only one offering of the same course.

BROKER EXPERIENCE CERTIFICATE MUST BE PRESENTED AT BROKER'S EXAM

When appearing for the broker's examination, all broker candidates **MUST** present:

- 1) An original, unexpired Hawaii School Completion Certificate or Prelicensing Education Equivalency Certificate for Real Estate License Exam, and
- 2) an original, unexpired Experience Certificate for Real Estate Broker's Examination that was issued by the Hawaii Real Estate Commission.



The **ORIGINAL** certificates must be presented at the examination site. Copies are not acceptable. If you do not have these required original certificates, you will be denied admission to the exam, considered absent, and will be responsible for the examination fee (\$68.00).

This information is available in the CAT*ASI Real Estate Candidate Handbook on page 3 (Exam Requirements) and page 10 (What to Bring).

Prelicense instructors please ensure that your students are receiving the above information.

REMINDER



All continuing education and prelicense education certifications and registrations expire on December 31, 2002. **THE RENEWAL DEADLINE IS NOVEMBER 30, 2002.**

We will be sending out renewal and re-registration information in October, 2002, to assist you and remind you to complete all renewal submissions by **NOVEMBER 30, 2002.**

KAUAI COMMITTEE MEETINGS



Beautiful Kauai was the site of the Commission's meetings of the Laws and Rules Review Committee, the Education Review Committee and the Condominium Review Committee on June 14, 2002. The meetings were held at the State Office Building, 3060 Eiwa Street, Second Floor, Lihue, Kauai. These meetings were also the last for exiting commissioners Charles Aki, Michael Ching, and Alfredo Evangelista.

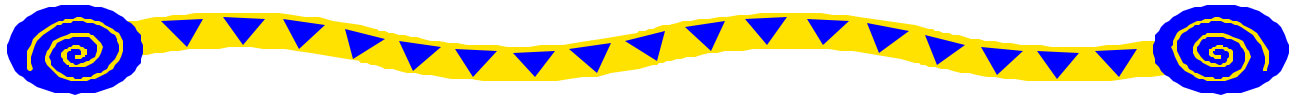
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State of Hawaii
Real Estate Commission
SCHOOL FILES

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Commissioners:
John Ohama, Chair
Real Estate Commission
Mitchell A. Imanaka, Vice-Chair
Real Estate Commission
Chair, Condominium Review Committee
Patricia Choi, Chair
Education Review Committee
Vern M. Yamanaka, Vice-Chair
Education Review Committee
Iris R. Okawa, Chair
Laws and Rules Review Committee
Louis Abrams, Vice-Chair
Laws and Rules Review Committee
Peter Rice, Vice-Chair
Condominium Review Committee
Marshall D. Chinen, Member
Kathleen Kagawa, Member

This material can be made available for individuals with special needs. Please call the Senior Real Estate Specialist at 586-2645 to submit your request.



2002 REAL ESTATE COMMISSION REVISED MEETING SCHEDULE

Laws & Rules Review Committee – 9:00 a.m.
Education Review Committee – 10:00 a.m.
Condominium Review Committee – 11:00 a.m.

Wednesday, August 14, 2002 – Kapuaiwa Room
Wednesday, September 4, 2002 – Sheraton Waikiki Hotel
Wednesday, October 9, 2002 – Kapuaiwa Room
Wednesday, November 13, 2002, Kapuaiwa Room
Thursday, December 12, 2002 – Kapuaiwa Room

Real Estate Commission – 9:00 a.m.

Friday, August 30, 2002 – Kapuaiwa Room
Friday, September 27, 2002 – Kapuaiwa Room
Friday, October 25, 2002 – Kapuaiwa Room
Friday, November 22, 2002 – Kapuaiwa Room
Friday, December 13, 2002 – Kapuaiwa Room

All meetings will be held in the HRH Princess Victoria Kamamalu Building, located at 1010 Richards Street, 2nd Floor, Honolulu, Hawaii, **except the September 4, 2002 meetings, which will be held at the Sheraton Waikiki Hotel, located at 2255 Kalakaua Avenue, Honolulu, Hawaii.**

Meeting dates, locations and times are subject to change without notice. Please visit the Commission's website at www.state.hi.us/hirec or call the Real Estate Commission office at 586-2643 to confirm the dates, times and locations of the meetings. This material can be made available to individuals with special needs. Please call the Executive Officer at 586-2643 to submit your request.

CURRENT CONTINUING EDUCATION PROVIDERS

<u>Provider Name</u>	<u>Telephone #</u>
Abe Lee Seminars	988-3571
Akahi Real Estate Network, LLC	331-5300
Brian R. Thomas dba EdVenture	885-2117
Coldwell Banker Pacific Properties Real Estate School	947-8217
Continuing-Ed-Online.org	(866)523-3638
Dower School of Real Estate	735-8838
Duplanty School of Real Estate	737-5509
Eddie Flores Real Estate Continuing Education	951-9888
Fahrni School of Real Estate	486-4166
Hawaii Association of REALTORS	733-7060
Hawai'i CCIM Chapter	528-2246
Honolulu Board of REALTORS	733-3000
How2educate, LLC	924-5061
John Reilly Real Estate Continuing Education	523-5030
Kauai Board of REALTORS	245-4049
Kona Board of REALTORS, Inc.	329-4874
Lishan Z. Chong dba Pacific Real Estate Institute	524-1505
Lynn W. Carlson	874-4064
Realtors Association of Maui, Inc.	873-8585
Professional Exchange Accommodators, LLC	385-1031
Realty Network Corp.	597-1111
Richard W. Daggett Continuing Education	923-0122
Seiler School of Real Estate	874-3100
Thomas J. Douma	879-6000
University of Hawaii at Manoa	956-8244
Small Business Management Program – Outreach College	
Waikiki Realty Real Estate School	955-8282

CURRENT PRELICENSE SCHOOLS

<u>School Name</u>	<u>Telephone #</u>
Akahi Real Estate Network LLC	331-5300
Century 21 Real Estate School	263-4074
Coldwell Banker Pacific Properties Real Estate School	947-8217
Dower School of Real Estate	735-8838
Fahrni School of Real Estate	486-8444
Maui Community College – VITEC	984-3231
Premier Realty 2000 Inc.	955-7653
Ralph Foulger's School of Real Estate	753-3860
REEF, Inc. dba Hawaii Institute of Real Estate	521-0071
Seiler School of Real Estate	874-3100
University of Hawaii at Manoa/SBMP – Outreach College	956-8244
Vitousek Real Estate Schools	946-0505