

Minutes

Standard Forms Committee Meeting

Thursday, March 25, 2021

9:30 a.m. – 11:30 a.m., 12:15 p.m. – 3:30 p.m.

Via Zoom



The Standard Forms Committee ("SFC") meeting for the Hawaii Association of REALTORS® was held on Wednesday, March 25, 2021 via Zoom. The meeting was called to order at 9:31 a.m. by Chair Dusty Woodstock.

Chair; Dusty Woodstock, Vice Chair Jeannie Wenger; Sharon Brown, John Connelley, Carol Cummings, Beth Worrall Daily, Patti Ichida, Phoebe Nikolakakis, Anthony Pace, Roberta Charles, Gary Apperson, Ayako Ancheta, Patrick O'Neill, Frank Goodale. Leadership Liaison: Kalama Kim; YPN Liaison, Olivia Schubert. Staff: Ethel Keyes; Nancy Donahue-Jones, Wendy Brown: Legal Counsel: Shimpei Oki. Guests: Kelly Liberatore, Derek Lau.

The minutes of February 10, 2021 was accepted with the following correction: Correction of form name on page 2, #3, second paragraph; it should be "Dual Agency Disclosure and Consent".

A. The SFC members took a few minutes to check the internet for inappropriate usage of copyrighted forms. The following websites were found;

- PDFfiller.com - SRPDS
- CE Shop – Outdated SRPDS (5/17)
- TopProducerwebsite.com

Shimpei reported that they heard back from E-Forms and they are taking down the PC from their website. He further mentioned that ASAP Cashhomebuyers.com, Signnow.com, Wikidownload.com, and Pinterest are pending and outstanding.

B. Outcome of recommendations submitted to the BOD

Chair Dusty Woodstock informed the committee that the board approved the following forms with minor changes:

- Sellers Real Property Disclosure Statement
- Service/Support Animal Addendum
- Dual Agency Disclosure and Consent

In addition the board approved not moving forward with creating the Buyer Buyer / Seller Seller Dual Agency Form.

C. ZipForm Fillable SRPDS

Discussion was had regarding a possible fillable version of the SRPDS. It was brought up that this was tried previously, however the software for both the client and the member to fill the form out did not work properly. It was suggested to post as a fillable .pdf version on the HAR website, but the committee was reminded that they would need BOD approval. Ethel will follow up with ZipForm. Since Lone Wolf has acquired ZipForm, perhaps their program can accomplish this now.

D. Buyer Cover (Love) Letters

Chair Dusty Woodstock informed the SFC about a PB/BIC Forum recently sponsored by the Honolulu Board of REALTORS. One of the subjects was on buyer cover letters. After discussion it was decided that this is an education issue and not an SFC issue.

E. Legal Kokua Live Webinar – April 5 from 12 noon – 1:30pm

The purpose of the webinar is to educate the PBs/BICs on changes to the three forms approved by the BOD. Ethel Keyes reported there are 36 people currently signed up. The committee members will help spread the word to others. There were 2 pre-webinar questions submitted to date.

CALL TO ORDER

ATTENDEES

MINUTES

UPDATE / ISSUES OF CONCERN

F. Legislative bills that may impact standard forms

The following areas legislation may impact Standard Forms are:

- Service/Support Animals.
- Rental Agreement – extended eviction notice to tenant; military housing
- COVID 19 relief issued related to the statutes.
- Sea Level rise – currently looking at May 2022 as an effective date.

IV. UNFINISHED BUSINESS

UNFINISHED BUSINESS

A. Research on Sight Unseen Addendum

Chair Dusty Woodstock asked for current brokerage firms forms to be submitted. John Connelley is currently working on one for their company and will share it with the when it's completed. Anthony Pace said his company has one in his company library and he will forward it to the committee.

V. NEW BUSINESS

9:50 am

NEW BUSINESS

A. Review revisions to the Blank Addendum (*Attachment A*)

The SFC discussed and reviewed changes to the Blank Addendum.

A motion was adopted to approve revisions made to the Blank Addendum and to forward the draft to the membership for comments.

B. Review revisions to the Blank Amendment (*Attachment B*)

The SFC Discussed and reviewed the changes to the Blank Amendment.

A motion was adopted to approve revisions made to the Blank Amendment and to forward the draft to the membership for comments.

C. Review revisions to the RR206 Plain Language Addendum (*Attachment C*)

The SFC discussed and reviewed changes to the Plain Language Addendum.

A motion was adopted to approve revisions made to the Plain Language Addendum and to forward the draft to the membership for comments.

D. Review NEW FORM – Designated Agency Disclosure and Agreement (*Attachment D*)

The SFC discussed and reviewed changes to the Designated Agency Disclosure and Agreement.

A motion was adopted to approve revisions made to the Designated Agency Disclosure and Agreement and to forward the draft to the membership for comments.

NOTE: John Connelley will be drafting an explanation to go out with this new draft to the membership for comments.

E. Review revisions to the RR203 – Agreement of Sale Addendum (*Attachment E*)

The SFC discussed and reviewed changes to the Agreement of Sale Addendum. Legal counsel will research this document further regarding HRS section 454F 2(9) and report back to the committee at the next meeting.

F. Review NEW FORM – Back Up Offer Addendum (*Attachment F*)

The SFC discussed and reviewed the new form, Back Up Offer Addendum. Sub Committee Chair Phoebe Nikolakakis and Tony Pace will work to continue revisions on the form and it will be on the agenda for the next meeting.

G. Review NEW FORM – 1031 Exchange Addendum (*Attachment G*)

Due to time constraints the form will be reviewed at next meeting.

H. SFC Charter

Due to time constraints Charter will be reviewed at next meeting.

The next meeting of the SFC is scheduled for Thursday, April 28, 2021 via Zoom.

There being no further business, the meeting was adjourned at 3:36 p.m.

Wendy Brown
Senior Administrative Assistant

DATE OF NEXT MEETING

ADJOURNMENT