

School Files

Hawaii Real Estate Commission

November 2002

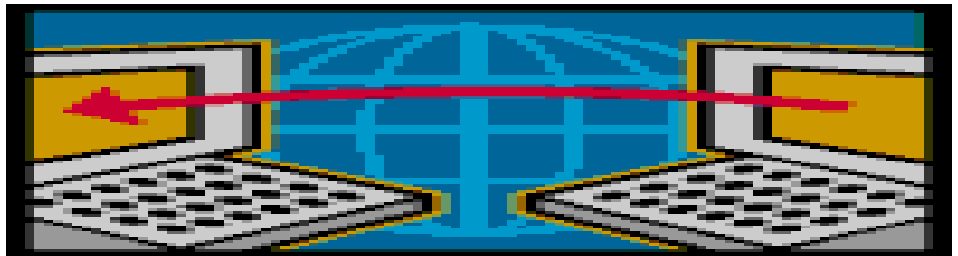
<http://www.state.hi.us/hirec>

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RENEWAL DEADLINE IS JUST AROUND THE CORNER

It's time to recertify, reregister, and renew! All continuing education course certifications, national course certifications, prelicense instructor certifications, prelicense schools, continuing education providers, and real estate brokers and salespersons must recertify, reregister, and or renew by the deadline of November 30, 2002. Don't miss it!



RENEW ONLINE!

It's easy, and it's FREE! Licensees may now renew their licenses over the internet anytime, day or night at <http://www.ehawaii.gov/pvlrenew>. Save yourself time, paperwork, and postage.

You will need the information on your renewal application and a valid credit card (VISA, MasterCard, Discover, and American Express are accepted). If your renewal application required you to submit additional supporting documents, you may **not** renew online.

You will be able to receive a receipt which you may print for your records, or you may enter an email address if you want to receive an email receipt.

Please encourage all your students to RENEW ONLINE!

CONTINUING EDUCATION REVIEW PANEL



At its September 27, 2002 meeting, the Real Estate Commission approved the formation of a Continuing Education Review Panel. The members of the CE Review Panel will be selected from names submitted, and will conduct reviews and evaluations of continuing education courses on an as needed basis pursuant to Hawaii Administrative Rules §16-99-100(b), " . . . the commission may consult with an advisory committee of real estate educators and practitioners having specialized knowledge and practical experience with the subject matter of the proposed course. . . . "

Please contact the Senior Real Estate Specialist at (808)586-2645 if you have recommendations for panel members or are willing to submit your own name for consideration.

PROMISSOR fka CAT*ASI

Promissor was formed when Computer Adaptive Technologies (CAT) acquired Assessment Systems, Inc. (ASI). Promissor is a subsidiary of Houghton Mifflin Company, a leading publisher of textbooks, instructional technology, assessments, and other educational materials for elementary and secondary schools and colleges. Houghton Mifflin Company is part of the Vivendi Universal Publishing Group.

The new name has its origin in Latin, meaning a guarantor of standards of knowledge, which certainly applies to the Real Estate Commission's contract with Promissor to provide its testing administration services.

Promissor operates from locations in Philadelphia, Chicago, and London.

DISSEMINATING CORRECT INFORMATION AND DOING THE RIGHT THING

Recently, the Real Estate Commission staff has received information which indicates that some prelicensing schools, continuing education providers, and instructors may be disseminating information that is not accurate, up-to-date, or complete. Also, incorrect procedures are being followed pertaining to the offering and teaching of continuing education courses. Because there are multiple instances of the above occurring, the following is provided for clarification, correction, and consistency. These are not hypothetical occurrences, they actually happened. If these rule infractions continue, your registration may be suspended or revoked.

1) A broker candidate showed up for the broker's exam and failed to present an Experience Certificate at the test site as required in Hawaii Revised Statutes (HRS), Section 467-9.5(a)(2)(iii), ". . . The candidate shall secure commission approval of the candidate's experience certification application prior to the date of the examination. . . ." Also, Hawaii Administrative Rules (HAR), Section 16-99-19.2(f), states in part, ". . . the commission shall issue to the applicant an experience certificate that shall be valid for two years from the date of issuance. The experience certificate shall be produced at the applicant's examination appointment and submitted with the applicant's application for individual broker license." When questioned, the broker candidate stated the prelicensing school and instructor did not provide specific or adequate information as to the requirements that have to be met prior to taking the broker's exam and did not provide adequate information on the testing procedures. Additionally, the broker candidate provided copies of selected pages from the school's course materials on Chapter 467, HRS. It appeared to be an outdated version of Chapter 467, HRS, and it appeared that the broker candidate may not have been provided all the pertinent sections of the law. The broker candidate also stated that the prelicensing school or instructor did not provide specific information on examination procedures nor a copy of the testing vendor's candidate handbook.

The ORIGINAL certificate must be presented at the examination site. Copies are not acceptable. If a candidate does not have the required certificates, the candidate will be denied admission to the exam, considered absent, and will be responsible for the examination fee (\$68.00).

Outdated and incorrect course information should not be used. It is the responsibility of the schools, providers, and instructors to ensure that the correct and up-to-date information is disseminated to all students. All instructors, as well as the school principal and continuing education provider administrator sign the "Statement of Ethical Teaching Practices." Item #2 in this statement states, "Taking all reasonable steps to update the prelicensing education (or continuing education) course materials and information; . . ."

2) The Real Estate Commission staff received reports from attendees at continuing education courses, and from other sources, that some students do not attend the class in its entirety yet still receive continuing education credit, and that identification of students is not monitored.

According to §§16-99-112(a)(1) and (2), HAR, the provider shall keep a record for each student which ". . . shall include, at a minimum, the following:

(1) The student's name, address, real estate license number, license status, continuing education course completion information including course and instructor names, course offering number and date, and whether the student completed the course, course completion certificate number, and amount of approved clock hours of continuing education credits earned; and

(2) Proof of actual course attendance including a verified sign-in and sign-out attendance sheet or a student certification statement in the case of a continuing education course offered by alternative delivery methods with interactive instructional techniques. . . . The name, address, and phone number of the individual who verified the student's attendance shall also be noted in the student's record."

Section 16-99-115, HAR, states, "Continuing education course entrance requirements. Prior to allowing any licensee into a continuing education course, a continuing education provider shall verify the identification of that licensee. At minimum, the continuing education provider shall require a picture identification and a current real estate pocket card or notification of licensed status from the commission. In limited circumstances, for reasons beyond the licensee's control, by way of

restoring a forfeited license, a provider may admit with a picture identification an individual, but shall not issue a certificate of completion of the course until the licensee produces a duly issued real estate license pocket card or commission issued real estate license restoration application."

3) **Courses, course offerings, Commission's Core Course** – All courses must first be approved and certified by the Commission by way of submission of an application for certification of a continuing education course (see §16-99-102, HAR). After approval and certification, a course offering must be submitted prior to actually teaching the course. Based on §16-99-103(a), HAR, "A provider shall not solicit students for registration for any offering of a certified continuing education course without first notifying the commission on a form prescribed by the commission at least fourteen days prior to the course offering date. . . . (b) The commission may, . . . confirm the course offering, assign a course offering number, and issue a course offering certificate that shall be prominently displayed at the course site. If a course offering is not submitted, all students taking the course will NOT receive continuing education credit for taking the course."

Also, according to §16-99-94, HAR, ". . . A continuing education provider may offer a class for more hours than previously approved by the commission. But the number of course hours appearing on the continuing education course completion certificate shall be only for the amount as previously approved by the commission."

Recently, the Real Estate Branch received information that the Commission's designated core course (Real Estate Law Update and Ethics 2001-2002 plus one (1) one-hour module) was not being presented in the format as approved and certified. According to definitions in §16-99-87, HAR, "'Certified' means that the commission has made a determination that the course or course offering satisfies all requirements prescribed by statutes and rules." "'Core' course means a mandatory continuing education course or course offering certified and designated as a 'core' course by the commission that each individual licensee must complete to satisfy the continuing education hours requirement." "'Course and course offering' means a continuing education module of instruction certified by the commission, consisting of a minimum of three clock hours."

When teaching the commission's core course, instructors must include one (1) of the six (6) modules specifically designed to be the fourth hour of the core course. You may select from the following modules: Commercial Law and Ethics, Residential Sales Ethics, Residential Property Management, Condominium Management, Advanced Laws, Rules and Ethics (for Brokers and Experienced Salespersons), and Sale of Time Share Interests.

To teach any of the fourth hour core course modules, the instructor must have command knowledge of the subject area. Section 16-99-104(a), HAR, states, "Every continuing education provider shall determine that each instructor evidences an ability to teach and command knowledge of the subject matter of the course and shall certify to the commission on a form prescribed by the commission that each instructor has met the commission requirements."

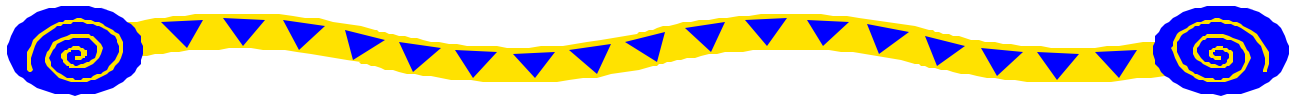
4) Based on information provided to the Commission, follow-up written inquiries may be made. For prelicense schools and faculty, if you receive such an inquiry from the Real Estate Branch staff on behalf of the Commission, you are obligated to respond and provide the requested information and/or documentation. Section 16-99-58, HAR, states in part, "(a) Each

school shall designate some individual as principal. (b) The principal shall be responsible for: . . . (2) Providing reports and information as may be required by the commission. . . . " The same applies to continuing education faculty, as stated in §16-99-121, HAR, in part, "(a) Each continuing education provider shall designate an individual as administrator. (b) The administrator shall be responsible for: . . . (2) Providing reports and information as may be required by the commission. "

5) **Record keeping responsibilities of continuing education providers:** Providers are required to submit all required reports and records by the deadline prescribed. "Within ten days of the end of the course or completion of course offered by alternative delivery methods, the continuing education provider shall submit to the commission: (1) A listing of licensees who have completed the course with their issued course completion certificate numbers, course and instructor names, and course offering number and date, using a commission-prescribed electronic method, together with the prescribed number of copies as requested by the commission . . . " (§16-99-112(c)(1), HAR)

Providers are now able to submit their class rosters via electronic means. Please take advantage of this method to save time, postage, and effort.

If you have any comments, suggestions, or ideas, please submit them to the Senior Real Estate Specialist, by mail or telephone at (808)586-2645.



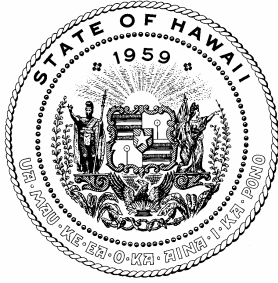
SCHOOL FILES
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State of Hawaii
Real Estate Commission
SCHOOL FILES

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This material can be made available for individuals with special needs. Please call the Senior Real Estate Specialist at 586-2643 to submit your request.



Real Estate Commission Real Estate and Condominium Specialists of the Day

The real estate and condominium specialists will be available to discuss real estate licensing and condominium concerns with interested parties on a first-come, first-served basis.

A real estate specialist will be available to discuss questions about licensing laws and rules, licensing applications, broker experience certificate applications, examination administration, continuing education, new legislation, Real Estate Commission procedures, educational programs, and other related topics.

A condominium specialist will be available to discuss questions about boards, associations, meetings, condominium managing agents, condominium association registration, condominium hotel operators, fidelity bonding, condominium property regime statute, public reports, project registration, new legislation, reserves, and other condominium-related topics.

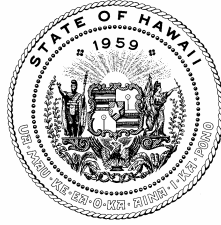
A Real Estate Specialist and a Condominium Specialist will be available to discuss your concerns from 9:00 a.m. to 12 Noon. The dates and locations are indicated below:

- Kauai:** Friday, November 8, 2002
Kauai Board of REALTORS®, 4359 Kukui Grove, Suite 103, Lihue
- Maui:** Thursday, November 14, 2002
REALTORS® Association of Maui, Inc., Conference Room, 441 Ala Makani Place, Kahului
- Kona:** Monday, November 18, 2002
Kona Board of REALTORS®, Pines Plaza, Suite 157, 75-240 Nani Kailua Drive, Kailua-Kona
- Hilo:** Tuesday, November 19, 2002
Hawaii Island Board of REALTORS®, 14 Waianuenue Avenue, Hilo

This program is funded by the Condominium Education Fund and the Real Estate Education Fund.

If you have any questions, you may contact the Senior Real Estate Specialist or the Senior Condominium Specialist at 586-2643, or dial toll free from the island of Kauai - 274-3134, ext. 6-2643; Maui - 984-2044, ext. 6-2643; or Hawaii - 974-4374, ext. 6-2643. You may also write to the Real Estate Commission at 250 South King Street, Room 702, Honolulu, Hawaii 96813. For more information from the Real Estate Commission, go to <http://www.state.hi.us/hirec>.

Dates, times and locations are subject to change. Please call prior to the date listed to confirm. This material can be made available for individuals with special needs. Please call the Senior Real Estate Specialist at 586-2643 to submit your request.



REAL ESTATE COMMISSION 2002 RENEWAL WORKSHOPS

The Real Estate Commission's goal is to make this a successful renewal for the real estate licensees. The renewal workshops are one of the key elements to meet the goal. The workshops provide an opportunity for all real estate licensees, especially brokerage firms, to receive assistance with renewal applications through self-help sessions and be a part of an expedited renewal process. Staff will discuss the renewal process, the applications, and red-flag areas with attendees. There also will be time for questions and answers. The neighbor island locations will also include a Specialist of the Day to answer condo and other real estate questions not related to licensing renewals. The workshops will begin promptly and will continue until there is no more demand. The open workshops are as follows:

Oahu – DCCA, Kamamalu Building, 1010 Richards Street, Second Floor, Honolulu

November 6, 2002	9 a.m. – 12 Noon	Kapuaiwa Room
November 15, 2002	9 a.m. – 12 Noon	Kapuaiwa Room

Kauai – Kauai Board of REALTORS®, 4359 Kukui Grove, Suite 103, Lihue

November 8, 2002	9 a.m. – 12 Noon
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Maui – REALTORS® Association of Maui, Inc., Conference Room, 441 Ala Makani Pl., Kahului

November 14, 2002	9 a.m. – 12 Noon
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Kona – Kona Board of REALTORS®, Pines Plaza, Suite 157, 75-240 Nani Kailua Dr., Kailua-Kona

November 18, 2002	9 a.m. – 12 Noon
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Hilo – Hawaii Island Board of REALTORS®, 14 Waiuanue Avenue, Hilo

November 19, 2002	9 a.m. – 12 Noon
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Completed applications with payment checks will be accepted at the workshops. No cash payments will be accepted. Note: There are other scheduled workshops, which are not included above that have been arranged with brokerage offices or other organizations.

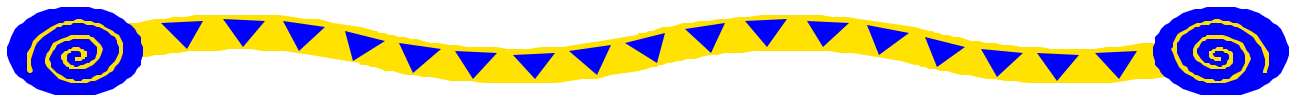
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Real Estate Commission 2003 Meeting Schedule

Laws & Rules Review Committee – 9 a.m. Education Review Committee – 10 a.m. Condominium Review Committee – 11 a.m.	Real Estate Commission – 9 a.m.
Friday, January 10, 2003 – REALTORS® Association of Maui	Friday, January 24, 2003 – Kapuaiwa Room
Wednesday, February 12, 2003 – Kapuaiwa Room	Friday, February 28, 2003 – Kapuaiwa Room
Wednesday, March 12, 2003 – Kapuaiwa Room	Friday, March 28, 2003 – Kapuaiwa Room
Monday, April 7, 2003 – Kapuaiwa Room	Friday, April 25, 2003 – Kapuaiwa Room
Wednesday, May 14, 2003 – Kapuaiwa Room	Friday, May 30, 2003 – Kapuaiwa Room
Tuesday, June 10, 2003 – Kapuaiwa Room	Friday, June 27, 2003 – Kapuaiwa Room
Wednesday, July 9, 2003 – Kapuaiwa Room	Wednesday, July 30, 2003 – Kapuaiwa Room
Wednesday, August 13, 2003 – Kapuaiwa Room	Friday, August 29, 2003 – Kapuaiwa Room
Wednesday, September 10, 2003 – Kapuaiwa Room	Friday, September 26, 2003 – Kapuaiwa Room
Wednesday, October 8, 2003 – Kapuaiwa Room	Friday, October 31, 2003 – Kapuaiwa Room
Wednesday, November 12, 2003 – Kapuaiwa Room	Wednesday, November 26, 2003 – Kapuaiwa Room
Thursday, December 11, 2003 – Kapuaiwa Room	Friday, December 12, 2003 – Kapuaiwa Room

All meetings will be held in the HRH Princess Victoria Kamamalu Building, located at 1010 Richards Street, Second Floor, Honolulu, Hawaii, **except** the January 10, 2003 meetings, which will be held in the Conference Rooms of the REALTORS® Association of Maui, Inc.'s Office, located at 441 Ala Makani Place, Kahului, Maui.

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's 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 contact the Executive Officer at 586-2643 to submit your request.



WHAT'S HAPPENING AT THE REAL ESTATE BRANCH

We would like to welcome David Grupen to the Real Estate Branch staff. He is our newest Condominium Specialist and comes to us from the Regulated Industries Complaints Office.

Congratulations and kudos to Diane Choy Fujimura, Senior Real Estate Specialist, and Irene Kotaka, Secretary, for dedicating 20 years of service to state government and Robert Ito, Clerk, for 10 years of dedicated service.

Congratulations to Cynthia Yee, Senior Real Estate Specialist, as the Professional and Vocational Licensing Division's 2002 nominee for the department's Spirit of DCCA award.