

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: July 9, 2003

Time: Upon adjournment of the Education Review Committee meeting which followed the Laws and Rules Review Committee meeting which convened at 9:00 a.m.

Place: Kapuaiwa Room
HRH Princess Victoria Kamamalu Building
1010 Richards Street, Second Floor
Honolulu, Hawaii

Present: Mitchell Imanaka, Chair
Peter Rice, Vice Chair
Louis Abrams, Member
Marshall Chinen, Member
John Ohama, Member – early departure
Iris Okawa, Member
Vern Yamanaka, Member
Trudy Nishihara, Member

Alan Taniguchi, Executive Officer
Cynthia Yee, Senior Condominium Specialist
Cheryl Leong, Condominium Specialist
Gordon Arakaki, Condominium Recodification Attorney
Diane Choy Fujimura, Senior Real Estate Specialist
Lorene Arata, Real Estate Specialist
Shari Wong, Deputy Attorney General
Tammy Norton, Recording Secretary

Others: Bill Byrns, University Parkside
Bill Boyle, University Parkside
Rick James, Carlsmith Ball LLP

Excused: Kathleen Kagawa, Member

Call to Order: Chair Imanaka called the meeting to order at 10:54 a.m., at which time quorum was established.

Chair's Report: No report was presented.

Condominium Specialist's Report: **Additional Distribution**
The following materials were distributed prior to the start of the meeting:

6.c. Hawaii Condominium Bulletin – June 2003 issue
9. Budget and Finance Report

Additions to the Agenda

Upon a motion by Commissioner Rice, seconded by Commissioner Ohama, it was voted on and unanimously carried to recommend accepting the additions to the agenda as follows:

5.a.6) Performance Bond – Centex Homes

The agenda was taken out of order to accommodate those present at the meeting.

Condominium
Project
Registration:

University Parkside CPR #4902

Bill Byrns, Esq. and Bill Boyle representing University Parkside, CPR # 4902 were present. There was no one present representing the County of Hawaii Planning Department.

Specialist Yee reported that the Committee is in receipt of a letter dated June 9, 2003 from Christopher Yuen, Hawaii County Planning Department Director, in response to the published minutes of the September 4, 2002 and January 10, 2003 meetings of the Condominium Review Committee ratifying effective registration dates for University Parkside. Mr. Yuen wrote that the project is not in compliance with the County of Hawaii Codes and Ordinances.

Mr. Byrns of MacDonald Rudy Byrns O'Neill & Yamauchi, an attorney representing the developer, informed the committee that the project consists of 12 units in North Kohala and was issued an effective date of August 20, 2002 for a developer's final public report. Mr. Byrns then received an August 23, 2002 letter from the County of Hawaii Planning Department informing them of the violations of the subdivision codes and further stating that no building permits were issued. Mr. Byrns stated that he then corrected and clarified all of Mr. Yuen's points to Senior Condominium Specialist Yee via telephone and in a letter dated October 15, 2002

Mr. Byrns further reported that the County did issue building permits for each unit. The developer stopped sales and submitted for a developer's supplemental public report which was issued an effective date of December 11, 2002. Mr. Byrns reported that the June 9, 2003 letter from Mr. Yuen raises old incorrect issues that were previously disclosed.

Commissioner Yamanaka questioned whether there has been any additional correspondence with Mr. Yuen.

Mr. Byrns replied in the negative.

Commissioner Abrams questioned whether the County of Hawaii Planning Department has provided them with any type of denials.

Mr. Byrns replied that the building permits were issued and the zoning, density and utilities were there.

Chair Imanaka discussed the two statements. Chair Imanaka further noted that the project has been sold out.

Upon a motion by Commissioner Okawa, seconded by Commissioner Abrams it was voted on and unanimously carried to take the matter under advisement.

Commissioner Ohama was excused at 11:05 a.m.

Performance Bond – Centex Homes (Kolea Condominium Villas)

Rick James, Esq. of Carlsmith Ball, LLP, was present to represent the developer, Centex Homes. Mr. James reported that Centex Homes is acting as its own general contractor for the project and since there is no separate general contractor to provide the usual performance bond, an equivalent bond has been proposed. Mr. James stated that the proposed form of bond provides a greater level of protection. Under the proposed bond, the third party surety is guaranteeing both the completion of the construction of the buildings and the availability of the funds necessary to do so. The proposed bond also names the developer as the obligor and the AOAO as the obligee.

Chair Imanaka questioned if the developer is acting as the AOAO until the first meeting is called and questioned whether the developer would be willing to name the State as an additional obligee.

Mr. James responded the developer would act as the AOAO until the first meeting is called and that he believes that his client would be willing to list the state as an additional obligee.

Chair Imanaka informed Mr. James that he had some comments to the proposed bond and would pass that language on to him via the Senior Condominium Specialist.

Upon a motion by Commissioner Okawa, seconded by Commissioner Ching, it was voted on and unanimously carried to take the matter under advisement.

Minutes:

Upon a motion by Commissioner Rice, seconded by Commissioner Abrams, it was voted on and unanimously carried to accept the minutes of the June 10, 2003 Condominium Review Committee meeting as circulated.

Condominium
Governance and
Management:

AOAO Registrations

Specialist Grupen reported that as of June 30, 2003, 1048 AOAOs have successfully registered.

Mediation and Arbitration

Specialist Yee reported that she received a telephone complaint about the services provided by the Mediation Center of the Pacific, Inc. She then contacted Ms. Tracey Wiltgen of MCP about the complaint. Ms. Wiltgen, in a letter dated June 4, 2003, informed Specialist Yee that MCP case managers have made regular efforts to schedule a mediation session as requested by one of the parties since the case was opened on February 20, 2003, but have not yet been able to find a mutually agreeable date and time. If the parties are unable to work with MCP to find a mutually agreeable date and time within twenty-four hours, the case will be closed. Ms. Wiltgen further requested in her letter that to prevent similar problems in the future that the Commission along with all the contracted mediation vendors should agree on a specific timeline and circumstances for closing a request for mediation which can be explained to parties in advance.

Chair Imanaka noted that the recodification process will address this issue.

Upon a motion by Commissioner Abrams, seconded by Commissioner Rice, it was voted on and unanimously carried to recommend approval to refer the letter dated June 4, 2003 from the Mediation Center of the Pacific to the recodification attorney for study and where appropriate, inclusion of a timetable for concluding mediation.

Upon a motion by Commissioner Abrams, seconded by Commissioner Rice, it was voted on and unanimously carried to recommend approval to ratify issuance of effective registration dates of July 1, 2003 for Association of Apartment Owners through June 30, 2003 for the 2003-2005 registration. The associations are as follows:

1073 KINAU	7/1/2003	1251 HEULU	7/1/2003
1330 WILDER	7/1/2003	1436 KEWALO	7/1/2003
1650 PIIKOI	7/1/2003	1808 WAIOLA	7/1/2003
1814 POKI	7/1/2003	1942/1946 PAUOA ROAD	7/1/2003
2018 FERN	7/1/2003	2033 NUUANU	7/1/2003
2121 ALA WAI INC	7/1/2003	222 KAIULANI APARTMENTS	7/1/2003
2233 ALA WAI	7/1/2003	2764 BOOTH	7/1/2003
3019 KALAKAUA AVENUE APTS	7/1/2003	3056 KALAKAUA	7/1/2003
40 MOHALA PLACE	7/1/2003	541 LAUIKI	7/1/2003
627 AND 631 HAUSTEN STREET	7/1/2003	727 UNIVERSITY	7/1/2003
730 MAKALEKA	7/1/2003	949 PROSPECT	7/1/2003
965 PROSPECT	7/1/2003	ACADEMY TOWER	7/1/2003
ADMIRAL THOMAS APTS THE	7/1/2003	AHUIMANU GARDENS UNIT I	7/1/2003
AIEA LANI ESTATES	7/1/2003	AIEA MEDICAL BUILDING	7/1/2003
AIKAHI GARDENS	7/1/2003	AINA KU'AI KAI	7/1/2003
ALA WAI EAST	7/1/2003	ALA WAI MANOR	7/1/2003
ALA WAI PALMS	7/1/2003	ALA WAI PLAZA INC	7/1/2003
ALA WAI PLAZA SKYRISE	7/1/2003	ALA WAI TOWN HOUSE	7/1/2003
ALEXANDER GARDENS	7/1/2003	ALII KAI II HANAIEI	7/1/2003
ALOHA SURF HOTEL	7/1/2003	ALOHA TOWERS INC	7/1/2003
ATKINSON PLAZA	7/1/2003	AUHANA KULEANA	7/1/2003
BALI HAI VILLAS	7/1/2003	BARCLAY THE	7/1/2003
BEL-AIR PLAZA THE	7/1/2003	BEL-AIRE THE	7/1/2003
BELLEVUE TOWER	7/1/2003	C M D C BUILDING	7/1/2003
CAPTAIN COOK VILLAGE I	7/1/2003	CARMEL APARTMENTS	7/1/2003
CASTLE SURF APARTMENTS	7/1/2003	CENTURY CENTER	7/1/2003
CENTURY SQUARE	7/1/2003	CHARLES R KENDALL OFF BLDG	7/1/2003
CHATEAU WAIKIKI	7/1/2003	CITRON VILLA	7/1/2003
CLIFF VIEW TERRACE	7/1/2003	CLUB VIEW GARDENS II	7/1/2003
COCO COURT	7/1/2003	COLONY MARINA	7/1/2003
CONSULATE THE	7/1/2003	CONTINENTAL APARTMENTS THE	7/1/2003
CONTINENTAL PLAZA THE	7/1/2003	COOLIDGE VILLA	7/1/2003
CORAL TERRACE APARTMENTS	7/1/2003	CORONET THE	7/1/2003
COUNTRY CLUB VILLAS	7/1/2003	COURTYARDS AT PUNAHOU	7/1/2003
CRYSTAL PARK	7/1/2003	DESTINY AT MILILANI	7/1/2003
DEVLAND HALE	7/1/2003	DIAMOND HEAD ALII	7/1/2003
DIAMOND HEAD VISTA INC	7/1/2003	DISCOVERY BAY	7/1/2003
DOWSETT POINT	7/1/2003	EMERALD PLAZA CONDOMINIUM	7/1/2003
EWA APARTMENTS	7/1/2003	EWA VILLA ESTATES	7/1/2003
EWALANI VILLAGE	7/1/2003	EXECUTIVE PLAZA	7/1/2003
EXPRESSIONS AT ROYAL KUNIA	7/1/2003	FAIRWAY HOUSE	7/1/2003
FAIRWAY VILLA	7/1/2003	FERN GARDEN	7/1/2003
FOSTER HEIGHTS VILLA	7/1/2003	FOUR FORTY FOUR NAHUA INC	7/1/2003
FOUR PADDLE	7/1/2003	FRANKLIN TOWERS	7/1/2003
GATEWAY PENINSULA	7/1/2003	GRAND CHAMPIONS VILLAS	7/1/2003
GREENS AT WAIKELE THE	7/1/2003	GREENVIEW THE	7/1/2003
HAIKU HALE	7/1/2003	HALE HUI KAI	7/1/2003
HALE KAAPALI	7/1/2003	HALE KAI O'KIHEI	7/1/2003
HALE KAI O'KONA	7/1/2003	HALE KEE KEE CONDOMINIUM	7/1/2003
HALE KONA KAI	7/1/2003	HALE KULANUI	7/1/2003
HALE MAHINA BEACH RESORT	7/1/2003	HALE OLA	7/1/2003
HALE PONO	7/1/2003	HALEAKALA GARDENS	7/1/2003
HALEAKALA SHORES	7/1/2003	HALEIWA HALE	7/1/2003
HALELOA II	7/1/2003	HANOHANO HALE	7/1/2003
HARBOR COURT	7/1/2003	HARBOR LIGHTS	7/1/2003

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HARBOR VIEW PLAZA	7/1/2003	HARBOUR RIDGE	7/1/2003
HAWAIIAN KING	7/1/2003	HAWAIIAN MONARCH	7/1/2003
HAWAIIAN PRINCESS@MAKAHA BCH	7/1/2003	HAWAIKI TOWER	7/1/2003
HEALANI GARDENS	7/1/2003	HEIGHTS AT WAILUNA THE	7/1/2003
HEULU GARDENS	7/1/2003	HI-SIERRA	7/1/2003
HIGHLANDS AT WAIKELE	7/1/2003	HILLSIDE VILLA	7/1/2003
HILO LAGOON CENTRE THE	7/1/2003	HOALOHA IKE	7/1/2003
HOALOHA IKE II	7/1/2003	HOKULANI APARTMENTS	7/1/2003
HOLANIKU HALE	7/1/2003	HOLIDAY GARDENS	7/1/2003
HOLIDAY TERRACE	7/1/2003	HOLOHOLO KU AT PARKER RANCH	7/1/2003
HOLOLANI	7/1/2003	HONOKOWAI SUNRISE	7/1/2003
HONOLULU PARK PLACE	7/1/2003	HU'ELANI, PHASES 1, 2 - 7B & 10	7/1/2003
ILANIWAI	7/1/2003	ILIMA APARTMENTS	7/1/2003
IMPERIAL HAWAII RESORT	7/1/2003	IMPERIAL PLAZA THE	7/1/2003
IOLANI COURT PLAZA INC THE	7/1/2003	IRONWOODS THE	7/1/2003
ISLAND SANDS THE	7/1/2003	IWILEI BUSINESS CENTER	7/1/2003
K KAYA APARTMENTS	7/1/2003	KA HALE MOI	7/1/2003
KA'EEO KAI PHASE II	7/1/2003	KA'EEO KAI PHASE III	7/1/2003
KAANAPALI BEACH VACATION RESORT	7/1/2003	KAANAPALI PLANTATION THE	7/1/2003
KAANAPALI ROYAL	7/1/2003	KAHALA BEACH THE	7/1/2003
KAHALA PACIFICA	7/1/2003	KAHALEMANU	7/1/2003
KAHALUU BAY VILLAS	7/1/2003	KAHALUU GARDENS	7/1/2003
KAHANA MANOR	7/1/2003	KAHANA OUTRIGGER	7/1/2003
KAHE KAI I	7/1/2003	KAI NUI COURT	7/1/2003
KAIHEE KAI	7/1/2003	KAILANI THE	7/1/2003
KAILUA VILLAGE	7/1/2003	KAIMUKI PROFESSIONAL BLDG	7/1/2003
KAIMUKIAN	7/1/2003	KAIIO TERRACE	7/1/2003
KALA KAI MARINA 4B (SEE REG #7)	7/1/2003	KALAKAUA SANDS	7/1/2003
KALAKAUAN THE	7/1/2003	KALAMA VILLA	7/1/2003
KALAMAKU'U	7/1/2003	KALAWA GARDENS	7/1/2003
KALELE KAI	7/1/2003	KAM TOWERS	7/1/2003
KAMAANA THE	7/1/2003	KAMAOLE BEACH ROYALE	7/1/2003
KAMAOLE SANDS	7/1/2003	KAMOA VIEWS	7/1/2003
KAMUELA HALE	7/1/2003	KANA'I A NALU	7/1/2003
KAPIOLANI BANYAN	7/1/2003	KAPIOLANI TOWERS	7/1/2003
KAPIOLANI TOWN HOUSE	7/1/2003	KAU'IOKAHALOA IKI	7/1/2003
KAUAI BEACH VILLAS	7/1/2003	KAUALANA MANOR I INC	7/1/2003
KAULANA AT KONA	7/1/2003	KAWAIHAE CRESCENT WEST	7/1/2003
KE 'AINA KAI TOWNHOMES INCR 1-12	7/1/2003	KEALANI	7/1/2003
KEALIA CONDOMINIUM	7/1/2003	KEAUHOU AKAHI	7/1/2003
KEAUHOU PUNAHELE	7/1/2003	KEAUHOU RESORT	7/1/2003
KEAWAKAPU	7/1/2003	KEONI ANA	7/1/2003
KIAHUNA	7/1/2003	KIHEI AKAHI	7/1/2003
KIHEI ALII KAI	7/1/2003	KIHEI BEACH CONDOMINIUM	7/1/2003
KIHEI HOLIDAY	7/1/2003	KIHEI KAI NANI PHASE I	7/1/2003
KIHEI PARK SHORE	7/1/2003	KIHEI RESORT	7/1/2003
KIHEI SANDS CONDOMINIUM	7/1/2003	KINAU TERRACE	7/1/2003
KINAU VILLA	7/1/2003	KING CHARLES	7/1/2003
KING MANOR	7/1/2003	KINGS GATE	7/1/2003
KIPA VILLAGE	7/1/2003	KO OLINA FAIRWAYS	7/1/2003
KOA KAI CONDOMINIUM	7/1/2003	KOA LAGOON	7/1/2003
KOA RESORT	7/1/2003	KOLOA GARDEN APARTMENTS	7/1/2003
KONA BALI KAI	7/1/2003	KONA BILLFISHER THE	7/1/2003
KONA ONENALO	7/1/2003	KONA SEA RIDGE	7/1/2003
KUAU PLAZA CONDOMINIUM	7/1/2003	KUHIO PLAZA	7/1/2003
KUIAHA PAUWELA CONDOMINIUM	7/1/2003	KUKUAU PLAZA	7/1/2003
KULEANA INC, THE	7/1/2003	KULIOUOU KAI	7/1/2003
KULIOUOU VALLEY VISTA-UNIT II	7/1/2003	KULIOUOU VALLEY VISTAS	7/1/2003
KUMELEWAI COURT	7/1/2003	KUMULANI AT THE UPLANDS AT MAUNA	7/1/2003
KUNIA PALMS	7/1/2003	KUPONO HALE	7/1/2003
LAKECREST THE	7/1/2003	LAKESHORE TOWER CONDO	7/1/2003
LAKESIDE CORONET	7/1/2003	LAKESIDE HOLIDAY	7/1/2003
LAKESIDE WEST	7/1/2003	LAKEVIEW	7/1/2003
LAKEVIEW PLAZA	7/1/2003	LAKEVIEW SANDS	7/1/2003
LAKEVIEW TERRACE	7/1/2003	LANAKILA	7/1/2003
LANIKAI	7/1/2003	LEILANI KAI	7/1/2003
LILIHA SQUARE	7/1/2003	LILIPUNA CONDOMINIUM	7/1/2003
LIOLIO	7/1/2003	LOFTS BY GENTRY PHASE A	7/1/2003

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LUANA KAI	7/1/2003	LUNALILO TOWER	7/1/2003
LUNAPULE KONA	7/1/2003	LUSITANA HALE	7/1/2003
LYNWDYD	7/1/2003	MAALAEA BANYANS	7/1/2003
MAALAEA SURF	7/1/2003	MAALAEA YACHT MARINA	7/1/2003
MAHANA AT KAAPALI THE	7/1/2003	MAHINA SURF THE	7/1/2003
MAILE SKY COURT	7/1/2003	MAILE TERRACE	7/1/2003
MAILE TOWER THE	7/1/2003	MAKAHA BEACH CABANAS	7/1/2003
MAKAHA SHORES	7/1/2003	MAKAHA SURFSIDE	7/1/2003
MAKAI CLUB AT PRINCEVILLE	7/1/2003	MAKAI CLUB COTTAGES@PRINCEVILLE	7/1/2003
MAKAKILO GARDENS INCR NO 2	7/1/2003	MAKAKILO HALE II	7/1/2003
MAKAKILO MALA	7/1/2003	MAKANI KAI MARINA	7/1/2003
MAKANUI	7/1/2003	MAKENA SURF	7/1/2003
MAKIKI BEL AIRE	7/1/2003	MAKIKI COLONY	7/1/2003
MAKIKI HOLIDAY	7/1/2003	MAKIKI PARK PLACE	7/1/2003
MAKIKI ROYAL	7/1/2003	MAKIKILANI PLAZA	7/1/2003
MALUHIA KAI	7/1/2003	MANA KAI MAUI	7/1/2003
MANOA EAST	7/1/2003	MANOA HILLSIDE ESTATES	7/1/2003
MANOA TEI	7/1/2003	MANOA VILLAGE	7/1/2003
MANUALOHA I	7/1/2003	MARCO POLO APARTMENTS INC	7/1/2003
MARINA PALMS	7/1/2003	MARINA TOWERS	7/1/2003
MARINE SURF WAIKIKI	7/1/2003	MARINER'S VILLAGE	7/1/2003
MATLOCK HALE	7/1/2003	MAUI BANYAN	7/1/2003
MAUI ELDORADO	7/1/2003	MAUI GARDENS	7/1/2003
MAUI KAMAOLE	7/1/2003	MAUI LANI TERRACES	7/1/2003
MAUI PARKSHORE	7/1/2003	MAUI SANDS	7/1/2003
MAUI SANDS II	7/1/2003	MAUI VISTA	7/1/2003
MEHEULA HALE PATIO HOMES	7/1/2003	MELELANI APARTMENTS	7/1/2003
MENEHUNE SHORES	7/1/2003	MERIDIAN EAST	7/1/2003
MILILANI GRDN HOMES UNIT NO 2	7/1/2003	MILILANI PARKWAY	7/1/2003
MILILANI TOWN HOUSES	7/1/2003	MILLER TERRACE	7/1/2003
MJJ APARTMENTS	7/1/2003	MOANALUA ESTATES	7/1/2003
MOANALUA VILLAGE	7/1/2003	MOKULEIA BEACH APTS	7/1/2003
MOKULEIA BEACH COLONY	7/1/2003	MOLOKAI SHORES	7/1/2003
MONTE VISTA INC	7/1/2003	MOORINGS THE	7/1/2003
MOUNT THOMAS	7/1/2003	NA PALI GARDENS	7/1/2003
NAMAHANA TERRACE	7/1/2003	NANI KAI HALE	7/1/2003
NAPILI GARDENS	7/1/2003	NAPILI POINT	7/1/2003
NAPILI POINT II	7/1/2003	NAPILI RIDGE	7/1/2003
NAPILI SUNSET	7/1/2003	NAPILI VILLAS - PHASE I	7/1/2003
NAPILIHAI VILLAGES I	7/1/2003	NAPUA POINT	7/1/2003
NAUPAKA	7/1/2003	NAURU TOWER	7/1/2003
NIHI KAI VILLAS	7/1/2003	NOELANI	7/1/2003
NORTHBROOK-MELEMENU WOODLANDS	7/1/2003	NORTHPOINTE	7/1/2003
NUUANU BROOKSIDE	7/1/2003	NUUANU PARK PLACE	7/1/2003
NUUANU PARKSIDE	7/1/2003	ODE RANCHO	7/1/2003
OHANA KEWALO	7/1/2003	OHUA GARDENS	7/1/2003
OHUALANI	7/1/2003	OLU HALE KANOA	7/1/2003
ONE ARCHER LANE	7/1/2003	ONE KALAKAUA SENIOR LIVING	7/1/2003
ONE NAPILI WAY	7/1/2003	ONE WATERFRONT TOWERS	7/1/2003
PACIFIC GARDENS I	7/1/2003	PACIFIC INTERNATIONAL HOTEL	7/1/2003
PACIFIC ISLANDER HOTEL	7/1/2003	PACIFIC VILLAGE	7/1/2003
PACIFIC VILLAGE ANNEX	7/1/2003	PAE KO GARDENS	7/1/2003
PAKI MAUI	7/1/2003	PALEHUA HALE	7/1/2003
PALEHUA HILLSIDE	7/1/2003	PALI KE KUA	7/1/2003
PALM COURT	7/1/2003	PALM DRIVE	7/1/2003
PALM GROVE	7/1/2003	PALMS AT WAILEA PH 2 THE	7/1/2003
PALMS INC THE	7/1/2003	PALO ALTO THE	7/1/2003
PALOLO VALLEY GARDENS	7/1/2003	PANILOLO CLUB	7/1/2003
PANILOLO HALE	7/1/2003	PAPAKEA	7/1/2003
PARKGLEN AT WAIKELE	7/1/2003	PARKSIDE TERRACE	7/1/2003
PARKSIDE THE	7/1/2003	PARKSIDE TOWER	7/1/2003
PARKVIEW INC THE	7/1/2003	PARKVIEW SQUARE	7/1/2003
PARKVIEW VILLAGE CONDOMINIUM	7/1/2003	PARKWAY PHASE A	7/1/2003
PAUHI GARDENS	7/1/2003	PEARL HARBOR GARDENS	7/1/2003
PEARL RIDGE TERRACES	7/1/2003	PEARLRIDGE SQUARE	7/1/2003
PENSACOLA GARDENS CONDO	7/1/2003	PIIKOI ATRIUM THE	7/1/2003
PIIKOI HALE	7/1/2003	PINES AT KAILUA-KONA II THE	7/1/2003
PLANTATION VIEW HALE	7/1/2003	POINCIANA MANOR	7/1/2003

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POIPU POINT	7/1/2003	POIPU SANDS THE	7/1/2003
POIPU SHORES	7/1/2003	POLO BEACH CLUB THE	7/1/2003
POLYNESIA CAPRI TWNHSE APTS	7/1/2003	POLYNESIAN SHORES	7/1/2003
PRINCE LUNALILO CONDOMINIUMS	7/1/2003	PROSPECT TOWER APARTMENTS	7/1/2003
PU'U PO'A	7/1/2003	PUAKO BEACH APARTMENTS	7/1/2003
PUNAHOU CHALET	7/1/2003	PUNAHOU MANOR	7/1/2003
PUNAHOU REGENCY THE	7/1/2003	PUNAHOU SURF	7/1/2003
PUNAHOU VISTA APARTMENTS	7/1/2003	PUNCHBOWL PLACE	7/1/2003
PUU ALII COMMUNITY ASSN	7/1/2003	PUU ALII PHASE II	7/1/2003
PUJEO VILLA	7/1/2003	PUUHALE GARDENS	7/1/2003
PUUONE HALE ALII	7/1/2003	QUEEN VICTORIA RESIDENCES INC	7/1/2003
QUEEN'S COURT	7/1/2003	RAINBOW SERIES - KUOLA PHASE I	7/1/2003
RAINBOW SERIES KAUAHALE WAIPIO	7/1/2003	REGENCY AT POIPU KAI THE	7/1/2003
REGENCY PARK	7/1/2003	RIDGE AT LAUNANI VALLEY THE	7/1/2003
RIDGEWAY UNIT A THE	7/1/2003	ROLLING MEADOWS CONDOMINIUM	7/1/2003
ROSE TERRACE	7/1/2003	ROYAL CAPITOL PLAZA THE	7/1/2003
ROYAL GARDEN-MAKIKI	7/1/2003	ROYAL IOLANI THE	7/1/2003
ROYAL KAILUAN THE	7/1/2003	ROYAL KUHIO	7/1/2003
ROYAL SEA-CLIFF CLUB THE	7/1/2003	ROYAL TOWERS	7/1/2003
SCANDIA TOWERS	7/1/2003	SEA VILLAGE THE	7/1/2003
SEASIDE SUITES	7/1/2003	SHEARWATER THE	7/1/2003
SHORES OF MAUI THE	7/1/2003	SIX TWENTY SHERIDAN	7/1/2003
SLEEPY HOLLOW	7/1/2003	SOUTHPOINTE AT WAIAKOA	7/1/2003
SPRUCE RIDGE VILLAS	7/1/2003	SUGAR BEACH RESORT	7/1/2003
SUGAR COVE THE	7/1/2003	SUMMER PALACE THE	7/1/2003
SUMMIT AT KAAPALI-PHASE I THE	7/1/2003	SUMMIT AT KANEOHE BAY	7/1/2003
SUN HALA	7/1/2003	SUNSET BEACH VISTA	7/1/2003
SUNSET LAKEVIEW APARTMENTS	7/1/2003	SUNSET POINT CPR	7/1/2003
SUNSET SHORES	7/1/2003	SUNSET TOWERS	7/1/2003
TERRACE TOWERS	7/1/2003	TERRACES MANELE BAY THE	7/1/2003
TERRAZZA/CORTEBELLA	7/1/2003	TIARE APARTMENTS	7/1/2003
TOP OF THE HILL	7/1/2003	TOWN HOUSE THE	7/1/2003
TOWNHOMES AT PEARL RIDGE THE	7/1/2003	TROPICANA VILL HAIKU UNIT I	7/1/2003
TROPICANA VILLAGE CONDO-MAKAI	7/1/2003	TWENTY ONE HUNDRED THE	7/1/2003
UNIVERSITY GARDENS	7/1/2003	UNIVERSITY PLAZA	7/1/2003
UNIVERSITY VILLA	7/1/2003	URAKU TOWER HAWAII	7/1/2003
VALLEY VIEW ESTATES	7/1/2003	VALLEY VIEW TERRACE	7/1/2003
VICTORIA PLAZA CONDOMINIUM	7/1/2003	VICTORIA TOWERS	7/1/2003
VIEWPOINTE AT WAIKELE	7/1/2003	VILLA ON EATON SQUARE THE	7/1/2003
VILLAGE MALUHIA THE	7/1/2003	VILLAS AT KOELE PHASE I THE	7/1/2003
VILLAS AT KOELE PHASE II THE	7/1/2003	VINEYARD APARTMENTS	7/1/2003
VINTAGE AT KAAPALI THE	7/1/2003	WAIAKEA VILLAS	7/1/2003
WAIALAE GARDENS	7/1/2003	WAIALAE PLACE	7/1/2003
WAIAU GARDEN VILLA	7/1/2003	WAIAU GARDENS KAI UNIT B	7/1/2003
WAIKALANI WOODLANDS	7/1/2003	WAIKIKI GRAND HOTEL	7/1/2003
WAIKIKI LANDMARK	7/1/2003	WAIKIKI PARK HEIGHTS	7/1/2003
WAIKIKI PARKWAY APARTMENTS	7/1/2003	WAIKIKI SKYLINER	7/1/2003
WAIKIKI SUNSET	7/1/2003	WAIKIKI TOWNHOUSE	7/1/2003
WAIKOLOA FAIRWAYS	7/1/2003	WAIKOLOA VILLAGE CONDOS	7/1/2003
WAIKOLOA VILLAS	7/1/2003	WAILANA AT WAIKIKI THE	7/1/2003
WAILANA SANDS	7/1/2003	WAIMALU PARK	7/1/2003
WAIMEA BY THE SEA	7/1/2003	WAIHOLI BEACH HALE	7/1/2003
WAIPAHU KNOLLS I	7/1/2003	WAIPIULANI CONDOMINIUM	7/1/2003
WAIUNA	7/1/2003	WAIULU VILLAS	7/1/2003
WALINA APARTMENTS	7/1/2003	WARD KINAU	7/1/2003
WEST MOLOKAI RESORT CONDO	7/1/2003	WHITE SANDS VILLAGE	7/1/2003
WILDER AT PIIKOI	7/1/2003	WILDER HALE	7/1/2003
WILIWILI VISTA	7/1/2003	WILOLA APARTMENTS	7/1/2003
WINDWARD ESTATES	7/1/2003	WOODLAWN TERR-MELEMNU WOOD	7/1/2003
WOODWINDS	7/1/2003		

Condominium Seminars and Symposium

CAI Hawaii's June 21, 2003 seminar entitled "Condo Wars - Preventing, Resolving and Winning Condominium Disputes" was monitored by Commissioner Okawa, Specialist Yee and Specialist Grupen. Commissioner Okawa reported that the seminar was well attended with well versed speakers. The seminars could include more examples verses generalities. The theme of this particular seminar was very good.

Case Law Review Program

Article entitled "Mediation With Association Does Not Prohibit Developer's Contact With Individual Association Members" from the June 2003 issue of *Community Association Law Reporter* was distributed for informational purposes.

Condominium Related Articles

The following articles from the June 2003 issue of *Common Ground* were distributed for informational purposes: "The Pipe that Popped" and "Articles of Faith Starting Point: CAI's Rights and Responsibilities for Better Communities."

Condominium
 Project
 Registration:

Condominium Project Registration - Public Reports Issued

Upon a motion by Commissioner Rice, seconded by Commissioner Yamanaka, it was voted on and unanimously carried to recommend approval to ratify issuance of effective dates for public reports for the month of June 2003 as follows:

Proj No	Project Name	Project Address	TMK #	Report	Date
5104	1305 MIDDLE STREET	1305 MIDDLE ST HONOLULU HI 96819	(1)1-03-010:006	Final	06/20/03
1736	1516 NEHOA	1516 NEHOA ST HONOLULU HI 96822	(1)2-05-001:009	Suppl 1	06/05/03
5090	1566 & 1568 KEALIA	1566 & 1568 KEALIA DRIVE HONOLULU HI 96817	(1)1-06-018:086	Final	06/03/03
5081	AIEALANI VIEWS	99-403,405,407&409 AIEALANI PL AIEA HI 96701	(1)9-09-014:018	Final	06/23/03
5098	ALA OLA CONDOMINIUM	2255 OLINDA RD MAKAWAO HI 96768	(2)2-03-016:009	Final	06/10/03
5080	ALANEO KUA AINA	LOT 10-D KIOLAKAA-KEAA KAU HI	(3)9-04-005:003	Final	06/19/03
5101	HALEIWA SUNRISE	66-133 & 66-133A NIUULA RD HALEIWA HI 96712	(1)6-06-005:032	Final	06/16/03
4575	HARRISON	LOT 1 NAPOOPOO RD KONA HI	(3)8-02-003:034	Final	06/17/03
5010	HIENALOLI VIEW	LOT 1-A HUALALAI FARMS UNIT 1 HOLUALOA HI	(3)7-05-013:023	Final	06/30/03
5055	KALAHEO VISTA ESTATES	LOT 135-M KOLOA HI	(4)2-03-016:040	Final	06/20/03
2283	KAULANA AT KONA	LOT 3-C-1-A KAMAMALU KEAUHOU HI 96740	(3)7-08-010:092	Suppl 3	06/18/03
5037	KEA' AHALA VISTA	45-580 KEA'AHALA RD KANEOME HI 96744	(1)4-05-022:034	Final	06/03/03
5054	KOHANA'IKI HALE HANA	LOT 14 AT KOHANA'IKI N KONA HI	(3)7-03-007:005	Final	06/23/03
4922	KONA SEA VILLAS	75-6060 KUAKINI HWY KAILUA-KONA HI 96740	(3)7-05-019:001	Cont. Final	06/25/03
5099	LA'I ROAD ESTATES	2505,2505A,2505B & 2505C LA'I HONOLULU HI 96816	(1)3-04-012:027	Final	06/26/03
5039	LAS BRISAS PHASE 6	91- MAKALE'A ST EWA BEACH HI 96706	(1)9-01-010:082	Final	06/26/03
5073	OHANA KULEANA	LOT D-2-B MOLOAA KAWAIIHAU HI	(4)4-09-011:038	Final	06/26/03
5086	ONE MEETING PLACE	4520 AKIA ST KAPAA HI 96746	(4)4-05-005:008	Prelim	06/23/03
5087	RAPOZO OHANA	3128 UNAHE ST LIHUE HI 96766	(4)3-06-019:057	Final	06/13/03

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4939	WEHIWA	WEHIWA ST HALEIWA HI 96712	(1)5-08-005:014	Final	06/09/03
5079	WILD COFFEE CONDOMINIUMS	73-1129 AHULANI ST KAILUA-KONA HI 96740	(3)7-03-023:099	Final	06/16/03
5105	YOKOYAMA-MCDONALD FARMS	82-6080 & 82-6080A ROAD D KONA HI	(3)8-02-001:020	Final	06/30/03
Preliminary Reports:		1			
Contingent Final Reports:		1			
Final Reports:		18			
Supplementary Reports:		2			

Total: 22

Extensions for FY 2003	3FY03	4FY03
Number of Requests Received	35	37
Number Deficient	10	8
Number of Extensions Authorized	32	36
Number Denied - Supplementary Report Required	2	1

Project Statistics

Chair Imanaka reported that a recap of the timing of the consultants review of condominium projects filings have been distributed for informational purposes. He further reported that the average time is fairly well for this time period.

§514A-107, HRS – Request for Informal Non-Binding Opinion, Connor Cherer

A written request was received by Connor Cherer for an owner-occupant waiver pursuant to §514A-107, HRS. Mr. Cherer, via his written request of June 25, 2003, indicated that he has received an unforeseen military/job transfer and has submitted military transfer orders as proof of his permanent change of duty station from Hawaii to Dubai, United Arab Emirates.

Upon a motion by Commissioner Abrams, seconded by Commissioner Rice, subject to review and advice of the Commission's Deputy Attorney General, it was voted on and unanimously carried to recommend approval to issue an informal, non-binding opinion, pursuant to §514A-107(b)(2) "unforeseeable job or military transfer" and accordingly issue a Real Estate Commission "no action" letter subject to the following conditions:

- Verification of the military transfer, and
- Supporting documentation from Gentry Hawaii indicating agreement to allowing the resale of the condominium before the expiration of 365 days.

Program of Work: **Recodification of Chapter 514A**

Recodification Attorney Arakaki reported that he will be meeting with the Blue Ribbon Recodification Advisory Committee on July 14th to go over the latest draft reports. Public hearings tentatively will be scheduled for the month of September. Mr. Arakaki further reported that he would email the latest draft of his report to the Commissioners for their review and comments.

Advice, Education and Referral – Highlights from June 2003 Inquiries

Specialist Yee submitted a written report on the highlights from June 2003 phone inquiries handled by Commission staff for the committee's information.

Hawaii Condominium Bulletin

The June 2003 Hawaii Condominium Bulletin was distributed for informational purposes. Copies are being mailed to all registered associations.

Legislative Acts and Resolutions

Copies of the following acts were distributed for informational purposes: Act 131, Act 95 (Section 14), Act 80, Act 185, and Act 194.

Interactive Participation with Organizations

A written report was submitted by Commissioner Rice and Executive Office Taniguchi on their participation with CAI's 52nd National Conference and Exposition which was held May 1-3, 2003 in Dallas, Texas.

An announcement was made that the National Land Council, Inc. will be holding its 35th Annual National Land Council Seminar September 10-14, 2003 in New Orleans, Louisiana.

Neighbor Island Outreach

The September 10, 2003 committee meetings will be held on the island of Kauai.

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.

CMEF Budget & Finance Report: Upon a motion by Commissioner Abrams, seconded by Commissioner Rice, it was voted on and unanimously carried to recommend acceptance of the May 31, 2003 CMEF Budget and Finance report.

Condominium Project Registration: **University Parkside CPR #4902 – Letter from the County of Hawaii Planning Department dated June 9, 2003**

Upon a motion by Commissioner Rice, seconded by Commissioner Abrams, it was voted on and unanimously carried to recommend approval to respond as staff has recommended in its June 30, 2003 draft response together with the CRC Chair's amendments.

Performance Bond – Centex Homes (Kolea Condominium Villas)

Upon a motion by Commissioner Abrams, seconded by Commissioner Okawa, it was voted on and unanimously carried to recommend approval to issue an informal non-binding opinion that §514A-40(a)(5), HRS, allows the Commission to accept a performance bond from a Hawaii licensed surety company (that is independent and a non-affiliate of the developer) where the developer and general contractor are the same entity and where the developer is acting on behalf of the association of apartment

owners, subject to the Real Estate Commission, Department of Commerce and Consumer Affairs, State of Hawaii, being named as an additional insured and further subject to amending the bond language as suggested by the Chair of the CRC and staff.

Next Meeting: August 13, 2003
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.
Kapuaiwa Room
HRH Princess Victoria Kamamalu Bldg.
1010 Richards Street, Second Floor
Honolulu, Hawaii 96813

Adjournment: With no further business to discuss, Chair Imanaka adjourned the meeting at 11:30 a.m.

Respectfully submitted:

/s/ Cynthia M. L. Yee

Cynthia M. L. Yee
Senior Condominium Specialist

August 13, 2003

Date

Minutes approved as is.
 Minutes approved with changes; see minutes of _____