

GM 536

Measure Title: Submitting for consideration and confirmation to the Real Estate Commission, Gubernatorial Nominee, NIKKI SENTER, for a term to expire 6-30-2018.

Report Title: Real Estate Commission

Description:

Companion:

Package:

Current Referral: CPN

Introducer(s):

**PRESENTATION OF THE
REAL ESTATE COMMISSION**

TO THE SENATE COMMITTEE ON
COMMERCE AND CONSUMER PROTECTION

TWENTY-SEVENTH LEGISLATURE
Regular Session of 2014

Wednesday, March 12, 2014
10:00 a.m.

TESTIMONY ON GOVERNOR'S MESSAGE NO. 536.

TO THE HONORABLE ROSALYN H. BAKER, CHAIR,
AND MEMBERS OF THE COMMITTEE:


My name is Frances T. Gendrano and I serve as the Vice-Chairperson of the Real Estate Commission ("Commission"). I thank you for the opportunity to present testimony on Governor's Message No. 536, regarding the **reappointment** of Nikki Senter to the Commission. The Commission strongly supports the confirmation of Ms. Senter's reappointment to the Commission.


Ms. Senter has been and continues to be an outstanding contributor and participant in the work of the Commission. She has served on the Commission as a public member for the past four years. Upon appointment, she quickly understood her role and duties as a Commissioner. Her commitment to public service has been outstanding, and she continues to have one of the best attendance records for Commission meetings. She serves as the Chair of the Commission and previously served as Vice-Chair of the Condominium Review Committee, one of the Commission's three standing committees. She is always well prepared for each issue and each meeting. She has a keen knowledge of all the laws and rules that affect the Commission's work. As a member of ARELLO


("Association of Real Estate License Law Officials"), she represents the Commission, serving on a number of Standing Committees. ARELLO is an international organization consisting of Real Estate Commissions from the United States, its territories, provinces of Canada, and other foreign countries.

For these reasons, the Commission strongly supports the confirmation of Ms. Nikki Senter to the Real Estate Commission, and thanks you for the opportunity to testify.



 | 808-733-7060

 | 808-737-4977

 | 1259 A'ala Street, Suite 300
Honolulu, HI 96817

March 12, 2014

The Honorable Rosalyn H. Baker, Chair
Senate Committee on Commerce and Consumer Protection
State Capitol, Room 229
Honolulu, Hawaii 96813

RE: G.M. 536, submitting for consideration and confirmation to the Real Estate Commission, Gubernatorial Nominee, NIKKI SENTER, for a term to expire 6-30-2018.

HEARING: Wednesday, March 12, 2014 at 10:00 a.m.

Aloha Chair Baker, Vice Chair Taniguchi and Members of the Committee:

I am Trudy Nishihara, 2014 President, submitting testimony on behalf of the Hawai'i Association of REALTORS® ("HAR," the voice of real estate in Hawai'i, and its 8,300 members. HAR **supports** G.M. 536, which considers and confirms Ms. Nikki Senter to serve on the Real Estate Commission.

The Real Estate Commission ("Commission") is geared to protect the consumer through the regulation, education and development of professional standards for real estate licensees. As a well-rounded and community-oriented individual, Ms. Senter will be an asset to the Commission.

Ms. Senter's legal practice in real estate development law, with an emphasis on residential condominiums, condominium-hotels and subdivisions has been an asset to the Commission. Her knowledge and expertise is invaluable to the understanding of complex issues that come before the Commission.

Furthermore, as Chair of the Real Estate Commission, Ms. Senter has channeled constructive leadership with positive-oriented direction in guiding the Commission.

For the above reasons, HAR respectfully request your favorable consideration and confirmation of Ms. Senter's nomination to the Real Estate Commission.





PACIFIC REALTY CONSULTANTS

Real Estate Consulting Services
1021 Smith Street, Suite 225
Honolulu, HI 96817

March 7, 2014

Senator Rosalyn H. Baker, Chair
Senator Brian T. Taniguchi, Vice Chair
Committee on Commerce and Consumer Protection
State of Hawaii
Honolulu, Hawaii 96813

**RE: Nomination of NIKKI T. SENTER to the State of Hawaii Real Estate Commission
March 12, 2014, 10:00 am (GM536)**

Dear Chair Baker, Vice Chair Taniguchi, and Members of the Committee:

This letter is submitted in SUPPORT of the Governor's nomination of NIKKI T. SENTER to another term on the State of Hawaii Real Estate Commission.

As an active real estate developer, marketer, educator and consultant in Hawaii for about 50 years, I feel sufficiently qualified to evaluate a person's experience, capabilities, and dedication in this very important state-wide economic sphere.

I have personally worked with Ms. Senter and other members of her law firm on development and condominium issues and can attest to her vast knowledge and problem-solving abilities in these areas. I have also worked with her on real estate continuing education issues and am impressed with her passion for keeping licensees knowledgeable and ethically responsible so as to better serve the needs of consumers in our community.

Mr. Senter's achievements in her first term on the Commission as a Public Member and later its Chairperson speak volumes for what she has done, and I'm sure will continue to do, if reappointed. She assumed the leadership position after only a year of exposure to the Commission's many tasks and has carried on and expanded its areas of responsibilities, all as detailed in pg. 2 and 3 of the February 2014 issue of the "Real Estate Commission Bulletin". Notable achievements of the Commission under her direction include updating the Administrative Rules (Chapter 99), encouraging mediation to resolve condominium disputes, and using technology to make licensing and continuing education process more efficient.

Given Ms. Senter's competence, on-going interest and dedication in the Commission, she should be given an opportunity to carry on her work on the Commission for another term. Unquestionably, her reappointment would be the public's gain!

Thank you for your consideration and feel free to contact me at 395-1296 if you have any questions.

Sincerely,

Kenneth D.H. Chong



Senator Rosalyn H. Baker, Chair
Senator Brian T. Taniguchi, Vice Chair
Committee on Commerce and Consumer Protection
State of Hawaii
State Capitol
Honolulu, Hawaii 96813
March 6, 2014

RE: Reappointment of Nikki Senter to the Real Estate Commission

Dear Senator Baker:

It is my pleasure to recommend to you the reappointment of Nikki Senter to the Hawaii Real Estate Commission where she presently serves as chairperson.

I served with Nikki on the commission from 2011 to 2012. Upon completing my own eight year tenure on the commission in 2012, I was pleased to turn over the reins as the chair of that important board to Nikki.

Working with Nikki was indeed a pleasure as I found that because of her legal background as well as business acumen she immediately became a contributing member of the commission. One could be assured in deliberations that her wisdom would be articulated and an efficient conclusion would be reached.

Thank you for this opportunity to endorse Nikki's reappointment to the real estate commission.

Mahalo,
Carol Ball

Carol Ball, M.Ed.
REALTOR®, ABRM, CRB, CRS, GRI
Principal
Carol Ball School of Real Estate
www.carolball.com



Badger Arakaki
A LIMITED LIABILITY LAW COMPANY

March 10, 2014

Scott C. Arakaki
Robert E. Badger
Lawrence R. Cohen
David R. Squeri
Jerome K. Tabar

VIA E-MAIL: baker5@capitol.hawaii.gov

Of-counsel:
Mario R. Ramit

Senator Rosalyn H. Baker, Chair
Senator Brian T. Taniguchi, Vice Chair
Committee on Commerce and Consumer Protection
State of Hawaii, State Capitol
Honolulu, Hawaii 96813

**RE: Nomination of Nikki T. Senter to State of Hawaii Real Estate Commission
March 12, 2014, 10:00 am (GM536)**

Dear Chair Baker, Vice Chair Taniguchi, and Members of the Committee:

I am writing in strong support of Nikki Senter's confirmation for another term on the State of Hawaii, Real Estate Commission ("Commission").

Currently, Ms. Senter serves as the Chair of the Commission. As a fellow Commissioner and as a lawyer, I had an opportunity to work with Chair Senter and am impressed by her knowledge of the applicable real estate laws and rules and with her character and leadership skills.

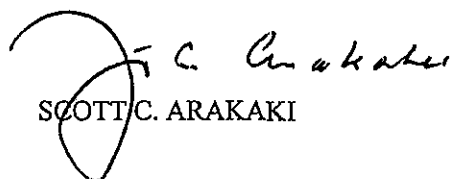
Chair Senter is the only real-estate development lawyer on the Commission. She is familiar with Hawaii Revised Statutes Chapters 514B and 467 and the applicable administrative rules. With her 13-years of experience, Chair Senter provides the Commission with invaluable input and assistance in evaluating various issues that come before the Commission, whether the issues involve licensing, informal nonbinding interpretations of the condominium laws and rules, or updating the Commission's administrative rules.

Chair Senter is also a fair and prudent leader and has the respect of her fellow Commissioners and the Commission staff. She is always professional with her fellow Commissioners and the staff. Chair Senter is also respectful to all who appear before the Commission and carefully listens to their concerns and questions. Commonly, the Commission faces difficult and complex issues, where the interests of the developers and/or licensees may conflict with the interests of the public and consumer. When making her decisions, Chair Senter is prepared, fair and practical in her reasoning, and always keeps the Commission's goal of consumer protection as her top priority.

For the reasons above, I highly recommend that Chair Senter be confirmed for another term. Please do not hesitate to contact me if you or anyone has questions.

Sincerely,

BADGER ARAKAKI
A Limited Liability Law Company


SCOTT C. ARAKAKI

SCA:mp

imanaka asato

a limited liability law company

Topa Financial Center
Fort Street Tower
745 Fort Street Mall, 17th Floor
Honolulu, Hawaii 96813
Phone (808) 521-9500
Facsimile (808) 541-9050
info@imanaka-asato.com

March 7, 2014

VIA E-MAIL: baker5@capitol.hawaii.gov

Senator Rosalyn H. Baker, Chair
Senator Brian T. Taniguchi, Vice Chair
Committee on Commerce and Consumer Protection
State of Hawaii
State Capitol
Honolulu, Hawaii 96813

Re: Letter of Recommendation for the Nomination of **NIKKI TOKIKO SENTER**
To the **Real Estate Commission** of the State of Hawaii

Dear Chair Baker, Vice Chair Taniguchi, and Members of the Committee:

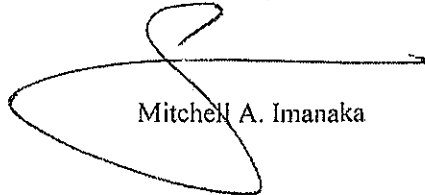
I am writing this letter in **STRONG SUPPORT** for the reappointment of **NIKKI TOKIKO SENTER**, who is a partner with our law firm, to the **Real Estate Commission** of the State of Hawaii. I cannot think of someone who is more qualified to serve in that capacity, and who has the desire, talent and skill sets to serve well.

I have known and worked directly with Ms. Senter for over 13 years and can tell you that she is not only bright and hardworking, but a totally dedicated professional in every sense of the word. She has a strong background in real estate law, and has served as a consultant to the Commission in the area of condominium reviews. In addition, she has served as an instructor for continuing education for real estate brokers in our State, and has thereby demonstrated a commitment to the real estate industry and to those who serve in the industry. This demonstrated commitment goes far beyond merely practicing law.

I believe that, if reappointed to the Real Estate Commission, with her understanding, knowledge and deep commitment to the industry, Nikki Senter will have an immediate and long-lasting impact on the industry and the wider community as well. Nikki has already demonstrated that with her service as the current Chair of the Commission.

Thank you very much for your consideration of her nomination, and should you have any questions with regard to Ms. Senter, do not hesitate to contact me.

With Aloha,



Mitchell A. Imanaka

MAI:ssk

XC: Nikki T. Senter

March 10, 2014

Senator Rosalyn H. Baker, Chair
Senator Brian T. Taniguchi, Vice Chair
Committee on Commerce and Consumer Protection
State of Hawaii
Honolulu, Hawaii 96813

**RE: Nomination of NIKKI T. SENTER to the State of Hawaii Real Estate Commission
March 12, 2014, 10:00 am (GM536)**

Dear Chair Baker, Vice Chair Taniguchi, and Members of the Committee:

I am submitting this letter in SUPPORT of the Governor's nomination of NIKKI T. SENTER to another term on the State of Hawaii Real Estate Commission. Ms. Senter and I have been colleagues at the Imanaka Asato law firm for a number of years. In those years I have come to appreciate her strong work ethic and, in the present case, her dedication to the work of the Real Estate Commission. She has the drive and requisite legal knowledge to assist the Department complete its update of Chapters 99 and 107 of the Administrative Rules – work that is long overdue. The experience and knowledge she brings to the Commission, based on years of practice dealing with very sophisticated condominium development and real estate sales issues, cannot be overstated. In addition, she has proven herself to be a champion for the Commission and Department staff.

I am honored to support her nomination and hope that you will reappoint this dedicated public servant.

Best regards,

Paula W. Chong

Paula W. Chong, Esq. | **Imanaka Asato** LLLC
745 Fort Street, 17th Floor, Honolulu, Hawaii 96813
Ph: (808) 521-9500 | Dir: (808) 541-8242 | Fx: (808) 541-9050
Email: pchong@imanaka-asato.com

NIKKI TOKIKO SENTER
98-1395 Kulawai Street
Aiea, Hawaii 96701
(808)286-5801 (cell) or (808)485-8455 (home)

February 27, 2014

VIA E-MAIL: baker1@capitol.hawaii.gov

Senator Rosalyn H. Baker, Chair
Senator Brian T. Taniguchi, Vice Chair
Committee on Commerce and Consumer Protection
State of Hawaii
State Capitol
Honolulu, Hawaii 96813

RE: Nomination to State of Hawaii Real Estate Commission

Dear Chair Baker, Vice Chair Taniguchi, and Members of the Committee:

I am honored to be nominated by the Governor for another term on the State of Hawaii Real Estate Commission ("Commission").

I started my current term on the Commission in 2011 as a Public Member and in 2012 was appointed Chair of the Commission. I recall writing testimony in support of my nomination back in March 2011 and meeting with Senator Baker and a majority of the committee members individually to discuss my qualifications. At that time and still today, my constant goal is to serve the public and protect the consumer in an area that I have expertise in, the real estate development and real estate broker industries.

As a real estate development lawyer in Hawaii for the past 13 years, I am intimately familiar with Chapter 514B and Chapter 467 of the HRS and the accompanying rules. Using these laws regularly in my practice gives me the knowledge and background to evaluate the various situations that come before the Commission, whether focused on broker applications, informal nonbinding interpretations of the condominium law or updating the administrative rules. At times, my representation of developers in my profession has produced a conflict of interest for me as a commissioner. I always take the conservative and prudent approach and have recused myself on matters that could even potentially pose a conflict of interest. The Commission also has additional duties that effectuate the purpose of the laws, such as educating consumers, developers and licensees about the law; granting or suspending, fining, terminating or revoking real estate licenses; and enforcing the applicable laws. In addition, the Commission has fiscal and fiduciary responsibilities as the trustee of the real estate recovery fund. With the assistance of the hard working and knowledgeable staff at the Real Estate Division, the Commission is able to efficiently and effectively execute these duties.

In the last three years, I have assisted with and led Commission projects to achieve my goal. During my tenure, the Commission finalized the draft update of Chapter 99 of the Hawaii Administrative Rules. After 10 years of not being updated, last year, the rules went through the Legislative Reference

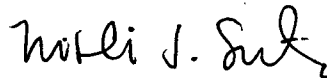
Bureau and the Attorney General's Office and is now with the Small Business Regulatory Review Board, the final step before public hearing. This year we also formed a Blue Ribbon Panel, consisting of practitioners and stakeholders to continue the rule making process for Hawaii Administrative Rules, Chapter 107. The Panel is tasked with finalizing the draft rules and assisting staff with shepherding them through the process for approval. For your information, I have attached a copy of the Chair's Message published in the Real Estate Commission Bulletin (February 2014), *HAPPY NEW YEAR! Welcome to 2014! A look at 2013 (in a Nutshell)...*, which summarizes and highlights the other projects and actions taken by the Commission in 2013.

If my nomination is confirmed, I intend first to finish the Commission's current projects, such as updating Chapter 99 and Chapter 107 Hawaii Administrative Rules. In addition, I would like to see more online services available for license applications and condominium registrations and the streamlining of license processing and approval. Accessibility by the public to information is also an important consumer protection concern, which can be addressed through online databases. Through my attendance at ARELLO® (Association of Real Estate License Law Officials), I learned how other jurisdictions use technology to expedite and make licensing processes more efficient and user friendly and would like to see some of these techniques implemented by the Commission.

I sincerely enjoy serving on the Commission and value the opportunity to give back to the community. As Chair, it further provides me with the venue to propose and implement projects and programs that are supported by the Commission and by staff. I am committed to doing my best if confirmed as a member of the Commission.

Thank you for your time and consideration of my candidacy.

Very truly yours,



Nikki T. Senter

Attachment:

1. Resume
2. *HAPPY NEW YEAR! Welcome to 2014! A look at 2013 (in a Nutshell)...*, Real Estate Commission Bulletin (February 2014)