

GM 640

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

Report Title: Real Estate Commission

Description:

Companion:

Package:

Current Referral: CPN

Introducer(s):



NEIL ABERCROMBIE
GOVERNOR

SHAN S. TSUTSUI
LT. GOVERNOR

STATE OF HAWAII
OFFICE OF THE DIRECTOR
DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS
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KEALI'I S. LOPEZ
DIRECTOR

JO ANN M. UCHIDA TAKEUCHI
DEPUTY DIRECTOR

PRESENTATION OF
DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS

TO THE SENATE COMMITTEE ON
COMMERCE AND CONSUMER PROTECTION

TWENTY-SEVENTH STATE LEGISLATURE
REGULAR SESSION, 2014

FRIDAY, APRIL 11, 2014
9:00 A.M.

WRITTEN TESTIMONY ON
GOVERNOR'S MESSAGE NO. 640

TO THE HONORABLE ROSALYN H. BAKER, CHAIR,
AND TO THE HONORABLE BRIAN T. TANIGUCHI, VICE CHAIR,
AND MEMBERS OF THE COMMITTEE:

The Department of Commerce and Consumer Affairs ("Department") appreciates the opportunity to testify on Governor's Message No. 640, regarding the appointment of Michael Pang to the Real Estate Commission ("Commission"). My name is Keali'i Lopez, Director of the Department. The Department strongly supports the confirmation of Mr. Pang's appointment to the Commission as a licensed real estate broker member for a term to expire on June 30, 2018.

Mr. Pang has maintained a real estate broker's license since October 19, 1983, and his license is current, valid, and in good standing.

Mr. Pang understands the role and various responsibilities of the Commission including the review and approval of new licensees, or the revocation and suspension of

existing licensees for violations, receiving and investigating complaints, and interpreting and enforcing the applicable statutory laws and administrative rules. Mr. Pang brings experience to the Commission having served in various roles with the Honolulu Board of Realtors and the Hawaii Association of Realtors. Mr. Pang also brings practical industry experience in the area of realtors' ethical and professional standards having served as an expert witness in court and arbitration proceedings on such issues.

Mr. Pang understands that the appointment to the Commission comes with the responsibility to attend and participate. Mr. Pang is committed and able to attend the Commission's scheduled monthly meetings. Mr. Pang feels that as a personal matter, serving on the Commission is a meaningful way to give back the industry, and to help protect and preserve the industry's ethical and professional standards.

Thank you for this opportunity to provide testimony in strong support of the appointment of Mr. Pang to the Real Estate Commission.



First Hawaiian Realty

421 Nahua St. #170
Honolulu, Hawaii 96815



April 7, 2014

Senator Rosalyn H. Baker
Chair, Senate Committee on Commerce
and Consumer Protection - 6th District

RE: Mike Pang
Nominee - Real Estate Commissioner

Aloha Senator Baker,

I am the current President and Principal Broker of First Hawaiian Realty. Our company has been doing business in the Islands since 1970 and I have personally been with the company for over 34 years.

I have known Michael Pang for over 20 years. We have conducted many transactions together through the years and I have always found Mike to be of the highest ethical standard along with demonstrating a sincere desire to do what is best in the interest of his clients.

I also had the privilege to serve with Mike on the Professional Standards and Arbitration Committee during the 1990's for the Honolulu Board of Realtors. There I learned a great deal from Mike in regards to leadership skills along with a sincere sense of fairness when dealing with the many parties concerns that were brought to our Committee for review and consideration.

I was very proud to learn of Mike's nomination as Real Estate Commissioner. Based on my many years of experience in the real estate business and the many years of working with Mike, I think the State of Hawaii would be obtaining an extremely well qualified and true professional in appointing Mike Pang as the next Real Estate Commissioner.

Please call me direct at (479-7653) if you have any questions or concerns.

Mahaio,

FIRST HAWAIIAN REALTY

Ed Blottenberger (R)
Principal Broker
President

First Home

INCORPORATED

April 7, 2014

Dear Senator Baker,

I am writing in support of Realtor Michael E. Pang's nomination to the State real estate commission.

Michael Pang will be a great asset to the real estate commission. He is a highly seasoned real estate broker with extensive expertise in property sales and property management. He is the leading expert in our State's leasehold property system.

Michael has served as the Chairman of our Professional standards and arbitration committees several times. This committee is tasked with enforcing the National Association of REALTORS® code of ethics and also with arbitrating business disputes between real estate brokers. I had the privilege of serving with him in 2005 and found him to be knowledgeable and fair. He is a sensible leader.

I have known Mike professionally for over 20 years. He is always willing to share his time and knowledge with respect to all aspects of our challenging real estate industry. I have learned a lot from him as we have met yearly to discuss the state of the leasehold real property system along with major updates and changes in our industry.

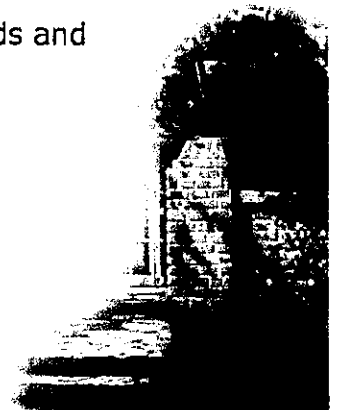
Michael is widely respected amongst his peers. He is a clear and rational communicator.

I whole heartedly support Michael Pang as a real estate commissioner.

Aloha,



Kenneth Sung, REALTOR®
Certified Residential Specialist ®
Graduate, REALTORS Institute
Past Chairman, Honolulu Board of REALTORS® Professional Standards and Arbitrations committee





April 10, 2014

The Honorable Donna Mercado Kim,
Senate President
and Members of the Senate
Twenty-Seventh State Legislature
State Capitol, Room 409
Honolulu, HI 96813

Subject: Michael Pang - Support Nomination for Real Estate Commission

Greetings,

My name is Alan H. Lam, I am the Broker/Owner of Quorum Properties Hawaii LLC. I have known Michael Pang since 1997 when Michael Pang and his company, Monarch Properties Inc., was my client. I later became an employee of Monarch Properties until my departure to start Quorum Properties Hawaii LLC.

The Real Estate Commission has my support for the nomination of Michael Pang. He will bring an element of fairness and practical points of view to you hearings in all elements of the Real Estate Industry: Brokerage, Lease to Fee Conversion, Property Management, and real estate best practices.

Thank you for the opportunity to testify.

Sincerely,

A handwritten signature in black ink that reads "Alan H. Lam".

REALTOR®

Alan H. Lam (B), CRS
REALTOR®
NARPM
Quorum Properties Hawaii, LLC
350 Ward Avenue, Suite 106
Honolulu, Hawaii 96814-4004

Alan@QuorumHawaii.com
Office: 808-735-0100
Mobile: 808-341-1537
Fax: 1-888-480-4650



April 8, 2014

Re: Michael Pang

To Whom It May Concern:

I have been employed by Aston Hotels & Resorts, LLC since 1979 and am the Vice President of the Condominium Administration Department. I also hold the designation of Professional Community Association Manager (PCAM) with the Community Associations Institute (CAI) and am on their national faculty. Holding this designation and faculty status requires me to have a higher level of ethics and professionalism.

I have known Mr. Pang for over 30 years, and have had the pleasure to work with him as a co-worker, real estate broker and consultant.

During our tenure as realtors, he portrayed excellent skills in leadership and mentoring as he taught me the skills required to become a successful realtor. This I believe established a strong base for me to have a successful career in the property management business.

My dealings with him over the past few years have been in the leasehold areas both in negotiations of the fee purchase as well as land lease rents. I have been extremely satisfied with his success in our negotiations where he has shown great competence and knowledge.

I am pleased to know and work with Mr. Michael Pang, as he has shown and taught me the importance of ethics, professionalism, trust, leadership and just being the best at what you do.

In my opinion, Mr. Pang has the qualities that you are looking for and would be an excellent real estate commissioner.

Should you have any questions, please feel free to contact me at 808-931-1438.

Sincerely,

A handwritten signature in black ink, appearing to read "Ruth Okada".

Ruth Okada
Vice President
Aston Hotels & Resorts, LLC

/ro

STANLEY M. KURIYAMA
Chairman and Chief Executive Officer

April 4, 2014

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

Senator Rosalyn H. Baker, Chair
Senate Committee on Commerce and Consumer Protection
State of Hawaii
State Capitol
Honolulu, HI 96813

Re: Nomination to State of Hawaii Real Estate Commission
Michael E. Pang

Dear Chair Baker and Members of the Committee:

I am submitting this letter in support of Mr. Michael E. Pang's nomination for appointment to the State of Hawaii Real Estate Commission.

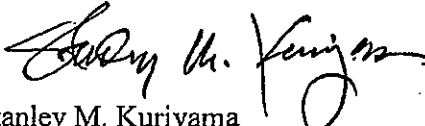
As the former Vice-Chairman of the Real Estate Commission (my term ended in June 2013), and having known Mr. Pang for over 40 years, I can without qualification provide the highest recommendation for his appointment to the Commission.

As a long-practicing real estate licensee, and former Director of both the Honolulu Board of Realtors (Oahu) and the Hawaii Association of Realtors (State), Mr. Pang is extremely knowledgeable about all aspects of real estate sales and property management, including (a) the regulation of real estate licensees under H.R.S. Chapter 467, and Rules promulgated thereunder, (b) the protection of the consumers' interest under those laws and rules, and (c) the regulation of condominium projects under H.R.S. Chapter 514B.

It is critical for good decision making by the Commission to have members with the in-depth experience and practical knowledge of the profession such as Mr. Pang. Just as important, however, is having a decision maker with integrity and who acts with the public's best interests in mind. Having known Mr. Pang for these many years, I can personally attest that he possesses all of these important attributes.

I therefore highly recommend Mr. Pang for appointment to the Real Estate Commission, and appreciate your time in considering this letter of support.

Very truly yours,


Stanley M. Kuriyama

April 7, 2014

Via email CPNTestimony@capitol.hawaii.gov

Senator Roz Baker and Members of the
Senate Committee on Consumer Protection
State Capitol
415 S. Beretania Street
Honolulu, Hawaii 96813-2425

Re: Michael Pang-Real Estate Commission

Dear Chair Baker and Members of the Committee:

It is with great pleasure that I highly recommend Mr. Michael Pang for appointment and confirmation to the Real Estate Commission.

I have known Mr. Pang for over 50 years. We have been classmates since elementary school through the University of Hawaii. Without question, Mr. Pang possesses the intellect, common sense and integrity necessary for a Real Estate Commissioner. As you will undoubtedly learn, he is thoroughly knowledgeable about the real estate industry. The vast majority of his adult life has been spent in the real estate business. As such, he is thoroughly familiar with all aspects of the business. As important as his experience, he brings a keen intellect, balanced with a common sense, which will result in well-reasoned decisions.

Finally, he brings uncompromising integrity with his actions. He will fulfill his duties as a Real Estate Commissioner with the highest ethics.

Please accept my strongest endorsement for the confirmation of Mr. Pang to the Real Estate Commission. I would be happy to answer any questions regarding his experience, wisdom or his integrity.

Sincerely,



John T. Komeiji
Sr. Vice President & General Counsel

Chair Baker and Committee Members,

I have known and worked with Mike Pang for over 20 years. He is by far the most knowledgeable individual in the islands with respect to leased fee issues, particularly as they affect the condominium marketplace. I have always found him to be ethically and morally focused in his dealings with both lessors and lessees. His work ethic is such that he will make time for his clients on their schedule even if it is very inconvenient for him. He has made the trip to Makaha to address one of my associations many times when the discussion took a small fraction of the time for the commute without ever a complaint or request for compensation.

His work with many of the condominiums facing lease renegotiation or conversion issues has given him a superior knowledge base on the issues facing our industry and I believe that knowledge will serve well as a member of the Commission.

I feel Mike's attitude, knowledge and character would make him a great addition to the Real Estate Commission.

Thank you for your consideration,
Bruce

Bruce A. Howe

Vice President-Govt. Affairs
Hawaiiana Management Co. Ltd.
700 Kapiolani Blvd. Suite 711
Honolulu, HI 96812
808 593-6888

888 Mililani Street, 2nd Floor
Honolulu, Hawaii 96813-2918
Telephone: (808) 523-0702
April 8, 2014

SENATE COMMITTEE ON COMMERCE AND CONSUMER PROTECTION

GOVERNOR'S MESSAGE NO. 640

Nomination of Michael Pang to the Real Estate Commission

Hearing Date: Friday, April 11, 2014

Time: 9:00 a.m.

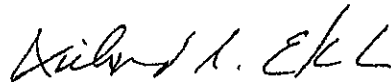
Place: Conference Room 229

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

My name is Richard Ekimoto and I work as an attorney representing condominium and other homeowner associations. I am testifying in support of GM 640 regarding the appointment of Michael Pang to the Real Estate Commission. I have known Mr. Pang for many years and I support his nomination to the Real Estate Commission. For almost 30 years, Mr. Pang has been representing condominium associations as a real estate broker, mostly in the area of conversion of condominiums to fee simple. He is not only familiar with the operations of his real estate company; he is familiar with the operations and issues facing condominium associations. Since a significant part of the Real Estate Commission's duties involves condominiums, Mr. Pang's knowledge and experience would well serve the Commission and the condominium community. I have no doubt that he will serve the Real Estate Commission with the highest level of dedication, fairness and integrity.

Please contact me at 523-0702 if you have any questions. Thank you for this opportunity to testify.

Very truly yours,



Richard S. Ekimoto

ESTHER H.C. PRICE
1003 Bishop Street, Suite 1350
Honolulu, Hawaii 96813
Telephone: (808) 526-0444

April 3, 2014

Senator Rosalyn H. Baker
Chair, Senate Committee on
Commerce and Consumer Protection
6th District -- South and West Maui

Email: CPNTestimony@capitol.hawaii.gov

RE: Appointment of Michael Pang to the Real Estate Commission

Dear Ms. Baker:

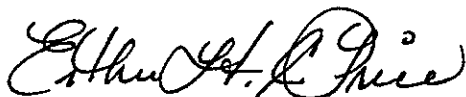
I am writing in support of Mr. Pang's appointment to the Real Estate Commission. I am a commercial real estate appraiser with The Hallstrom Group, Inc., and have known Mr. Pang for almost 20 years. Throughout the years, I have had the pleasure and honor working with him in a professional capacity on numerous real estate appraisal and consulting engagements.

He is a gentleman of utmost integrity and is guided by a strong foundation of ethical conduct. Mr. Pang works to provide his clients with the best possible service, and over the years, I have observed him carefully assisting clients through the complex maze of leased fee conversions and ground rent renegotiations. Professionally, Mr. Pang has carved out a unique specialty business built on deep trust relationships with his clients and others in the real estate and legal communities.

Mr. Pang would be a tremendous asset to the Real Estate Commission due to his ability to view matters wisely and ethically. He also has a rare talent for communicating difficult matters so that peers and clients can easily understand critical issues.

I strongly endorse Mr. Pang's appointment to the Real Estate Commission and firmly believe he would be an excellent asset to the Commission.

Sincerely,



Esther H.C. Price, MAI

Senator Rosalyn Baker, Chair
Senate Committee on Commerce and Consumer Protection

Dear Chair Baker and Members of the Committee, I strongly support GM640, the nomination of Michael Pang to the Real Estate Commission.

Having known Mr. Pang for over 40 years, I can testify that he is a person of the highest integrity and ability. I have also seen on countless occasions, Mr. Pang's generosity of spirit and willingness to lend a hand where needed. These are attributes that will prove invaluable to the commission.

As a former vice-chair of the Real Estate Commission, I know the demands and challenges placed upon this body and the importance of its actions. Based on his extensive real estate experience as the president of Monarch Properties, Mr. Pang is an excellent nominee. In addition, his ability to forge and maintain relationships and to render good and fair decisions make him the ideal candidate for consumers and real estate licensees alike. We are fortunate that Mr. Pang is willing to take on this responsibility and our State will be well served by his experience and abilities.

I truly appreciate your continued good work and humbly ask for the support of Michael Pang's nomination to the Real Estate Commission.

Sincerely,
Nora A. Nomura

April 9, 2014

The Honorable Rosalyn H. Baker, Chair,
The Honorable Brian T. Taniguchi, Vice Chair,
Members Senate Committee on Commerce and Consumer Protection
Twenty-Seventh State Legislature
State Capitol, Room 229, Honolulu, HI 96813

Re: Testimony in Support on Governor's Message No. 640 - Gubernatorial Nominee Michael Pang to the Real Estate Commission

Dear Senator Baker, Senator Taniguchi and Members of the Committee:

My name is Everett Kaneshige, speaking as an individual and real estate licensee, requesting your support to confirm Michael Pang as a member of the Real Estate Commission.

I have known Mike for approximately twenty years. Starting in the late 1980's I represented him and his company as private legal counsel in a wide variety of matters. After taking a break from the practice of law, I joined his company as its Chief Operating Officer and Vice President of Business Development. When I subsequently returned to practicing real estate law, I continued to work with Mike on a consultant basis.

In my experience, Mike has conducted his business in conformance with highest levels of ethics and professional standards. There were several instances in which he chose to forgo representing a client or pursuing a business opportunity because he felt there might be an appearance of a conflict of interest or a question as to whether a client was receiving effective representation. I believe this dedication to not only the rule but the spirit of the law in these matters is an essential quality for a member of a body which is tasked with overseeing the standards of conduct of real estate licensees in the State of Hawaii.

Another special quality of Mike's is a strong belief that both buyers and sellers need to be represented in order for there to be a fair result. Traditionally, this had not been followed in certain types of real estate transactions where instead the seller's real estate agent would communicate directly with the buyers and the buyers did not their own agent who could provide them with independent advice and negotiate on their behalf. There were several times that Mike took on the role of representing buyers even if it was unlikely he would receive compensation because he could not accept that a buyer should be unrepresented. This commitment to fairness is, in my opinion, another quality that is essential for a member of the Real Estate Commission.

For these reasons, I urge the Committee to support the nomination of Michael Pang to the Real Estate Commission. Thank you for this opportunity to testify.

Sincerely,

Everett Kaneshige

COMMITTEE ON COMMERCE AND CONSUMER PROTECTION

Date: Friday, April 11, 2014
Time: 9:00am
PLACE: Conference Room 229

Testimony in Support of Michael Pang, GM 640

Chair Baker, Vice-Chair Taniguchi, and Members of the Committee,

My name is John Morris and I am testifying strongly in support of the Governor's nominee to the Hawaii Real Estate Commission, Michael Pang (GM 640). I have known Mike for many years, and I believe that his appointment to the Real Estate Commission will help the commission better fulfill its responsibilities, particularly with respect to condominiums.

While Mike has a strong real estate background, he is also recognized as one of Hawaii's premier experts in lease-to-fee conversion and lease rent renegotiation for condominiums and other types of homeowner associations. In that capacity, he has worked with many boards of directors and understands and appreciates their problems and concerns. He is also a condominium owner and resident, so he understands condominium living and the issues that condominium owners face.

Those experiences will help him assist the commission in its continuing role as the government agency with the primary responsibility for oversight of condominium development, operations, and management. Equally important, those experiences have not caused Mike to lose his even-tempered and open-minded disposition, which will also help him work effectively as a member of the commission.

Thank you for this opportunity to testify.

/s/ John Morris

Testimony for GM 640

Real Estate Commission, Michael Pang

I support the appointment of Michael Pang as a commissioner to the Real Estate Commission. I am a real estate attorney and have known Mr. Pang for over 15 years, where there has been ample opportunity to observe his work from varied perspectives—as an adverse party on the opposite side of a transaction, as the broker representing condominium associations in fee conversion transactions, as an advocate for lessees, and as a client in a commercial transactions. Mr. Pang possesses the requisite qualifications for the position. He has broad and ample experience in the real estate industry, ranging, for example, from representing individual owners in residential purchase and sale transactions, to facilitating leased fee sales for many condominium associations and to serving as a broker in commercial transactions. He has comprehensive knowledge of the real estate licensing laws. He possesses a strong intellect and the ability to quickly grasp and process complex issues. He is cool and articulate in difficult situations. Above all, in every situation, Mr. Pang strives to be ethical and fair. Michael Pang would be an excellent addition to the commission.

Respectfully submitted,

Marjorie Au

GM640

Submitted on: 4/9/2014

Testimony for CPN on Apr 11, 2014 09:00AM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Ted Yamamura	Individual	Support	No

Comments:

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

MONARCH PROPERTIES, Inc.

April 7, 2014

VIA EMAIL: CPNTestimony@capitol.hawaii.gov

Senator Rosalyn H. Baker, Chair
Senate Committee on Commerce and Consumer Affairs
Hawaii State Capitol, Room 230
Honolulu, Hawaii 96813

Re: CPN Testimony on GM 640; Michael Pang; Real Estate Commission

Dear Chair Baker:

I am truly honored to have been nominated by Governor Neil Abercrombie to the Real Estate Commission. Appointment to the Commission would be a privilege and responsibility for which I take very seriously.

I have been a real estate licensee since 1977 and owned my company, Monarch Properties, Inc., since 1986. During this time I represented many individual clients in residential sales and rental management of their properties as well as numerous lessees, lessors, condominium and cooperative housing corporation projects in their leasehold issues: fee conversions; rent renegotiations; lease extensions and residual fee sales. I also served on numerous Board of Realtor leadership and committee positions (mostly in professional standards) and testified in court and arbitration proceedings on Realtor standard of practice and material fact disclosure matters.

Appointment to the Real Estate Commission will allow me to give back to the industry of my profession and I believe that this broad spectrum of experience will enable me to be an effective member of the Commission and make significant contributions to it.

My sincere appreciation to the CPN for considering my nomination and those who submitted supportive testimony on my behalf. Please feel free to email (mike@mpi-hi.com) or call (735-0000) me if there are any questions.

Sincerely,

MONARCH PROPERTIES, INC.



Michael E. Pang (R)
President and Principal Broker

MEP/sc

Michael Pang
Real Estate Commission

- (1) Why do you wish to be a member of the Real Estate Commission?

First, like many career professionals, I wish to use the benefit of my experience to give back to the industry that has been so good to me. This is also one reason why I previously participated in numerous Board of Realtor committees and leadership positions.

Second, I believe my specific experiences and personal make up are a good fit for the commission.

- (2) What do you perceive are the roles and responsibilities of a member of the Commission?

To make the decisions and participate in the functions of the commission in administering its responsibilities for licensing and conduct of licensees, continuing education, condo approval, overseeing the recovery fund, etc. Also, to conduct one's self so as to bring credit to the institution of the commission.

- (3) Given your understanding of the roles and responsibilities of a Commission member, why do you believe that you are qualified for the position? Please include a brief statement of your skills, expertise and knowledge that would aid you as a member of the Commission.

I am a bit of a perfectionist so constantly think about and analyze situations and results, along with the effect of decisions going forward. I break down problems and issues into their fundamental basis from which answers are usually logical.

In group context (boards and committees), I am more of a leader, consensus builder and need to see the right thing done for the right reason.

I hold myself to the highest ethical standard. Much of my work for the Honolulu Board of Realtors ("HBR") and Hawaii Association of Realtors ("HAR") was in its Professional Standards & Arbitration Committee so I could have a solid understanding of this. I also testified as an expert on professional standard of practice matters in court trials and arbitrations to understand the public and legal perception of the ethical standard for Realtors.

I have owned my own company for 27 years in which I handled a high volume of brokerage sales, rental management, and now represent condo and co-op projects in fee conversions and lease rent renegotiations. This has all led to a good understanding of the fundamentals of real estate practice.

- (4) What do you hope to accomplish during your term of service?

For the first year, I anticipate mostly learning about the processes and protocols of the commission and getting to know my fellow commissioners. Thereafter, I hope to have a positive effect on the commission's duties and ultimately make a difference. One item I have in mind now is to review HRS §467-14 (conduct) which in my experience has some ambiguities that could be clarified so as not to be misinterpreted by the public.

- (5) Name three qualities that best describe you and how these qualities will benefit the Commission.

Competent, trustworthy, practical.

- (6) Name a previous experience you've had that will be beneficial as a Commission member.

Participating as a board member of the HAR and HBR where I learned how to get along with everyone and get things done.

- (7) Can you foresee any possible conflicts of interest that could arise during your service on the Commission?

No.

How would you overcome conflicts of interest?

If any were to arise, I would disclose it and recuse myself from participating in any forum wherein the conflict might arise.