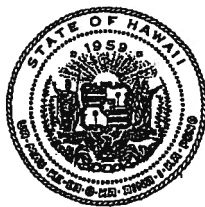


LINDA LINGLE  
GOVERNOR OF HAWAII



STATE OF HAWAII  
DEPARTMENT OF LAND AND NATURAL RESOURCES

POST OFFICE BOX 621  
HONOLULU, HAWAII 96809

January 24, 2008

LAURA H. THIELEN  
CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES  
COMMISSION ON WATER RESOURCE MANAGEMENT

RUSSELL Y. TSUJI  
FIRST DEPUTY

KEN C. KAWAHARA  
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES  
BOATING AND OCEAN RECREATION  
BUREAU OF CONVEYANCES  
COMMISSION ON WATER RESOURCE MANAGEMENT  
CONSERVATION AND COASTAL LANDS  
CONSERVATION AND RESOURCES ENFORCEMENT  
ENGINEERING  
FORESTRY AND WILDLIFE  
HISTORIC PRESERVATION  
KAHOOLAWE ISLAND RESERVE COMMISSION  
LAND  
STATE PARKS

The Honorable Jill N. Tokuda  
Hawaii State Capitol, Room 218  
Honolulu, Hawaii 96813

The Honorable Joseph Souki  
Hawaii State Capitol, Room 433  
Honolulu, Hawaii 96813

Subject: Draft Report: The Joint Senate-House Investigative Committee on the  
Bureau of Conveyances

Dear Senator Tokuda and Representative Souki:

Thank you for allowing the opportunity to provide comments on the draft report from the Joint Senate-House Investigative Committee on the Bureau of Conveyances ("Report") prior to submitting a final report to the 2008 Legislature.

In Governor Lingle's State of the State address she speaks of the importance for an agency to take a hard look at its operations and to make changes when necessary. The Bureau of Conveyances has long standing problems which have not been addressed for many years. Many of these problems have been created by infighting by employees, often over minor matters.

We recognize the importance and are dedicated to changing how the Bureau operates so that our Department provides prompt, secure and reliable recording services for Hawaii's residents and businesses. The investigative report has highlighted some areas within the Bureau which need attention in order to serve the customers of the Bureau with more efficiency. There are several areas including streamlining the recording process, eliminating the backlog with processing the recordings and hiring the necessary staff to efficiently conduct the operations of the Bureau.

Over the past year, the Bureau has made strides in improving its efficiency, thus creating better customer service and higher morale among the employees. This response will outline many of the achievements which have been accomplished during this time. Many of the events were begun by the prior Chair, Peter Young, and are being implemented today.

With the intent of moving forward to create an efficient operation at the Bureau of Conveyances, I do not intend to respond to your draft report item by item, with one exception which is addressed at the end of this letter. Instead, I will focus on the larger themes addressed in the draft report.

### **Automation Process**

First, we have taken a proactive approach to modernizing the operations of the Bureau by establishing a working group comprised of representatives from title companies, banks, lawyers labor, real estate and Bureau staff to propose a simplified and automated recording process.

In order to establish neutral and informed members for this working group, we asked the Presidents of the professional industry organizations which utilize the Bureau's services to provide members to sit on the working group. These industries: law; title; escrow; banking and real estate; represent the people of Hawaii who record documents, research land transactions and others who utilize the recording services provided by the Bureau of Conveyances. The working group met six (6) times over three (3) months to develop a detailed process to automate the Bureau in a manner that would meet the needs of all the respective industries and the residents of the State.

Additionally, we hired a facilitator to work with the staff of the Bureau of Conveyances to convey information between the staff and the working group. The staff of the Bureau has provided positive participation with the process. The communication between the working group and the Bureau staff has been carried through the facilitator. The facilitator was housed in the Bureau which offered the employees a daily opportunity to interact and provide input to the facilitator. The facilitator held numerous meetings with individuals and groups of staff to listen to the concerns. All information was transmitted to the working group. This created a double blind system to ensure complete candor in the communications.

During this process, I personally met with all the Bureau employees three times to discuss the working group's progress. One series of meetings was held with no more than fifteen staff members attending each meeting to be certain that all information was presented and understood by and from the employees. The key concern that all employees expressed was the need for proper training on the automated system. I provided my assurance that we would give adequate training to all employees.

The combined vision of the Department, the working group and the Bureau staff is to streamline the recording process, improve customer service, tighten the security of the records database and provide enhanced protection to the identities of the grantors and grantees listed in the records database. The working group presented a request for proposal to be utilized to design the ultimate automated recording process. We have executed a statement of work from the Hawaii Information Consortium which is the vendor for eHawaii.gov. This statement of work is an enhanced version of a prior statement from 2006 which was requested to automate the Uniform

Commercial Code section of the Bureau. The Hawaii Information Consortium is able to design and implement the system without capital expense from the Bureau.

The automation process is scheduled to begin in 2008.

### **Legislative Recommendations**

We have proposed statutory changes to the 2008 Legislature to assist with the automation and streamlining of operations at the Bureau.

It is critical to point out that our current state laws do not allow the Bureau to modernize its operations. We have submitted legislation to allow us to update the statutes to operate with greater efficiency. One specific example is to allow the electronic archiving of records. Currently, the Bureau must retain archives in photographic or electrostatic copy. The Bureau must scan into digital format all documents filed. These digital copies are then processed to microfilm for permanent archiving. In legislation, we are asking that the Bureau be allowed to archive documents in an electronic format, therefore eliminating the need to microfilm all documents. Although electronic signatures are acceptable in the State of Hawaii, the specific statute for the Bureau of Conveyances must be amended to accept the signatures electronically.

Specifically, we have proposed the following legislation:

- To stipulate that only the last four digits of an individual's social security number shall be listed on documents recorded in the Bureau;
- To authorize the acceptance of electronic signatures and electronically filed documents in the Bureau;
- To authorize documents to be archived in an electronic format; and
- To request \$500,000 from the Bureau's special fund to provide updated computer equipment, training for the staff and other automation related expenses.

This legislative package is essential to the implementation of the automation of the Bureau of Conveyances. Again, I reiterate the importance of funding for appropriate computer equipment and training for the employees.

### **Plan to Decrease Backlog and Overtime**

We are happy that there has been no validation to the egregious accusations flung at the Legislature last session regarding misuse of funds, acceptance of gifts from title companies by the Registrar, mismanagement of the operations of the office and negligence in managing overtime for the staff. In line with Governor Lingle's comments in her State of the State message, we believe that the current managers in the Bureau have taken personal responsibility to move forward with improving the operations and efficiency at the Bureau.

The Registrar, the Regular System Branch Chief and the Acting Land Court Branch Chief submitted a plan to eliminate the backlog, reduce the hours of overtime and fill all vacant

positions at the Bureau. Additionally, the plan is a combined effort of the three managers of the Bureau. The managers meet at least weekly to monitor and adjust the plan as needed. An update is provided to me on a weekly basis.

Further, the Registrar, the Regular System Branch Chief and the Acting Land Court Branch Chief have included in this plan goals for each area of the Bureau with the intention to eliminate backlogs as well as to set acceptable standards for production. For the first time in the recent past, this plan establishes internal quotas for the Bureau. With the implementation of this plan in December 2007, there has been a willingness by the employees to work toward achieving a higher level of production which results in a higher level of customer service.

A financial concern expressed in the Report is the excessive overtime which has occurred at the Bureau. The plan presented by the existing management of the Bureau allows no more than twenty overtime hours per month per employee. Once the level of backlog is diminished, it is anticipated that overtime will further decrease.

### **Improvements Begun Under Chairman Peter Young**

Prior to the 2007 session, the Department initiated specific actions to improve the Bureau's operations, many of which we are realizing now:

- All mail, both Land Court and Regular System, is opened and processed the day of receipt. There exists no backlog in these receiving sections.
- The Uniform Commercial Code section is current with daily requests.
- The Cashiering section processes all transactions and balances on a daily basis.
- The Scanning of all documents is completed on a daily basis.
- The Indexing section is less than three months behind the current date. This section has accepted a plan to eliminate the backlog by March 31, 2008. The employees have increased their production by streamlining the input process as well as creating a positive competition with each other to achieve specific goals each day.
- The Land Court Review section has a lengthy backlog as far back as eighteen months. This section is working together to create a plan to alleviate the backlog of document review. Additionally, there are three recruitments in process to assist with this section.
- The Will Call section is within one month of the mailing out of Regular System documents which have been reviewed, scanned and indexed into the system.

The creation and implementation of the recent plans to eliminate backlog is a positive step toward continuing the improvement in the operations of the Bureau both for the customers and the employees.

### **Allegation of Financial Mismanagement**

A specific criticism in the report cites the Bureau for not charging the correct fee for an FTP subscription to the Bureau website for access to FTP images. The Registrar decreased the

monthly fee from \$250 to \$100 based upon the backlog of indexed and scanned documents in the Bureau. The decrease in fee was instated because the Registrar believed that the customer was not receiving the up to date product due to the backlog. The end product should have been up to date images on a daily basis; the real product was an unsorted batch of documents with no grantor/grantee index attached. This is manifestly unfair to charge full price for this inadequate product.

The Bureau management has drafted administrative rules and is prepared to go through the appropriate process of rule making to implement the correct fees for services for this customer service, once we are able to provide an indexed database in a timely manner to the industries utilizing this information.

### **General Comments on the Recommendations in the Draft Report**

#### **Recommendation 1: Designation of a Special Master with the Assistance of an Advisory Council to Oversee Short and Long Term Changes and Improvements to the Bureau of Conveyances.**

We strongly disagree with the recommendation to appoint a special master reporting to the Legislature. As stated, the special master would be tasked "to develop and implement a comprehensive plan to assist the Bureau in becoming a more efficient, effective, and accountable operation, and develop strategic initiatives for the Bureau."

First, the current management of the Bureau of Conveyances has begun the process to develop and implement a plan to improve the efficiencies at the Bureau. The timeline for this process is fiscal year 2008. There is sufficient staff and skills to begin the process at this time.

Second, the special master would report to an advisory council all of whom would be appointed by the Legislature. This effectively causes the Bureau of Conveyances to no longer report to the Chairperson of the Department of Land and Natural Resources, but to the Legislature. This is not a workable arrangement. In addition to any potential legal conflicts with the reporting structure, there will be significant confusion with the employees and their reporting structure.

Third, the additional funding necessary to finance the hiring and implementation for the program for the special master is an unnecessary expense for the State of Hawaii. The current approved personnel expense offers an acceptable level of funding to accomplish the necessary streamlining of operations and improvements in customer service at the Bureau.

#### **Recommendation 2: Examine and Study the Feasibility of Possible Methods to Re-Evaluate and Modernize the Operational, Functional and Employee Concerns of the Bureau.**

We agree that in order to improve the productivity and efficiency of the Bureau that we need to automate much of the Bureau processing and utilize technology to secure personal information, while providing fast, accurate data for the recording and transfer of documents.

We do not need to study this matter any further. Conveyance offices across the country are automated. We have signed a statement of work with eHawaii.gov and are beginning the design and implementation of an automated process for the Bureau of Conveyances.

Delaying the implementation by conducting an additional study is not constructive nor does it assist with improving efficiency for the Bureau of Conveyances.

**Recommendation 3: Develop and Implement a Plan to Safeguard Personal Information Contained in Bureau Documents, which the Bureau Collects, Maintains and Disseminates for Public Inspection.**

We agree that measures to safeguard confidential and personal information on documents recorded at the Bureau must be in place. However, we reiterate that delay in acting is not necessary since most, if not all, of these recommendations are currently available. The Identity Theft Task Force comprised of community and legislative members is submitting a report and proposed legislation this session to safeguard personal information for Hawaii residents. We recommend that the Bureau review these recommendations and adopt those that are appropriate.

We have already proposed legislation to stipulate that only the last four digits of an individual's social security number be present on documents to be recorded in the Bureau. We look forward to working with the Legislature on any additional measures recommended by the Identify Theft Task Force.

**Recommendation 4: Investigate the Legal and Technical Obstacles to Combining the Land Court and Regular System Functions of the Bureau of Conveyances into a Single Unified System of Recordation.**

The Committee recommends an in-depth review of combining the two systems into a single system of recordation. The committee may wish to refer to the Legislative Reference Bureau's study of the feasibility of combining the two systems completed in the 1990s. If the Committee wishes to conduct yet another study, that is fine. In the mean time, we have proposed legislation which will assist in streamlining the recording process for Land Court.

We request that the two following initiatives be moved forward this session.

The first is to move time share recordings from Land Court to Regular system. The intent of Land Court is to safe guard the title of a parcel of land for one owner. Time shares are comprised of numerous owners having title to fractional interests of the underlying parcel. The volume of time shares has increased and creates an undue burden on the Land Court review section that must verify and note all the time share interests on the certificates of title.

If the time shares were moved to the Regular System, the work load would diminish significantly on the Land Court section and increase to a lesser degree in the Regular section. The staff of the Regular system would be reassigned appropriately to accommodate the increase. It is believed

that with the automation of the paper processing and the streamlining of relating operations, there will be sufficient staff to cover the processing.

The second proposal allows a land owner to opt out of the Land Court system. Currently, there is not statutory allowance for opting out of Land Court. We believe landowners should have the option to voluntarily remove land from the Land Court system if they desire.

**Recommendation 5: Determine an Administrative Assignment of the Bureau other than within the Department of Land and Natural Resources.**

We are willing to discuss this recommendation should the Legislature want to explore the matter further.

**Recommendation 6: Determine the Advisability and Feasibility of Privatizing the Bureau of Conveyances.**

The concept of privatizing the functions of the Bureau has been considered and implemented in other jurisdictions in the United States. At this time, we are willing to participate in discussions regarding this option.

**Comments on the Alleged Obstacles the Committee Faced**

I do want to address one specific subject in the draft report, and that is the unfounded accusation that I obstructed the Legislative Auditor's investigation. I am requesting the Committee redact the allegation that the Chair refused to cooperate with the Legislative Auditor in this investigation in the final report. When Ms. Higa's request for information was brought to my attention, I spoke with her personally to arrange how DLNR could best meet her request. I repeatedly called her back and attempted to arrange a meeting, including delivery of materials to her. I cooperated fully with providing information to the Auditor and, for reasons beyond my understanding, she refused to meet with me beyond the first contact. During the remainder of the investigation, the Legislative Auditor refused to offer me the basic professional courtesy offered to other department heads and refused to respond to my written correspondence. I have attached this correspondence which documents these facts. I am personally distraught with the insulting and unfounded allegations that I obstructed the investigation and acted in an unprofessional manner. I ask that these allegations be removed from the final report.

**Conclusion**

In closing, I want to reiterate that there has been progress toward streamlining and improving the operations of the Bureau of Conveyances over the past several months. I wish to continue this process. I strongly believe that the appointment of a special master reporting to an advisory council appointed by the Legislature would hamper the progress that has been made with the staff and operations of the Bureau.

The Honorable Jill N. Tokuda  
The Honorable Joseph M. Souki  
January 24, 2008  
Page 8

I request consideration be given to the legislation proposed to streamline the operations of the Bureau. I reiterate this legislation as follows:

- To stipulate that only the last four digits of an individual's social security number shall be listed on documents recorded in the Bureau;
- To move time share recordings from Land Court to Regular system;
- To allow a land owner to opt out of the Land Court system;
- To authorize the acceptance of electronic signatures and electronically filed documents in the Bureau;
- To authorize documents to be archived in an electronic format; and
- To request \$500,000 from the Bureau's special fund to provide updated computer equipment, training for the staff and other automation related expenses.

Thank you for allowing us to provide comments prior to the issuance of the final report.

Sincerely,



Laura H. Thielen  
Chair

Enclosures:

Letter to Marion Higa, dated Sept. 24, 2007  
Letter to Marion Higa, dated Sept. 24, 2007  
Letter to Marion Higa, dated Oct. 4, 2007

c: Senate President Colleen Hanabusa (with enclosures)  
Speaker Calvin Say (with enclosures)  
Ms. Linda Smith, Senior Policy Advisor (with enclosures)



LINDA LINGLE  
GOVERNOR OF HAWAII



**STATE OF HAWAII**  
**DEPARTMENT OF LAND AND NATURAL RESOURCES**

POST OFFICE BOX 621  
HONOLULU, HAWAII 96809

September 24, 2007

Laura H. Thielen  
Chairperson  
Board of Land and Natural Resources  
Commission on Water Resource Management

Ken C. Kawahara  
Deputy Director - Water

Aquatic Resources  
Boating and Ocean Recreation  
Bureau of Conveyances  
Commission on Water Resource Management  
Conservation and Coastal Lands  
Conservation and Resources Enforcement  
Engineering  
Forestry and Wildlife  
Historic Preservation  
Kahoolawe Island Reserve Commission  
Land  
State Parks

VIA U.S. MAIL AND FACSIMILE (587-0830)

Ms. Marion M. Higa  
State Auditor  
Office of the Auditor  
465 S. King Street, Room 500  
Honolulu, Hawaii 96813-2917

Re: Joint Legislative Investigation into the Bureau of Conveyances

Dear Ms. Higa:

I understand you have been provided copies of the non-privileged email from the following divisions within the Department of Land and Natural Resources (DLNR) for the period of June 8, 2007 through August 8, 2007:

- Bureau of Conveyances
- Fiscal; Data Processing
- Deputy to the Chair
- Chair

Your original request was sent to Russ Saito, the Comptroller of the Department of Accounting and General Services (DAGS). Mr. Saito provided me with a courtesy copy of the request, as it involved the communications within this Department.

I further understand that you have submitted another request to the Comptroller seeking to obtain additional non-privileged emails from these same divisions within DLNR for the period of August 9, 2007 through sometime in September 2007. In addition, I have received a request from your office on September 20, 2007 to provide additional documents relating to the Bureau of Conveyances.

LINDA LINGLE  
GOVERNOR OF HAWAII



**STATE OF HAWAII**  
**DEPARTMENT OF LAND AND NATURAL RESOURCES**

POST OFFICE BOX 621  
HONOLULU, HAWAII 96809

September 28, 2007

VIA U.S. MAIL AND FACSIMILE (587-0830)

Ms. Marion M. Higa  
State Auditor  
Office of the Auditor  
465 S. King Street, Room 500  
Honolulu, Hawaii 96813-2917

Re: Request for Meeting

Dear Ms. Higa:

On September 24, 2007 I faxed and mailed a letter to you concerning your request to obtain emails from DLNR, in which I requested a meeting with you to discuss the status and timetable of the investigation into the Bureau in order to better respond to your requests.

This request for a face-to-face meeting was also made because I feel it is important to resolve outstanding issues which arose in our prior phone conversation. In that conversation, I requested that you notify this Department when requesting materials which may contain privileged information. You responded that OIP had informed you that DAGS is the custodian of state e-mails, and therefore you had only notified DAGS of your requests.

As you recall, my concern is that while DAGS is the custodian of email records, some of those records contain privileged information. DAGS is not the custodian of the privilege. Only the Department holding the privilege is the custodian. As we discussed, only the Department can assert that privilege; and if the privilege is waived, the Department may lose the right to assert the privilege at a later date. As I stated, this could place the state in jeopardy in a variety of lawsuits and have far-ranging unintended consequences.

During that conversation I asked if you could include the Chairperson of DLNR in any future requests for emails from this Department. I suggested a compromise of having you address the requests to both the Comptroller and myself. You stated you were concerned about setting a precedent and did not want to include DLNR in any future requests. We agreed we'd both consult counsel and arrange a meeting to resolve this issue.

LAURA H. THIELEN  
CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES  
COMMISSION ON WATER RESOURCE MANAGEMENT

KEN C. KAWAHARA  
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES  
BOATING AND OCEAN RECREATION  
BUREAU OF CONVEYANCES  
COMMISSION ON WATER RESOURCE MANAGEMENT  
CONSERVATION AND COASTAL LANDS  
CONSERVATION AND RESOURCES ENFORCEMENT  
ENGINEERING  
FORESTRY AND WILDLIFE  
HISTORIC PRESERVATION  
KAHOOLAWE ISLAND RESERVE COMMISSION  
LAND  
STATE PARKS

LINDA LINGLE  
GOVERNOR OF HAWAII



**STATE OF HAWAII**  
**DEPARTMENT OF LAND AND NATURAL RESOURCES**

POST OFFICE BOX 621  
HONOLULU, HAWAII 96809

October 4, 2007

VIA FACSIMILE AND U.S. MAIL

Ms. Marion Higa  
Legislative Auditor  
465 S. King Street, Room 500  
Honolulu, HI 96813-2917

Dear Ms. Higa:

In the interest of clarifying my request, I am responding to your letter of October 3, 2007.

I certainly support the ability of the Legislative Auditor to have access to information without unauthorized interference. However, seeking the ability to preserve attorney-client and other privileged information is not unauthorized interference. You have acknowledged that the Auditor's Office is not authorized to obtain those materials.

While I appreciate your desire to work expeditiously, I am puzzled by your reluctance to provide the Director of the affected Department with a courtesy copy of your request.

Clearly the Director of the affected Department has the responsibility to maintain and protect privileged information; which the Director of DAGS does not. The response to your initial request illustrates this fact dramatically, because DAGS released confidential DLNR correspondence to your office. If the Director of the affected Department had been included in that meeting, as I requested, that error would not have occurred. Indeed, you would have received the unprivileged emails earlier because we could have avoided the confusion and time of obtaining your return of the materials so we could begin our review.

Your impression that I will release materials only if you agree to a meeting is erroneous. I sent my letter last week, while we were completing our review of your most recent request. Since you had agreed over the phone to meet with me this week, I had assumed we would be meeting concurrently with the completion of our review and I could deliver the documents to you personally. I will provide you with the DLNR documents tomorrow, and the Attorney General's Office will be providing you with the non-privileged emails.

LAURA H. THIELEN  
CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES  
COMMISSION ON WATER RESOURCE MANAGEMENT

KEN C. KAWAHARA  
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES  
BOATING AND OCEAN RECREATION  
BUREAU OF CONVEYANCES  
COMMISSION ON WATER RESOURCE MANAGEMENT  
CONSERVATION AND COASTAL LANDS  
CONSERVATION AND RESOURCES ENFORCEMENT  
ENGINEERING  
FORESTRY AND WILDLIFE  
HISTORIC PRESERVATION  
KAHOOLAWE ISLAND RESERVE COMMISSION  
LAND  
STATE PARKS



## **Title Guaranty of Hawaii, Inc.**

235 Queen Street, Honolulu, HI 96813 • P.O. Box 3084, Honolulu, HI 96802  
Telephone: (808) 533-6261 • Direct (808) 533-5876 • Fax (808) 521-0287

January 16, 2008

US Mail and E-Mail: [sentokuda@capitol.hawaii.gov](mailto:sentokuda@capitol.hawaii.gov)

Senator Jill N. Tokuda  
Hawaii State Capitol, Room 218  
Honolulu, Hawaii 96813

Re: Draft report of the Joint Senate-House Investigative Committee on the  
Bureau of Conveyances.


Dear Senator Tokuda:

Please consider this my response to the draft report of the Joint Senate-House Investigative Committee on the Bureau of Conveyances. These comments address the text on page 42, Section 5.

As you know, I was retained as a consultant by Mr. Ray Iwamoto, Esq. formerly with the law firm of Goodsill Anderson Quinn & Stifel to provide consulting services for the Navy and Marine Housing Privatization transaction. On page 42, Section 5, the statements that I was hired to develop a creative solution and this "creative solution consisted of allowing Island Title Corporation employees to gain access to restricted work areas of the Bureau to correct the errors on the pertinent documents by using liquid white-out to cover the errors and replacing them with the correct recorded document reference numbers" is inaccurate. I provided assistance on this transaction by researching the records of the Land Court and the Office of the Assistant Registrar of the Land Court and reviewing and advising on the issues relating to the pending Land Court subdivision and the recordability of proposed documents. The error of the document number references being left blank or filled in with the wrong number was discovered by the attorneys for the federal government who requested that the documents be corrected. This necessary correction was done by replacing pages and not by using liquid white-out. The documents were replaced with the exact same pages, filled in with the correct document numbers, by a Bureau employee with the help of Brad Ishida and Laura Watada formerly with Island Title. Thus, your repeated reference that the correction was done by using white out is inaccurate and should be corrected. This can be confirmed by Susan Cummings the Land Court Receiving Clerk Supervisor.

If you have any questions regarding my response, please do not hesitate to contact me. Thank you for your attention to this matter.

Very truly yours,

  
Sandra Furukawa  
Special Project Coordinator



# Title Guaranty of Hawaii, Inc.

235 QUEEN STREET, HONOLULU, HI 96813 • P.O. BOX 3084, HONOLULU, HI 96802

January 24, 2008

Via Fax: (808) 587-7220

Senator Jill N. Tokuda  
Hawaii State Capital, Room 218  
Honolulu, Hawaii 96813

Re: Comments on Draft Report by Joint Senate-House Investigative Committee on the Bureau of Conveyances (BOC)

Dear Senator Tokuda and Members of the Committee:

My name is Debra Pyrek, Vice President of Corporate Information Systems of Title Guaranty of Hawaii, Inc. Gerald Opedal (Vice President of our Project Management Office) and I testified under subpoena at the Investigative Committee hearings. We received a copy of the draft report and have reviewed it. Please consider this letter to be our joint comments on the following statements which are inaccurate and should be corrected.

Page 27 contains an inaccurate characterization of Title Guaranty's access to the recorded document images from the Bureau of Conveyances. While Title Guaranty was requested by the Bureau of Conveyances to assist them in finding a solution to their image backlog and did so by providing software to copy the images to the FTP server where all title companies and other public subscribers could download such images, Title Guaranty in no way obtained any kind of unfair advantage over the general public or other title companies. The scanned images were sent to the FTP server, which became available to the Bureau, Title Guaranty, and to all other title companies simultaneously and prior to the indexing of these documents.

The carry-over paragraph on the bottom of page 36 to the top of page 37 is also inaccurate. Title Guaranty provided the equipment and labor and incurred the costs to scan digital images of the documents as they were recorded on a daily basis at the Bureau of Conveyances. These images were scanned onto CD's, which were offered to the Bureau of Conveyances and to all title companies. Only the Bureau of Conveyances, Title Guaranty and Old Republic availed themselves of the CD's at that time.

Thank you for the opportunity to provide these comments.

Very truly yours,

Debra Pyrek  
Vice President of  
Corporate Information Systems

# The Lange Group

Software Systems Analysis & Telecommunications Consulting

January 24, 2008

FACIMILIE TRANSFERRED TO: 587-7220

Honorable Senator Jill N. Tokuda &  
Representative Joseph M. Souki  
Hawaii State Capitol, Room 218  
Honolulu, Hawaii 96813

Re: Bureau of Conveyances (BOC) Draft Report

We are in receipt of the Draft Report and thank you for the privilege of review and response. In general, it outlines the facts as we know it, with the exception that some statements relating to The Lange Group are either incomplete or not accurately reflected. These statements are listed in recap form below:

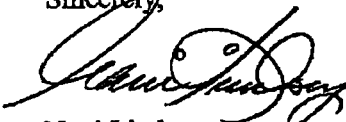
- 1) Page 27 – without written service contract, BOC hampered in enforcement
- 2) Page 28 – design to mimic the existing Wang, rather than provide truly breakthrough benefits, costing the State a total of \$2,200,000
- 3) Page 28 – did not have the capabilities [to] streamline the recording process
- 4) Page 29 – Bureau is heavily dependent on the services of the Lange Group
- 5) Page 29 – conflicting testimony, training was provided

However, in an effort to move forward and expend our time toward achieving a mutual goal, we would like to instead offer to assist in the following manner:

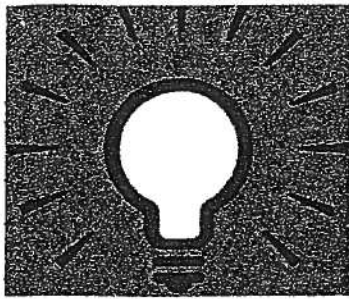
- 1) Establish a written service contract describing what the annual support cost of \$32,670.14 covers
- 2) Offer skill & knowledge transfer time to staff at DLNR-DPO and/or DAGS-ICSD and/or BOC supervisory levels, as requested, in order to takeover any function that The Lange Group currently provides, so that it can be managed and/or provided by State personnel instead

As always, we stand willing to provide any other help deemed reasonable by the Committee and the Department of Land & Natural Resources to accomplish our mutual goal of making the Bureau of Conveyances a better place.

Sincerely,



Nani Lindsey, Manager  
The Lange Group



**GOVERNMENT  
EFFICIENCY  
TEAMS, INC.**

“Common Sense  
for the  
Common Good”

**ADDRESS:**

Office of GET  
126 Queen Street, Suite 310  
Honolulu, Hawaii 96813-4415

Phone/Fax:  
(808) 599-4199

E-mail:  
GetEfficient@hawaii.ir.com

Website:  
www.GetHawaii.org

IRS EXEMPT  
STATUS APPROVED:  
501(c)(3)-6/3/88

NONPROFIT  
NONPOLITICAL  
NON-SPECIAL INTEREST

VOLUNTEER ASSISTANCE  
to State and City Agencies

**DIRECTORS:**

Sumner Howard, *Pres.*  
Wayne H. Higa, *Treas*  
Nancy N. Ahn  
Clinton Basler  
Courtney Brown  
Kenneth R. Harding  
Ralph C. Hook, Jr., Ph.D.  
Evelyn M. Paiva  
James M. Peters III  
Edward Slavish  
Franklin Tokioka

Robert W. Hufford  
Founder  
1916-2003

January 24, 2008

**BY HAND**

Co-Chairs Senator Jill N. Tokuda  
and Rep. Joseph M. Souki  
Joint Committee on the Bureau of  
Conveyances (BOC)  
Hawaii State Capitol-Room #218  
Honolulu, HI. 96813

Dear Jill and Joe:

Subject: BOC Draft report

Many thanks for sending us your 94-page Draft Report.

GET recommends:

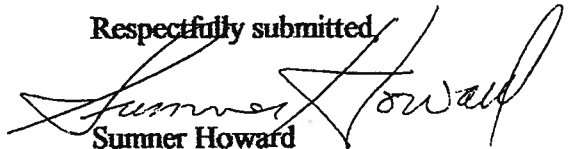
**I. DO NOT:**

- A. Hire a Special Master and appoint an Advisory Council;
- B. Turn over the BOC to a private business.

**II. YES, DEFINITELY DO:**

- A. Make the Report COMPLETE by interviewing 4/6 HGEA employees;
- B. Combine the Land Court and Regular systems;
- C. Change to electronic filing and digital copies of all filings;
- D. Update all fee schedules;
- E. Move the BOC to the state Dept. of Commerce and Consumer Affairs (DCCA);
- F. Fire all BOC employees and let them apply to the DCCA;
- G. Implement the \$75,000 (taxpayers' money) June 2005 Hoiike Consulting Recommendations of modernization;
- H. Implement the "GE Workout Plan" of attacking organizational Problems which GET presented to the DLNR in 2003;
- I. Allow new, DLNR Director Laura Thielen at least six(6) more months to complete her already-started moves to drastically improve the BOC.

Respectfully submitted,

  
Sumner Howard  
President

cc: Rep. Joe Souki-Room #433  
Majority leader Kirk Caldwell-Room #439  
GET, Inc. Directors

## ATTACHMENT 2

### Joint Senate-House Investigative Committee on the Bureau of Conveyances Stakeholder Recommendations

October 22, 2007

**Company:**

Pacific Title, LLC  
765 Amana Street, Suite No. 303  
Honolulu, HI 96814

**Contact Person:**

Anthony W.O. Ching  
(Member/Manager)

Phone: (808) 945-9000  
Email: [anthonyc.pactitle@hawaiiintel.net](mailto:anthonyc.pactitle@hawaiiintel.net)

**1. Please describe your interaction with the BOC.**

Pacific Title, LLC is a full service title insurance agency registered with the Insurance Division of the State Department of Commerce and Consumer Affairs. The services which we provide to our customers are no different than those provided by other title insurers or agencies (Title Searches, Miscellaneous Reports, Document Recording Services and Title Insurance Policies). Unlike other title insurance companies or agencies whom maintain a title plant or has access to a title plant, Pacific Title, LLC is the only title company or agency which is 100% dependent on the indexes and records maintained by the BOC and services it provides.

**2. How would you characterize your relationship with the BOC (as both an individual and with your company)?**

I consider the relationship of myself and my company to be symbiotic and our close association is mutually advantageous and beneficial. Our working relationship with the Management and Staff of the BOC has been nurtured over the years and I consider the same as "professionals dealing with professionals".



Pacific Title, LLC  
Anthony W.O. Ching  
October 22, 2007

**3. Briefly describe what you consider to be specific problem areas at the BOC.**

In my observation, the team at the BOC (Management Regular System Employees & Land Court Employees) is dysfunctional. Too much focus is placed on protecting each respective interest at the expense of not timely or accurately completing the tasks for which the BOC is responsible. One good example is evident in the fact that the BOC is 2 to 3 months behind in their indexing of recorded documents.

**4. What recommendations do you have to help the committee improve the operations and functions of the BOC?**

I believe that the problems existing at the BOC today are "people" problems. Promote "Teamwork".

Create one team: Support and enact legislation to accomplish the discontinuance of the Land Court System. Over the past few years legislation to discontinue the Land Court System have failed. Presently the Land Court System does not provide any tangible benefits to the Registered Owner and therefore the costs to maintain this registration system are not justified.

Promote Teamwork: Do whatever it takes to support and encourage teamwork. Creating different teams to deal with specific duties will not work. We all know that the real estate industry is either very busy or very slow. Approaching management to deal with the "averages" will not work and teamwork is imperative in mitigating the effects of surges experienced in the real estate industry.



**OLD REPUBLIC**  
TITLE & ESCROW OF HAWAII

**FACSIMILE TRANSMITTAL SHEET**

**TO: JILL TOKUDA**  
**COMPANY: JOINT SENATE-HOUSE**  
**INVESTIGATIVE COMMITTEE**

**FAX #: 587-7220**

**PHONE #: 587-7215**

**DATE: 10/30/2007**

**RE: INVESTIGATIVE COMMITTEE QUESTIONNAIRE**

**FROM: OLD REPUBLIC TITLE & ESCROW OF**  
**HAWAII**

**FAX #: 566-0227**

**PHONE #: 566-0100**

**# OF PAGES INCLUDING COVER: 3**

**TIME: 3:49 PM**

Dear Ms. Tokuda

In response to the questionnaire received, please see the attached. Thank you!

Aloha,

Robin Murakami  
Title Operations Manager

**Important Notice:** The information contained in this facsimile is private and confidential. It is intended only for the recipient(s) named above. If you are not named above, not an agent of the recipient, then you have received this in error, and to review, distribute or copy this transmission or its attachment(s) is strictly prohibited by federal law. If you have received this facsimile in error, please notify the sender via fax or phone immediately. If you are the proper recipient, and this facsimile contains "Protected Health Information," you must abide by the rules of HIPAA and other privacy laws that apply.  
Thank-you for your attention to this notice.



**Joint Senate-House Investigative Committee on the Bureau of Conveyances  
Stakeholder Recommendations**

<b>Company or Organization:</b> OLD REPUBLIC TITLE & <b>Address:</b> ESCROW OF HAWAII <b>City, State, Zip Code:</b> 733 BISHOP ST, #2700 HONOLULU, HI 96813	<b>Contact Person:</b> PATRICIA YEE <b>Phone:</b> 566-0100 <b>Email:</b> tyee@ortc.com
----------------------------------------------------------------------------------------------------------------------------------------------------------------------	----------------------------------------------------------------------------------------------

**1. Please describe your interaction with the BOC.**  
SEE ATTACHED

---

---

---

---

---

---

**2. How would you characterize your relationship with the BOC (as both an individual and with your company)?**  
SEE ATTACHED

---

---

---

---

---

---

**3. Briefly describe what you consider to be specific problem areas at the BOC.**  
SEE ATTACHED

---

---

---

---

---

---

**4. What recommendations do you have to help the committee improve the operations and functions of the BOC?**  
SEE ATTACHED

---

---

---

---

---

---

---

---

---

---

---

---

---

---

---

---

---

---

---

---

---

---

---

---

---

Attachment to the Joint Senate-House Investigative Committee Questionnaire:

#1

As a title company, we work in conjunction with the Bureau of Conveyances to record pertinent documentation for transactions involving real property. On a daily basis, we submit packets for recording to the Bureau in both the regular system and land court land systems. Throughout the process, we work closely with the Bureau staff to ensure that the documentation is valid and proper for recordation, thus interacting with various personnel at the BOC on a consistent basis.

#2

Overall, I would characterize the relationship between the Bureau and Old Republic as being good. In general, the personnel there has been very helpful and provides assistance on all manners of issues to do with the reviewing and recordation of documents. The relationship can be contentious at times and sometimes getting a response from the Bureau can be rather difficult and that may be due to the volume of work as we do hear comments from individuals there that they are understaffed.

#3

Problem areas:

- 1) Staffing issues and internal relations between BOC personnel (i.e. communication, accountability, professionalism)
- 2) Inconsistent recording requirements for the two land systems
- 3) Internal processes – how they process work
- 4) Relationship with Union.....work together to resolve issues
- 5) Customer Services (i.e. upgrade services in order to make more client/business friendly, more professional attitude)
- 6) Upgrade of online systems/capabilities (i.e. upgrade computer services/systems, electronic recording)

#4

Recommendation that the DLNR review and implement the measures proposed by the "Bureau of Conveyances, Operations Review Project" done in June 2005 by the firm, Hoike Consulting, LLC.



HONOLULU  
BOARD OF  
REALTORS®

**Honolulu Board of REALTORS®**

---

---

## Fax

**To:** Senator Jill N. Tokuda

---

**Date:** 10/31/07

---

**Fax:** 587-7220

---

**From:** Lea Mukai

---

**Phone:** 792-4943

---

**Pages:** 2

---

**Fax:** 732-3055

---

---

Good morning. Attached is our completed form on the Bureau of Conveyances Stakeholder Recommendations. Thank you.

Disclaimer: The information transmitted is intended only for the person(s) or entity to which it is addressed and may contain confidential and/or privileged material. If you are not the intended recipient of this message you are hereby notified that any use, review, retransmission, dissemination, distribution, reproduction or any other action taken in reliance upon this message is prohibited. If you receive this in error, please contact the sender.

---

**Honolulu Board of REALTORS®**  
1136 12th Avenue, Suite 200, Honolulu, HI 96816  
Phone: 808.732.3000 Fax: 808.732.3055  
[www.HiCentral.com](http://www.HiCentral.com)



**Joint Senate-House Investigative Committee on the Bureau of Conveyances  
Stakeholder Recommendations**

<b>Company or Organization:</b> Hon. Board of REALTORS	<b>Contact Person:</b> Donna Asino
<b>Address:</b> 1136 12th Ave. #200	<b>Phone:</b> 732-3000
<b>City, State, Zip Code:</b> Hon. HI 96816	<b>Email:</b> donna.asino@hicalmls.com

**1. Please describe your interaction with the BOC.**

HBR subscribed to a data file of all documents recorded at the BOC. Since the data distribution was abruptly changed, HBR relies on the title industry as its data source.

**2. How would you characterize your relationship with the BOC (as both an individual and with your company)?**

HBR's relationship with the BOC was based on a vendor/client relationship.

**3. Briefly describe what you consider to be specific problem areas at the BOC.**

HBR members depend on accurate, current data. Our major concerns are the delays in data distribution and the restrictions/requirements placed on title companies which ultimately impact HBR members and consumers. Data should be available on-line and real-time.

**4. What recommendations do you have to help the committee improve the operations and functions of the BOC?**

1. Revise position descriptions to streamline processes and combine duties between the Regular System and Land Court staff.
2. Conduct on-site research of states with dual recording systems.
3. Research the possibility of eliminating the Land Court system.

# TITLE GUARANTY OF HAWAII

INCORPORATED  
235 QUEEN STREET ♦ HONOLULU, HAWAII 96813

Fax: (808) 539-7700 OR 521-0261

EXECUTIVE

Fax: (808) 532-3160

## FACSIMILE TRANSMITTAL COVER SHEET

Date: October 31, 2007

To: Senator Jill N. Tokuda

FAX: (808) 587-7220

From: Anela Shimizu

Phone No.: (808) 539-7700

Fax No.: (808) 532-3160

Email Address: ashimizu@tghawaii.com

Re: Stakeholder Recommendations – Bureau of Conveyances

Page: 2 (Including Cover) REVISED

### Comments:

Revisions have been made – please use this revised copy of Title Guaranty's Stakeholder Recommendations to the Joint Senate-House Investigative Committee on the Bureau of Conveyances.

Thank you,

Anela Shimizu

Should you have any difficulties or questions in receiving this transmission, please call Anela at (808) 539-7700 or Yvonne at (808) 521-0261. If you wish to send us a fax, our number is (808) 532-3160.

COPY WILL BE MAILED

COPY WILL NOT BE SENT

This communication contains confidential and privileged information. It is exempt from disclosure under applicable law. If you received it in error, please notify the sender immediately by telephone or fax and return the original by mail.



**Joint Senate-House Investigative Committee on the Bureau of Conveyances  
Stakeholder Recommendations**

<b>Company or Organization:</b> Title Guaranty of Hawaii, Inc.	<b>Contact Person:</b> Lorrin Hirano
<b>Address:</b> 235 Queen Street	<b>Phone:</b> 533-5842
<b>City, State, Zip Code:</b> Honolulu, Hawaii 96813	<b>Email:</b> lhirano@tghawaii.com

**1. Please describe your interaction with the BOC.**

Title Guaranty interacts with the Bureau of Conveyances ("BOC") on a daily basis in connection with various day to day activities, such as recording documents, requesting copies of maps, and addressing documents recorded in error. Occasionally, Title Guaranty coordinates "bulk recordings" with the BOC. Interaction with the BOC most often consists of phone calls with staff, but may also include emails or mailed correspondence.

**2. How would you characterize your relationship with the BOC (as both an individual and with your company)?**

Our company's working relationship with the Bureau staff on a day-to-day basis is generally good. Most of the Bureau staff works cordially with our recorders, responds to our requests on a timely basis, and cooperatively assists us with recording issues. We have encountered some staff members, however, who are not cooperative and do not respond in a professional manner. When this happens, our staff sees the rift between Bureau staff and DLNR management, and the Bureau's internal communication issues make it difficult to solve problems.

**3. Briefly describe what you consider to be specific problem areas at the BOC.**

The primary problem at the BOC is the lack of ability or authority for management to implement changes with staffing or procedures. We sometimes experience inconsistency in decision-making by different BOC staff members, and upper BOC management appears to have difficulty resolving the differences. Lack of cooperation between various BOC personnel contributes to the delay in reaching a solution. The BOC's service to the public is negatively affected by the grievances filed within the BOC and the strife between the staff and management. The delay in processing Land Court documents and issuing TCTs needs to be significantly reduced, and the practice of memoing of documents already accepted for recording needs to be re-examined.

**4. What recommendations do you have to help the committee improve the operations and functions of the BOC?**

- Support management who try to improve the current process through procedural and personnel changes;
- Improve training and implement procedures to reduce inconsistent decision-making;
- Upgrade systems and procedures by which documents are currently recorded and made available to the public; i.e., same day recording; electronic recording; electronic downloading of images; allocate resources to large-volume bulk or project recordings; create a simpler fee structure; and
- Facilitate cooperation between HGEA and DLNR management in dealing with BOC staff issues to promote professionalism and to improve service to the public from all personnel.



# TITLE GUARANTY OF HAWAII

INCORPORATED  
235 QUEEN STREET ♦ HONOLULU, HAWAII 96813

Phone: (808) 539-7700 OR 521-0261 EXECUTIVE Fax: (808) 532-3160

## FACSIMILE TRANSMITTAL COVER SHEET

Date: October 31, 2007

To: Senator Jill N. Tokuda

FAX: (808) 587-7220

From: Anela Shimizu

Phone No.: (808) 539-7700

Fax No.: (808) 532-3160

Email Address: ashimizu@tghawaii.com

Re: Stakeholder Recommendations – Bureau of Conveyances

Page: 2 (Including Cover)

### Comments:

The following document is Title Guaranty's Stakeholder Recommendations to the Joint Senate-House Investigative Committee on the Bureau of Conveyances.

Thank you,

Anela Shimizu

Should you have any difficulties or questions in receiving this transmission, please call Anela at (808) 539-7700 or Yvonne at (808) 521-0261. If you wish to send us a fax, our number is (808) 532-3160.

COPY WILL BE MAILED

COPY WILL NOT BE SENT

This communication contains confidential and privileged information. It is exempt from disclosure under applicable law. If you received it in error, please notify the sender immediately by telephone or fax and return the original by mail.



Joint Senate-House Investigative Committee on the Bureau of Conveyances  
Stakeholder Recommendations

<b>Company or Organization:</b> Title Guaranty	<b>Contact Person:</b> Lorrin Hirano, Esq.
<b>Address:</b> 235 Queen Street	<b>Phone:</b> 533-5824
<b>City, State, Zip Code:</b> Honolulu, Hawaii 96813	<b>Email:</b> lhirano@tghawaii.com

1. Please describe your interaction with the BOC.

Title Guaranty interacts with the Bureau of Conveyances ("BOC") on a daily basis in connection with various day to day activities, such as recording documents, requesting copies of maps, and addressing documents recorded in error. Occasionally, Title Guaranty coordinates "bulk recordings" with the BOC. Interaction with the BOC most often consists of phone calls with staff, but may also include emails or mailed correspondence.

2. How would you characterize your relationship with the BOC (as both an individual and with your company)?

Our company's working relationship with the Bureau staff on a day-to-day basis is generally good. Most of the Bureau staff works cordially with our recorders, responds to our requests on a timely basis, and cooperatively assists us with recording issues. We have encountered some staff members, however, who are not cooperative and do not respond in a professional manner. When this happens, our staff sees the rift between Bureau staff and DLNR management, and the Bureau's internal communication issues make it difficult to solve problems.

3. Briefly describe what you consider to be specific problem areas at the BOC.

The primary problem at the BOC is the lack of ability or authority for management to implement changes with staffing or procedures. We sometimes experience inconsistency in decision-making by different BOC staff members, and upper BOC management appears to have difficulty resolving the differences. Lack of cooperation between various BOC personnel contributes to the delay in reaching a solution. The BOC's service to the public is negatively affected by the grievances filed within the BOC and the strife between the staff and management.

4. What recommendations do you have to help the committee improve the operations and functions of the BOC?

- Support management who try to improve the current process through procedural and personnel changes;
- Improve training and implement procedures to reduce inconsistent decision-making;
- Upgrade systems and procedures by which documents are currently recorded and made available to the public: i.e., same day recording; electronic recording; electronic downloading of images; allocate resources to large-volume bulk or project recordings; create a simpler fee structure; and
- Facilitate cooperation between HGEA and DLNR management in dealing with BOC staff issues.



# Fidelity National Title INSURANCE COMPANY

Title Department

## FAX TRANSMITTAL

Date: 10-31-2007

To: Senator Jill Tokuda

Fax #: 587-7220

From: Kent Pelt

Re: BOC

Total number of pages, including coversheet: 3

Our company's recommendations.

K&P

The pages comprising this facsimile transmission contain CONFIDENTIAL INFORMATION from Fidelity National Title Insurance Company. This information is intended solely for use by the individual entity named as the recipient hereof. If you are not the intended recipient, be aware that any disclosure, copying, distribution or use of the contents of this transmission is prohibited. If you have received this transmission in error, please notify us by telephone immediately so we may arrange to retrieve this transmission at no cost to you.

City Financial Tower  
201 Merchant Street, Suite 2100 - Honolulu, Hawaii 96813 - Telephone: (808) 536-0404 - Title Fax: (808) 533-3173

**Recommendations to Joint Senate-House Investigative Committee  
on the Bureau of Conveyances  
by Fidelity National Title & Escrow of Hawaii, Inc.  
201 Merchant Street, Suite 2100  
Honolulu, HI 96813**

**Phone: (808) 536-0404  
Dale Hastie, President, dale.hastie@fnf.com  
Kent Pelt, Vice President, kent.pelt@fnf.com**

October 31, 2007

**1. Please describe your interaction with the BOC.**

Our company submits a substantial number of documents to the BOC for recording each business day. The documents are recorded to finalize real estate transactions for our customers; Hawaii consumers selling, buying or refinancing real property. Our recording clerks personally interact with the BOC receiving staff when documents are delivered. Our title department staff calls Carl Watanabe or the Regular System and Land Court Supervisors to resolve recordation problems.

**2. How would you characterize your relationship with the BOC (as both an individual and with your company)?**

Our relationship with the BOC is cordial and professional at present. In particular, Carl Watanabe has always been helpful and pragmatic in his approach to problem resolution. During busier years, however, we were told we had too many "pulled" recordings along with other companies in the industry. Some BOC Supervisors and staff members do not recognize that title and escrow companies' customers are members of the general public, and have complained openly that "title company" work takes away from their ability to "serve the general public." The absurdity of this position is that our customers are members of the general public.

**3. Briefly describe what you consider to be specific problem areas at the BOC.**

Supervisors (other than Carl Watanabe) are entrenched in a "form over substance" belief system. Bureaucratic procedures stifle common sense and any pragmatic approach to problem solving. In other words, following internal rules for document recording that are not based on the requirements of the Hawaii Revised Statutes has become more important to BOC staff than the simple mission of recording documents in a timely and efficient manner.

**4. What recommendations do you have to help the committee improve the operations and functions of the BOC?**

Although the BOC records land record documents, its function has less to do with "land" than commerce. Oversight of the BOC should be transferred to the DCCA from the DLNR eventually. The BOC should be operated like a business rather than part of a state organization that manages state land and Hawaii's precious natural resources.

The one day advance submission of documents for "pre-checking" before recording should be abandoned in favor of a "same day" recording system. As of now, documents must be submitted to the BOC before 8:30 a.m. the business day before actual recording. Documents should be submitted by 7:00 a.m. the business day of recording and checked and recorded throughout the same business day with the 8:00 a.m. recording stamp. Unlimited special recordings should be allowed throughout the day at the "general public" receiving window. Our customers are members of the general public.

Images of daily recordings need to be kept current and furnished to Hawaii's two private title plants by secure internet connection on a daily basis.

Adopting "same day" recording procedures now will pave the way for electronic recording in the near future. The document approval process needs to be simplified so that documents meeting the minimum legal requirements are recorded without further scrutiny in either Regular System or Land Court. Many documents are overly-scrutinized by BOC receiving staff now, and improperly rejected.

The present practice of Land Court issuing "memos" to TCT's (effectively rescinding a TCT issued to a consumer 1 to 1 and ½ years after accepting a document for recording improperly) must be abolished. There is no statutory authority for the practice, and technically the state should have liability on a TCT. Where a title insurance policy is issued, the insured owner looks to the insurer rather than the state for defense and indemnification against title defects.

# FAX SHEET



**Hawaii  
Association of  
REALTORS®**

Hawaii Association of Realtors  
1135 12th Avenue, Suite 220  
Honolulu, Hawaii 96816

Date 10/31/07

Number of pages including cover sheet 4

To: **Sen. Jill N. Tokuda**

---

---

---

---

---

Phone (808) 587-7215

Fax Phone (808) 587-7220

CC: \_\_\_\_\_

**Myoung Oh**

**Hawaii Association of REALTORS®**

---

---

---

---

---

Phone (808) 733-7060 ext. 104

Fax Phone (808) 733-4977

REMARKS:	
<input type="checkbox"/> Urgent	<input type="checkbox"/> For your review
<input type="checkbox"/> Reply ASAP	<input type="checkbox"/> Please comment
<p>Hi,</p> <p>HAR has limited to no interaction with the Bureau of Conveyances. We must defer to our membership for any responses to their firms. Enclosed are replies from our members representing both large and small real estate brokerage companies.</p> <p>If you have any questions, please don't hesitate to call me. Let's work together to help improve the operations of the BOC.</p> <p>Thank you, Myoung Oh</p>	



HAWAII STATE LEGISLATURE  
STATE CAPITOL  
HONOLULU, HAWAII 96813

October 15, 2007

Ms. Denise Motohiro  
Interim Director  
Hawai'i Association of Realtors  
1136 12th Avenue, Suite 220  
Honolulu, Hawai'i 96816

Dear Ms. Motohiro:

As you may be aware, the Joint Senate-House Investigative Committee on the Bureau of Conveyances was created to determine what problems this division faces, and what can be done to ensure that the Bureau is able to effectively carry out its mission.


In an effort to solicit recommendations for improvement from all stakeholders of the Bureau of Conveyances and to develop a comprehensive report to the Legislature, we are seeking your input in the completion of this form.


To provide us with adequate time to present your recommendations to Committee members and to include it in our report, please fax the completed form to 587-7220 by Wednesday, October 31<sup>st</sup> or mail it to:

Senator Jill N. Tokuda  
State Capitol, Room 218  
415 South Beretania  
Honolulu, Hawai'i 96813

We encourage you to share this form with other stakeholders we may not have contacted, if you have any questions or concerns, please feel free to contact us at 587-7215. Thank you in advance for your cooperation and participation. Together, we can help the BOC move forward.

Sincerely,

  
Joseph M. Souki  
Co-Chairperson

  
Jill N. Tokuda  
Co-Chairperson



RECEIVED OCT 30 2007

Joint Senate-House Investigative Committee on the Bureau of Conveyances  
Stakeholder Recommendations

<b>Company or Organization:</b> Coldwell Banker Pacific Properties	<b>Contact Person:</b> Tom Gill
<b>Address:</b> 1314 S. King, 2nd Floor	<b>Phone:</b> 597-5582
<b>City, State, Zip Code:</b> Honolulu, HI 96814	<b>Email:</b> tomg@cbpacific.com

1. Please describe your interaction with the BOC:

• Only through the escrow and title companies

2. How would you characterize your relationship with the BOC (as both an individual and with your company)?

3. Briefly describe what you consider to be specific problem areas at the BOC.

- Recording backlog - Land Court over a year behind
- Very limited same day recordings (only 3 per title co.)
  - causes hardships for transactions with critical date requirements
  - causes buyers to pay extra interest
  - recording errors can show up long after closing

4. What recommendations do you have to help the committee improve the operations and functions of the BOC?

- What would it take to be able to handle most recordings on the same day they are presented?
  - Reorganization?
  - Automation?
  - Privatization???





RECEIVED OCT 23 2007

Joint Senate-House Investigative Committee on the Bureau of Conveyances  
Stakeholder Recommendations

Company or Organization: <i>Property Profiles Inc</i>	Contact Person: <i>Berton Hamamoto</i>
Address: <i>98-030 Hekaha St. #26</i>	Phone: <i>487-9500 x 207</i>
City, State, Zip Code: <i>Aiea, HI 96701</i>	Email: <i>berton@pixi.com</i>

1. Please describe your interaction with the BOC.

*Very limited to nonexistent*

2. How would you characterize your relationship with the BOC (as both an individual and with your company)?

*Now that escrow can send us copies of documents  
or we can retrieve online, we don't have to go to the BOC  
anymore*

3. Briefly describe what you consider to be specific problem areas at the BOC.

*Slow, not automated or using technology to make it  
more efficient*

4. What recommendations do you have to help the committee improve the operations and functions of the BOC?

*Put everything online and go digital - paperless.  
Re-train the staff on computer skills.*



# FAX SHEET

Hawaii Government Employees Association • AFSCME Local 152 • AFL-CIO

*Working Together For Hawaii*

This is confidential material for the addressee's use only. If you received this transmission in error, please do not use, distribute or reproduce it. Instead, please call the sender at the phone number provided on this sheet. Thank you!

**DATE:** 10/31/07

**TOTAL PAGES:** 2 (including cover sheet)

**TO:** Senator Jill Tokuda

**FAX NUMBER:** 587-7220

**FROM:** Kevin Mulligan, Union Agent

**PHONE NUMBER:** 543-0067

**FAX NUMBER:**

**SUBJECT:** Stakeholder Recommendations

**MESSAGE:** Senator Tokuda: Here is our input to the Joint Senate-House Committee on the BOC.

**Joint Senate-House Investigative Committee on the Bureau of Conveyances  
Stakeholder Recommendations**

**Company or Organization:** HGEA/AFSCME  
**Address:** 888 Mililani St.  
**City, State, Zip Code:** Honolulu, HI 96813

**Contact Person:** Nora Nomura  
**Phone:** 543-0071  
**E-mail:** [nonomura@hgea.org](mailto:nonomura@hgea.org)

**1. Please describe your interaction with the BOC.**

HGEA is the exclusive representative for non-managerial employees at the BOC. Our statutory responsibility is to enforce the terms of the collective bargaining unit agreements covering BOC employees. HGEA's interaction with BOC occurs when there has been a violation of our agreement by management. Our interaction with the BOC has been long-standing and on going over a variety of issues affecting labor relations.

Our interaction with BOC occurs whenever there are concerns about working conditions or operating policies and procedures. We have a statutory responsibility to represent BOC employees in bargaining units 03, 04 and 13 and enforce these bargaining unit agreements. Unlike some other stakeholders, our interaction with the BOC is not on a daily basis. When there are specific issues of importance to the BOC staff, the frequency of our interaction increases.

**2. How would you characterize your relationship with the BOC (as both an individual and with your company)?**

Our relationship with BOC administration has been characterized by conflict and has been, at times, adversarial. In our view, BOC management has promoted division among the staff and disregarded the union's collective bargaining agreements resulting in numerous grievances. Our working relationship could improve significantly if management took a more collaborative approach in solving problems.

**3. Briefly describe what you consider specific problem areas at the BOC.**

The problem areas at the BOC are: 1) a lack of leadership by management; 2) management's promotion of factions among staff; 3) apparent favoritism given to certain title companies over others and 4) need for additional staff positions and resources.

**4. What recommendations do you have to help the committee improve the operations and functions of the BOC?**

- Change BOC Administrator.
- Fill the vacant Deputy Registrar's position with an experienced manager.
- Provide additional staff and administrative support for the BOC, as necessary.
- Have BOC administration engage in more collaborative labor-management processes.
- Prohibit special treatment, i.e., to a particular title company, specific individuals or employees. Hire a more effective Registrar who will work cooperatively with all interested parties.



10/31/07 - 2:30AM -  
FAXED - 587-7220 -  
TO: SEN. JILL  
TOKUDA

**Joint Senate-House Investigative Committee on the Bureau of Conveyances  
Stakeholder Recommendations**

<b>Company or Organization:</b> Government Efficiency Teams, Inc. (GET)	<b>Contact Person:</b> Sumner Howard, Pres.
<b>Address:</b> 126 Queen St.	<b>Phone:</b> 808-599-4199
<b>City, State, Zip Code:</b> Honolulu, HI. 96813	<b>Email:</b> getefficient@hawaii.rr.com

**1. Please describe your interaction with the BOC.**

A. Please review carefully, and in its entirety, ATTACHMENT "A", Pages 1 and 2, which briefly describes our interactions with the BOC since August-2003.

B. Several "friends" of GET deal with the BOC weekly; their interactions are included in the below comments.

**2. How would you characterize your relationship with the BOC (as both an individual and with your company)?**

A. GET's individual and company relationships with the BOC have been very cordial. Of course, this is the only attitude one should have when you are trying to assist someone.

B. Our "friends" advise the same, adding that the staff is pleasant and helpful.

**3. Briefly describe what you consider to be specific problem areas at the BOC.**

A. Backlog of completed documents; late from 2-weeks to one-year.

B. Inconsistent application of the Policies and Recording Rules by the Land Court and the BOC, making double work for everyone.

C. The two(2) different locations of the BOC(1151 Punchbowl) and the Land and Tax Appeal Court(777 Punchbowl), which require two(2) visits, instead of one(1), to complete a transaction. This is not good business.

**4. What recommendations do you have to help the committee improve the operations and functions of the BOC?**

A. Transfer the BOC to the DCCA(Dept. of Commerce/Consumer Affairs. B. Eliminate the Land Court. This will allow all Escrow/Title functions

to be in ONE bureau. C. Immediately MODERNIZE the BOC: 1. "Document-Entry and "Document-Locator" systems; 2. Availability of documents "on-line"; 3. Utilize the \$75,000 (tax payers' money) June-2005 Hoike Report in the modernization;

4. Utilize NOW the on-hand research results of up-to-date mainland systems; if more details needed, get it NOW and modernize NOW; 5. Implement Sen.

Fred Hemmings' Oct. 10, '05 letter to you re a Hearing of 4 BOC employees. We believe that you/we can definitely learn much from these concerned, subpoenaed BOC employees.

11/30/06  
FAY  
955-8031

In an interview this week with Sumner-Howard <sup>the Vol. 1. 2003</sup> Pres. of Government Efficiency Teams, Inc., known as "GET", he indicated how he and his members were so disgusted with

"No progress to improve the operations at the Bureau of Conveyances."

"GET" became involved in August of 2003, when it contacted DLNR <sup>Director</sup> Peter Young and offered to assist the Bureau by presenting them with the well-known "The GE Work-Out", designed for "Busting ~~Bure~~ Bureaucracy and Attacking Organizational Problems". This simple, highly effective change program has been used successfully by Sears, Home Depot, General Electric and General Motors, amongst others.

GET <sup>(SH)</sup> with Director Courtney Brown - past real estate experience on the mainland and an Information Technology expert - attended the March 4<sup>th</sup>, 2004, meeting of the Bureau's Process Review Group, at which no objectives were established. We again offered our assistance and presented Chairman Howard Metsuora with an Outline of

Summer toward (2) ATTACHMENT: "A" - 10/3/07

"The GE Work-Out". Nothing came out of the "Process Review Group".

After <sup>a few</sup> meetings with Carol Watanabe - Registrar, we were advised that Hoike Consulting LLC was preparing an "Operations Review Report". This ~~was~~ 113-page document was published in June 2005 at a cost of \$75,000.

GET attended and testified in favor of this well-written and all-encompassing report at the DLNR Board Meeting of August 18, 2005. On August 16 we mailed a Summary of the well-known "GE Work-Out" to DLNR Board Director Peter Young and all 6 Directors. We have heard nothing since.

"GET is still willing to assist DLNR in a complete reorganization of the Bureau. We have several real estate and lawyer friends who will be willing to help."

HAWAII ESCROW TITLE, INC.  
Via facsimile

October 31, 2007

To: Senator Jill N. Tokuda  
State Capitol, Room 218  
415 South Beretania  
Honolulu, Hawaii 96813

Re: Response to Joint Senate-House Investigative Committee  
Bureau of Conveyances Stakeholder Recommendations

Please confirm receipt of responses for both Hawaii Land Title Association and Hawaii Escrow & Title, inc. to Denise M. Kaehu at [dkaehu@hetinc.com](mailto:dkaehu@hetinc.com).

Response to Joint Senate-House Investigative Committee  
Bureau of Conveyances Stakeholder Recommendations  
October 30, 2007

Company: Hawaii Escrow & Title, Inc.  
Address: 1100 Alakea Street, 5<sup>th</sup> floor  
Honolulu, Hawaii 96813

Contact Person: Denise M. Kaehu  
Phone: (808) 532-2977, ext. 301  
Email: [dkaehu@hetinc.com](mailto:dkaehu@hetinc.com)

The following represents a general consensus of the HLTA as a specific response from an individual company may be submitted separately:

1. Please describe your interaction with the BOC.

The Title companies interact daily with the receiving clerks for both Regular and Land Court recording systems when they bring documents to the BOC for recordation on behalf of the general public. We also go to "Will call" to pick up recorded documents, order map copies, file plans and pick up copies of Transfer Certificates of Title that may not be available through the LCAT's system.

2. How would you characterize your relationship with the BOC (as both an individual and with your company):

We experience somewhat of an awkward relationship on a daily basis. Interpretations of the application of rules and procedures cause our relationships to become strained which inhibit a smooth recording process. The BOC's conduct is not always professional.

3. Briefly describe what you consider to be specific problem areas at the BOC.

- a. Inconsistent application of rules and procedures
- b. Backlog of indexing
- c. Backlog of Transfer Certificate of Title posting
- d. Review of documents is not consistent with the Hawaii Revised Statutes requirements
- e. There is no "cross over" allowed to enable Regular System to help Land Court when needed
- f. Inconsistent procedures in posting for Land Court Projects
- g. Lack of effective/problem solving ability/application and a lack of pro-active management
- h. Personality conflicts within the departments
- i. Employees training
- j. Out dated computer hardware and software
- k. Improved and modernized environment for the BOC employees to work in
- l. Morale at the BOC
- m. Lack of understanding by the BOC staff that the title industry is representing the general public



- n. The BOC usually takes an adversarial approach to issues when dealing with the title industry
- o. No accountability for poor performance
- p. The grievance process and the union often cover up issues that need to be addressed and often protect individuals with poor performance and attitude.

4. What recommendations do you have to help the committee improve the operations and functions of the BOC?

- a. Follow the recommendations of the Hoike Report
- b. Automate the functions of the BOC, possibly outsource certain technology aspects or specific functions
- c. Revise statutes to allow Electronic recordings in the future
- d. Allow title companies to record on the same day
- e. Take timeshare out of Land Court to increase productivity in other areas
- f. Use standardized forms of documents
- g. Transfer of operations from the DLNR to the DCCA
- h. Recommend to management that employees be put on a Flex hour program to accommodate the needs of the general public
- i. Increase limit on "special" recordings on an equal basis that would be allowed each day per title company
- j. Increase receiving desk staff for the last two weeks of each month to accommodate the increased month end volume
- k. Improve working conditions for the BOC staff to better enable them to reach their full potential to better serve the public, working environment, training, published rules and procedures, increase staffing when as and needed and provide training on how to better serve the consumer.
- l. The BOC should be reminded that the title companies are there representing the general public and therefore are conducting business at the BOC on their behalf.

### **HAWAII ESCROW & TITLE RESPONSE TO QUESTIONNAIRE:**

Hawaii Escrow & Title, Inc. is in agreement with the majority of the above noted responses. However, we would like to add the following:

#### **Interaction with the BOC:**

Item 1: Same as Hawaii Land Title Association's response above.

#### **Characterization of our relationship with the BOC:**

Item 2: Our relationship for the most part is a good one. There are times when situations arise in which we need to seek the help of upper management. It would have been helpful on these occasions if the department supervisors would be more proactive and be able to offer resolutions or other alternatives on the problems being discussed. I have found that if

you approach most situations with some tact and communicate effectively that the BOC staff is far more responsive.

**Specific Problem Areas with the BOC:**

Item 3: Same as Hawaii Land Title Association's response above.

**Recommendations to improve the operations and functions at the BOC:**

Item 4:

- a. Management staff needs to be immediately available to help resolve any issues/recording problems on the same day or in a manner that is conducive to finding a resolution. It is better to offer suggestions on how to resolve problems and be proactive, instead of a flat "no" answer.
- b. A flex hour arrangement will benefit not only the employees with families, but would benefit the State in not having to pay Overtime. It would allow more work to be completed uninterrupted by the usual daily activities during off hours.
- c. Creation of a separate department to handle all data input.
- d. Need to have a BOC relationship committee to resolve any issues that may arise between the BOC and the title companies. This would allow a work out session to solve any of these issues before they become a problem. Communication is key in problem solving. It is not always the BOC that is in error, title companies also must take responsibility for incomplete or improper recording packets (documents incomplete, names inconsistent, notary seals, recordings fees calculated improperly) proper training of their employees and enforcement of the rules and procedures need to be followed by all of the title companies. A grievance procedure should be established for any problems.
- e. Our title company agreement to record must be updated and all title companies must adhere to the same agreement, rules and procedures established or be subject to going before the grievance committee. The BOC has to be open to making changes to their procedures if they become outdated or the rules need to be revised.
- f. If same day recordings are allowed that would almost eliminate the need for specials and pulled recordings. One of the largest problems that the BOC faces on a daily basis with the title companies is pre-checking documents that may be pulled from recordation for the following day for lack of "Good funds". The BOC spends almost all morning checking the documents only to be notified by the title companies that the lenders have not funded as promised or the banks have not yet been able to verify the receipt of the funds prior to our "pull" deadline which means we now have to pull the documents back from the clerks that have already pre-checked them. The clerks will then have to start the process all over again the following day or put it on as a special if you have not exceeded your allotted number of specials for that day. If we brought the documents to the BOC on the morning after we have received the funds we would not have this problem. It is a duplication of effort by both parties because you cannot verify with our banks that the lender's/borrower's funds have been wired in by the pull deadline of 12:00 each day. We should not be bringing down documents if we do not have the funds at all. We have tried many times to change the deadline time or receive same day recording as we used to have it but to no avail.

- g. Same day recording will also benefit the consumer by not having to pay an additional 2-3 day prepayment of daily interest on a new loan. Since the title companies must have Good Funds prior to recordation so many days in advance the borrower must start paying daily interest on the day the loan has been funded to us. It also costs the seller additional day's interest if we cannot get the recordings on record prior to 9:00 am each day because the title companies cannot receive the confirmation of recordation in a timely manner to allow us sufficient time to notify the bank to send the wire to payoff the existing mortgage. Daily per diem rates can start at \$25.00 per day up to hundreds or more dollars depending on the loan amounts.
- h. We would recommend a more intensive study be done in regards to the original intention of Land Court to provide individuals with land ownership guaranteed title to their properties. A suggestion would be to evaluate these properties based on their zoning uses. If a claim were ever to be brought against the State of Hawaii on a large piece of commercial property the possible loss of revenue could be tremendous. Currently many Land Court properties are being used by non-resident individuals or entities. We do not currently have any statistics as to what types of properties remain in Land Court that is current. Please take <sup>into</sup> ~~it~~ <sup>and</sup> ~~under~~ consider the removal of timeshare properties and commercial properties. This suggestion could avoid a complete abolishment of the Land System and bring the Land Court statue back to its original intent.
- i. In order to provide a more efficient and less cumbersome process for TCT indexing in the Land Court system, I would like to recommend a statue change to allow for:
- a. A transfer of ownership from a timeshare owner back to the original timeshare developer be re-posted to the developer's current TCT. There are a large number of "points based" timeshare transactions that are "deeded back" to the developer for non-payment of mortgage payments. Currently when the inventory is returned to the developer a new TCT is issued to the developer, the end result is that the developer now has ownership of many TCT's that each ~~that~~ show a different amount of "points" or undivided interests. If the next sale that takes place does not have enough "points" or undivided interests to convey to a new buyer you must then have the deed refer to additional TCT's numbers on one deed conveyance. This process involves the Land Court taking a "liability" position on guaranteeing that an owner has received the proper number of "points" or undivided interests on their land title. These are issues that were never anticipated to arise when this recording system was devised long ago. This also poses a "nightmare" for proper posting of a new TCT and doubles the amount of checking the document for accuracies and making sure that the project as a whole or the project as to each unit/apt. has not been oversold. This problem of course would be solved if timeshares were to be removed. For the most part most of the timeshare owners are non-residents of Hawaii.

- b. Another item for consideration is the amendment of the statute to allow for the creation of a Project Master Transfer Certificate of Title for the sole purpose of posting all of the pertinent documentation that gets recorded in regards to the creation, management, easement, leasehold and any other applicable document types that directly effect condominiums, subdivisions, timeshares and commercial properties. This Master TCT would include property declarations, leases, sub-leases, By-Laws, House Rules and any other applicable documentation that is currently reproduced on each TCT upon any change of ownership. This is a duplication of information that could be incorporated and referenced with a Master TCT number on the new TCT being issued to the new owner. Currently the information is reproduced on every new TCT being issued and some of our information is pages long. Currently this also poses problems for Leasehold land that requires amendments/revisions to leases, subleases because the Land Court now has to post all amendment documents each current owner's TCT. This is especially cumbersome and time consuming when you may be dealing with hundreds of TCT's that must be noted.
- j. Automation is only one piece of the BOC's reorganization. The department itself needs to be revitalized and given a "face lift". This process includes possible renovations to improve the work place for the employees and the general public that have to wait for their recordings to be accepted. A separate cashiering section with a wall separating the general public from the work general population of the BOC would also protect any privacy issues and allow a quieter environment for the employees. A modern approach needs to be taken to insure the integrity of our documents, provides a productive work environment, a consumer friendly environment and a department in which both the employees and management can work in harmony with the public that relies on its efficiency, accuracy and security.
- k. The department needs to make sure that when the public records are made available that all companies regardless of whether or not they belong to a title plant or not are given the same information at the same time. There are companies in Hawaii that solely rely on current public records to search for information.
- l. We need to insure that no remote access is granted to anyone outside of the department at any time to protect the integrity of our public records.
- m. We need to further discuss what information is considered "private" and what public record is. Title companies have great difficulty trying to distinguish which liens are applicable to our clients without any specific identification process to determine if this is our client. Our sources of information are strictly based on what is contained within the documents themselves. The base information is names (it may be first, middle & last, but not always), last known address as of the date of filing and property description. If a lien appears and there is no other criteria on the documentation to identify the parties it creates a situation for the title companies that we must show this lien of record which puts a "cloud" on title. We have always used the social security number as part of our identification process previously. Many names in the world are common place such as the infamous "John Smith" and in Hawaii there are many Lee's, Chang's, Ramo's, Kealoha's etc. Many Hawaii documents do not require the seller's address to be

incorporated as part of the document. A suggestion would be to require a unique identification such as date of birth possibly.

We look forward to working with the committee to find viable resolutions that will benefit the general public, the department and its employees.



# FIRST HAWAII TITLE CORPORATION

Title Department ♦ City Financial Tower ♦ 201 Merchant St. Suite 2000  
Honolulu, Hawaii 96813 ♦ Telephone: (808) 521-3411 ♦ Facsimile: (808) 531-5241

## FACSIMILE TRANSMISSION COVER SHEET

DATE: October 31, 2007

DELIVER TO: Senator Jill N. Tokuda  
State Capitol, Room 218  
FAX 587-7220

FROM: Lester G. L. Wong, President  
Phone: (808) 521-3411, Ext. 226 / FAX (808) 521-8848

RE: Joint Senate-House Investigative Committee on the Bureau of Conveyances  
Stakeholder Recommendations

---

MESSAGE: Attached is First Hawaii Title Corporation's submission in response to the request for Stakeholder recommendations.

---

Number of pages being sent (including cover sheet): 2

Original will be sent to you:  YES  NO

### CONFIDENTIALITY NOTICE

Please deliver this facsimile transmission to the above address(es). If you did not receive all of the pages in good condition, please advise the above sender immediately. The information contained in this facsimile transmission is private and confidential and are the property of the sender. The information contained in the material is privileged and is intended only for the use of the individual(s) or entity(ies) named above. If you are not the intended recipient, be advised that any unauthorized disclosure, copying, distribution or the taking of any action in reliance on the contents of this information is strictly prohibited. If you have received this facsimile transmission in error, please immediately notify us by telephone to arrange for return of the forwarded documents to us.



**Joint Senate-House Investigative Committee on the Bureau of Conveyances  
Stakeholder Recommendations**

<b>Company or Organization:</b> First Hawaii Title Corp. <b>Address:</b> 201 Merchant Street, Suite 2000 <b>City, State, Zip Code:</b> Honolulu, HI 96813	<b>Contact Person:</b> Lester G. L. Wong <b>Phone:</b> 521-3411, ext. 226 <b>Email:</b> lesterw@firsthawaii.com
-----------------------------------------------------------------------------------------------------------------------------------------------------------------	-----------------------------------------------------------------------------------------------------------------------

**1. Please describe your interaction with the BOC.**

Our responses and recommendations have been addressed through the submission that the Hawaii Land Title Association will be submitting to the committee.

**2. How would you characterize your relationship with the BOC (as both an individual and with your company)?**

**3. Briefly describe what you consider to be specific problem areas at the BOC.**

**4. What recommendations do you have to help the committee improve the operations and functions of the BOC?**