

Minutes



Standard Forms Committee Meeting
Thursday, February 18, 2016
HawaiiUSA Federal Credit Union Community Room

The Standard Forms Committee (“SFC”) meeting for the HAWAII ASSOCIATION OF REALTORS® was held on Thursday, February 18, 2016 at the HawaiiUSA Federal Credit Union Community Room. The meeting was called to order at 9:43 a.m. by Chair Kalama Kim.

CALL TO ORDER

Chair Kalama Kim; Bridget Arrastia; Beth Daily; Frank Goodale; Patti Ichida; Liz Moore; Joyce Murphy; Roy Sakamoto; Dusty Woodstock. Staff Liaison: Ethel Keyes. Guest: Nathan Aipa.

ATTENDEES

A motion was adopted to approve the minutes of January 21, 2016.

MINUTES

1. Legislative Update

UPDATES

There are several bills in the legislature that may impact our forms.

- SB3067 – Oceanfront purchaser statement: requires a purchaser or transferee to execute an oceanfront purchaser statement with every sale or transfer of oceanfront real estate. Requires the statement to be recorded with the bureau of conveyances.
- HB2672- Smoking Disclosure: requires the seller or landlord of a residential unit or apartment to disclose (1) whether smoking occurred within the unit or apartment and other parts of the property; and (2) the applicable smoking policy if the unit or apartment is a residential condominium unit, cooperative apartment, or rental dwelling unit. This bill is dead but the Department of Health and Hawaii Public Health wants to work with HAR to possible add verbiage in our Rental Agreement.
- HB33 – Rental Application Fee: Allows a landlord, when processing an application to rent residential property, to charge an application screening fee for the actual cost of screening the applicant. Requires landlords to refund any unused amount of the application screening fee and, upon request, provide a receipt of the fee or a copy of any report obtained via the screening process to the applicant.
- SB3049 – Solar energy devices: Establishes requirements for financing, lease, or sale agreements for solar energy devices, including the buyer's or lessee's signature, a cancellation period, payment or financing details, disclosure of tax obligations, disclosure of maintenance and operation costs, disclosure of warranty obligations, and disclosure of the potential for variation in utility rates. Does not apply to agreements for financing, lease, or sale agreements for solar energy devices as part of sales or transfers of real property to which the devices are or will be affixed.

2. Executive Committee Update

Chair Kalama Kim reported that the Executive Committee approved the RR214 – Cooperating Brokerage Firm’s Separate Contract. It will be in the May 2016 release.

3. Forms Assignments

Chair Kalama Kim reported that Ethel created a document with the deadlines for drafts forms. It’s a working document and the committee will go over prioritizing the forms after the meeting.

1. Property Management Contract

UNFINISHED/NEW BUSINESS

The SFC reviewed the subcommittee's revised draft. It spent majority of the day on this form.

A motion was adopted to approve revisions made to the Property Management Contract and to publish this draft for membership comments.

Chair Kim thanked Dusty and her subcommittee members for all their hard work on this form.

2. RR221 – Dual Agency Consent Addendum

The SFC began discussion on this form. Chair Kim requested that the subcommittee revisit the form and create a list of scenarios of dual agency and conflicts. The SFC will review this form in March.

There being no further business, the meeting was adjourned at 3:20 p.m.

ADJOURNMENT

Ethel Keyes
Manager of Member Services