

Minutes



Standard Forms Committee Meeting
Thursday, May 26, 2016
HawaiiUSA Federal Credit Union Community Room

The Standard Forms Committee ("SFC") meeting for the HAWAII ASSOCIATION OF REALTORS® was held on Thursday, May 26, 2016 at the HawaiiUSA Federal Credit Union Community Room. The meeting was called to order at 9:32 a.m. by Chair Kalama Kim.

Chair Kalama Kim; Vice Chair Eric Yama; Beth Daily; Diane Fujikami; Frank Goodale; Patti Ichida; Lori Kaizawa; Liz Moore; Joyce Murphy; Roy Sakamoto; Dusty Woodstock. Staff Liaison: Ethel Keyes. Guests: Nathan Aipa; Alison Akau.

A motion was adopted to approve the minutes of March 17, 2016.

1. Chair Kalama Kim stated that as reported in February, HB2672 – Smoking Disclosure bill was deferred. However, a Representative in the legislature who was one of the introducers of the bill requested that stakeholders (Department of Health, Smoke Free Coalition and HAR) continue dialogue on this issue. Myoung has had several meetings with the other stakeholders and requested representatives from SFC join in as well. Kalama and Dusty will be the SFC representatives.
2. A draft of the HAR Bylaws was approved by the Board of Directors and will be published on the website soon for membership comments.
3. Chair Kim stated that the memo from the GAC regarding the RR105c form will be addressed when this form is discussed.
4. Subcommittees' Progress Reports
 - RR105c – Project Information Form – *Condo...: Draft submitted.*
 - RR108 – Receipt of Project Information Form: *Draft submitted.*
 - RR401 – Independent Contractor: *Subcommittee to submit form to Ethel next week.*
 - RR201 – Purchase Contract: *Last meeting revised Section J. Looking at early next year to submit draft to SFC.*
 - RR204 – Counter Offer: *Hold off until PC has been revised.*
 - RR202 – Early Occupancy Agreement: *Draft submitted.*
 - RR210 – Residential Leasehold Property Addendum: *Targeting September or October.*
 - RR211 - Receipt for Residential Leasehold Property: *Targeting September or October.*
 - RR212 – Action on Residential Leasehold Property Disclosure: *Targeting September or October.*
 - RR303 – Option Addendum: *Don't see major changes.*
 - RR110 – Short Sale Addendum to Exclusive Right-to-Sell Listing Contract: *Don't see major changes.*
 - RR111 – Distressed Property Addendum to Exclusive Right-to-Sell Listing Contract: *Don't see major changes.*
 - RR222 – Distressed Property Addendum to Purchase Contract: *Don't see major changes.*
 - RR223 – Short Sale Addendum to Purchase Contract: *Possible substantive changes.*
 - RR226 – Document Receipt – *Form currently working. Will work on*

CALL TO ORDER

ATTENDEES

MINUTES

UPDATES

revisions soon.

NEW FORM – Rental Application Form – *Will start once PMC is finalized.*

1. RR101 - Exclusive Right-to-Sell Listing Contract

UNFINISHED/NEW BUSINESS

The SFC continued to reviewed comments from membership, made further revisions and finalized the draft.

**A motion was defeated to add in A-8 (a) (1): after “ _____ () calendar days” a phrase, “[one hundred eighty (180) days if left blank]”.
4 in favor. 5 opposed.**

**An amendment to the previous motion was defeated to amend the amount of days to “[ninety (90) days if left blank]”.
2 in favor. 7 opposed.**

**A motion was defeated to further define the word “presented”.
4 in favor. 5 opposed.**

A motion was adopted to reinstate D-11 Prospects from Prior Listings paragraph as amended.

**A motion was defeated to add in a line in the Exclusive Right-to-Sell Listing Contract to identify Seller is a Foreign person, Non-Hawaii Resident, Owner/Occupant, Other.
5 in favor. 6 opposed.**

A motion was adopted to approve revisions made to the RR101 – Exclusive Right-to-Sell Listing Contract including adding the email addresses in the signature lines and to forward the form to the Executive Committee for approval.

2. Property Management Contract

The SFC reviewed comments from membership and changes made by the subcommittee based on some of these suggestions. The SFC made further revisions and finalized the draft.

A motion was adopted to approve revisions made to the Property Management Contract and to forward this form to the Executive Committee for approval.

3. RR221 – Dual Agency Consent Addendum

Due to time limitations the SFC was not able to review the subcommittee's revisions to this form. Chair Kim stated that the SFC did go over this form earlier in the year and requested that the subcommittee make certain changes and they were made. When comments come back from membership the SFC may have to make significant changes. If this happens, the draft will need to go back out again.

A motion was adopted to approve publishing the draft Dual Agency Consent Addendum to solicit membership comments.

There being no further business, the meeting was adjourned at 3:19 p.m.

ADJOURNMENT

Ethel Keyes
Manager of Member Services