

Regulated Industries Complaint Office
Department of Commerce and Consumer Affairs
List of Revised and New Retention Schedules

Record Series ID	Description	Retention	Disposition
F-1 COMPLAINT CASE FILES (A) CASES WITH NO LEGAL ACTION			
430200-00001	(1) Administrative, correspondence (including F correspondence complaints), exhibits, memoranda, notes letters and other documents excluding category F-1(A)(2) records Supersedes SA-1 DATED 8/8/2001 ITEM F-1 (A)	1 year from end of calendar year of case disposition date.	Destroy after cited retention.
430200-00004	(2) Final investigative report and final disposition document to the respondent	5 years from end of calendar year of case disposition date.	Destroy after cited retention.
430200-00006	(3) Confidential, private, or sensitive records, and records involving minors, that were received from third parties.	30 days after the case's disposition date.	Destroy after cited retention.
F-1 COMPLAINT CASE FILES (B) CASES WITH LEGAL ACTION			
430200-00002	(1) Legal proceedings and other documents not needed for enforcement purposes (correspondence, non-final-order pleadings and filings, exhibits, notes, etc.) Supersedes SA-1 DATED 8/8/2001 ITEM F-1(B)(1) and SA-1 DATED 8/8/2001 ITEM F-1(B)(2) Record Series ID 43020000003	1 year from end of calendar year of case close date.	Destroy after cited retention.
430200-00005	(3) Final judgment, final order or final legal instrument, and final compliance document which may include a record of payment of a fine	Until no longer needed for enforcement information purposes.	Destroy after cited retention.
430200-00007	(4) Confidential, private, or sensitive records, and records involving minors, that were received from third parties.	30 days after the case close date.	Destroy after cited retention.
F-2 INTAKE LOG MATTERS			
430200-00008	(A) Not resulting in cases with legal action	1 year from end of calendar year of case disposition date.	Destroy after cited retention.
430200-00009	(B) Resulting in cases with legal action	1 year from end of calendar year of case disposition date.	Destroy after cited retention.

STATE OF HAWAII
DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES
Archives Division
Comments and Recommendation

Date: 4/8/2024, 6/20/2025 and 7/10/2025

Records Analyst Name: Gina Vergara-Bautista

Nature of Request: Esther Brown, Complaints and Enforcement Officer, Regulated Industries Complaints Office, Department of Commerce and Consumer Affairs, submitted a request to create a new retention schedule for Sensitive Information. Since then, Bree Kunishima, Secretary, Complaints and Enforcement Officer, Regulated Industries Complaints Office, Department of Commerce and Consumer Affairs followed up and submitted more records series to the request.

Agency Description: RICO is the watchdog for service providers in industries and occupations that are regulated by a professional or vocational licensing board within the Department of Commerce and Consumer Affairs. The industries and occupations are regulated because the service they provide impacts the health, safety, or welfare of Hawaii's consumers.

RICO cannot take enforcement action in every case, but it receives complaints and reports that are screened and investigated and may result in informal dispositions such as educational contacts that are designed to help people and businesses with operating legitimately. If a professional or vocational license is required by law to do certain industry-specific work, RICO can cite or sue a person who performs the work without being licensed. RICO can also seek disciplinary action and sanctions against legitimate licensees too if their conduct falls below professional or regulatory standards.

RICO administers the State Certified Arbitration Program (SCAP), which is more commonly known as the "Lemon Law Program." Lemon law cases are warranty claims that consumers file against car manufacturers for allegedly serious defects with their newly purchased cars. RICO has strived to make the SCAP process less intimidating and more convenient by, for example, holding hearings remotely to accommodate all parties involved. Information about SCAP, including an illustrative video, is available on the site.

RICO provides educational information and resources so that consumers can make more informed decisions about the person or business they are thinking of hiring in a regulated industry and to assist legitimate licensees with remaining in compliance with the licensing laws and regulations.

Record Series Description:

Complaint case files contain sensitive information that RICO would like to destroy as soon as a case is disposed or closed to protect the privacy of complainants, especially minors.

Laws Affecting Retention:

United States privacy law is a complex patchwork of national, state and local privacy laws and regulations. There is no comprehensive national privacy law in the United States. However, the US does have several largely sector-specific privacy and data security laws at the federal level, as well as many more at the state (and local) level. In recent years, beginning with California in 2018, states have begun to introduce and enact their own comprehensive privacy laws. Although bipartisan draft bills (e.g., the American Privacy Rights Act of 2024) have been introduced since then, changes in the political climate, industry influence, and the increasing complexity of privacy concerns have stifled efforts of passing an omnibus law. Thus, a comprehensive privacy law on the federal level is not expected to pass any time soon. Hawaii's Legislature has not been able to pass a privacy law.

The General Data Protection Regulation (GDPR) is the toughest privacy and security law in the world. Though it was drafted and passed by the European Union (EU), it imposes obligations onto organizations anywhere, so long as they target or collect data related to people in the EU. The regulation was put into effect on May 25, 2018. The GDPR will levy harsh fines against those who violate its privacy and security standards, with penalties reaching into the tens of millions of euros.

Although the General Data Protection Regulation (GDPR) does not generally apply in Hawaii, it is good records management and consumer data protection practice to destroy sensitive information as soon as it is no longer needed by RICO to perform its duties.

Recommendation:

Below is the list of proposed changes or addition to the RICO Records Retention and Disposition Schedule that meets the business needs of the agency while protecting the privacy rights of the complainants.

Format requirements are removed so the schedule applies to the record in any format. Disposition "Retain in Office" was also removed to allow the agency use the most efficient and secure storage for their records.

Record Series ID	Description	Schedule Information	Retention	Disposition	Proposed Retention	Proposed Disposition
F-1 COMPLAINT CASE FILES (A) CASES WITH NO LEGAL ACTION						
430200-00001	(1) Administrative, correspondence (including F correspondence complaints), exhibits, memoranda, notes letters and other documents excluding category F-1(A)(2) records	SA-1 DATED 8/8/2001 ITEM F-1 (A)	5 years from end of calendar year of case disposition date.	Retain in office. Destroy after cited retention.	1 year from end of calendar year of case disposition date.	Destroy after cited retention.

Approved

Disapproved

Record Series ID	Description	Schedule Information	Retention	Disposition	Proposed Retention	Proposed Disposition
F-1 COMPLAINT CASE FILES (A) CASES WITH NO LEGAL ACTION						
430200-00004	(2) Final investigative report and final disposition document to the respondent				5 years from end of calendar year of case disposition date.	Destroy after cited retention.

- Approved
- Disapproved

Record Series ID	Description	Schedule Information	Retention	Disposition	Proposed Retention	Proposed Disposition
F-1 COMPLAINT CASE FILES (A) CASES WITH NO LEGAL ACTION						
430200-00006	(3) Confidential, private, or sensitive records, and records involving minors, that were received from third parties.				30 days after the case's disposition date.	Destroy after cited retention.

- Approved
- Disapproved

Record Series ID	Description	Schedule Information	Retention	Disposition	Proposed Retention	Proposed Disposition
F-1 COMPLAINT CASE FILES (B) CASES WITH LEGAL ACTION						
430200-00002	(1) Legal proceedings and other documents not needed for enforcement purposes (correspondence, non-final-order pleadings and filings, exhibits, notes, etc.)	SA-1 DATED 8/8/2001 ITEM F-1 (B) (1) and SA-1 DATED 8/8/2001 ITEM F-1 (B) (2)	Until no longer needed for enforcement information purposes	Records may be captured and stored on another lasting media (e.g. microfilm) as long as copy is able to satisfy retention requirements. Originals may be destroyed after microfilming.	1 year from end of calendar year of case close date	Destroy after cited retention.

Approved

Disapproved

Record Series ID	Description	Schedule Information	Retention	Disposition	Proposed Retention	Proposed Disposition
F-1 COMPLAINT CASE FILES (B) CASES WITH LEGAL ACTION						
430200-00003	(2) Administrative and other documents.	SA-1 DATED 8/8/2001 ITEM F-1 (B) (2)	5 years from end of calendar year of compliance date.	Retain in office. Purge from files after cited retention.	Combine with 430200-00002	Combine with 430200-00002

Approved

Disapproved

Record Series ID	Description	Schedule Information	Retention	Disposition	Proposed Retention	Proposed Disposition
F-1 COMPLAINT CASE FILES (B) CASES WITH LEGAL ACTION						
430200-00005	(2) Final judgment, final order or final legal compliance document which may include a record of payment of a fine				Until no longer needed for enforcement information purposes.	Destroy after cited retention.

Approved

Disapproved

Record Series ID	Description	Schedule Information	Retention	Disposition	Proposed Retention	Proposed Disposition
F-1 COMPLAINT CASE FILES (B) CASES WITH LEGAL ACTION						
430200-00007	(3) Confidential, private, or sensitive records, and records involving minors, that were received from third parties				30 days after the case close date.	Destroy after cited retention.

Approved

Disapproved

Record Series ID	Description	Schedule Information	Retention	Disposition	Proposed Retention	Proposed Disposition
F-2 INTAKE LOG MATTERS						
430200-00008	(A) NOT RESULTING IN CASES WITH LEGAL ACTION				1 year from end of calendar year of case disposition date.	Destroy after cited retention.

Approved

Disapproved

Record Series ID	Description	Schedule Information	Retention	Disposition	Proposed Retention	Proposed Disposition
F-2 INTAKE LOG MATTERS						
430200-00009	(B) RESULTING IN CASES WITH LEGAL ACTION				1 year from end of calendar year of case disposition date.	Destroy after cited retention.

Approved

Disapproved

Reviewed by:


[Adam Jansen \(Jul 31, 2025 08:42:55 HST\)](#)

Adam Jansen, Archives Administrator

Jul 31, 2025

Date:

Recommendation - DCCA-RICO - revised 7/10/2025

Final Audit Report


2025-07-31

Created:	2025-07-10 (Hawaii-Aleutian Standard Time)
By:	Gina Vergara-Bautista (gina.s.vergara-bautista@hawaii.gov)
Status:	Signed
Transaction ID:	CBJCHBCAABAAIASajcz0jo-IROF45Ksj1Rne4-H6kUFU
Number of Documents:	1
Document page count:	8
Number of supporting files:	0
Supporting files page count:	0


"Recommendation - DCCA-RICO - revised 7/10/2025" History

 Document created by Gina Vergara-Bautista (gina.s.vergara-bautista@hawaii.gov)


2025-07-10 - 11:58:30 AM HST- IP address: 162.221.246.34

 Document emailed to Adam Jansen (adam.jansen@hawaii.gov) for signature


2025-07-10 - 12:01:35 PM HST

 Reminder sent to Adam Jansen (adam.jansen@hawaii.gov)


2025-07-13 - 12:58:26 PM HST

 Reminder sent to Adam Jansen (adam.jansen@hawaii.gov)

2025-07-16 - 8:00:02 PM HST

 Reminder sent to Adam Jansen (adam.jansen@hawaii.gov)

2025-07-19 - 4:57:29 PM HST

 Reminder sent to Adam Jansen (adam.jansen@hawaii.gov)


2025-07-22 - 4:04:05 PM HST

 Agreement viewed by Gina Vergara-Bautista (gina.s.vergara-bautista@hawaii.gov)


2025-07-23 - 12:15:10 PM HST- IP address: 162.221.246.34

 Reminder sent to Adam Jansen (adam.jansen@hawaii.gov)


2025-07-25 - 12:04:11 PM HST

 Reminder sent to Adam Jansen (adam.jansen@hawaii.gov)

2025-07-28 - 12:04:25 PM HST

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2025-07-31 - 8:40:10 AM HST- IP address: 162.221.246.34

 Document e-signed by Adam Jansen (adam.jansen@hawaii.gov)

Signature Date: 2025-07-31 - 8:42:55 AM HST - Time Source: server- IP address: 162.221.246.34

 Agreement completed.

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RICO's Revised Retention Policy Forms (SA-1)


Final Audit Report

2025-08-14


Created:	2025-08-14 (Hawaii-Aleutian Standard Time)
By:	Bree Kunishima (bkunishi@dcca.hawaii.gov)
Status:	Signed
Transaction ID:	CBJCHBCAABAAjnao4qcAZ4VabSVcjmrusbkVVSP0I8qT
Number of Documents:	4
Document page count:	12
Number of supporting files:	0
Supporting files page count:	0

"RICO's Revised Retention Policy Forms (SA-1)" History


-  Document created by Bree Kunishima (bkunishi@dcca.hawaii.gov)
2025-08-14 - 10:35:14 AM HST- IP address: 57.140.16.46
-  Document emailed to Esther Brown (ebrown@dcca.hawaii.gov) for signature
2025-08-14 - 10:37:28 AM HST
-  Email viewed by Esther Brown (ebrown@dcca.hawaii.gov)
2025-08-14 - 10:38:27 AM HST- IP address: 104.47.65.254
-  Agreement viewed by Esther Brown (ebrown@dcca.hawaii.gov)
2025-08-14 - 10:38:57 AM HST- IP address: 57.140.16.20
-  Document e-signed by Esther Brown (ebrown@dcca.hawaii.gov)
Signature Date: 2025-08-14 - 10:39:12 AM HST - Time Source: server- IP address: 57.140.16.20
-  Document emailed to Michael Wun (mwun@dcca.hawaii.gov) for signature
2025-08-14 - 10:39:13 AM HST
-  Email viewed by Michael Wun (mwun@dcca.hawaii.gov)
2025-08-14 - 11:42:02 AM HST- IP address: 57.140.16.52
-  Agreement viewed by Michael Wun (mwun@dcca.hawaii.gov)
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-  Document e-signed by Michael Wun (mwun@dcca.hawaii.gov)
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2025-08-14 - 11:42:18 AM HST

 Agreement viewed by Bree Kunishima (bkunishi@dcca.hawaii.gov)


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2025-08-14 - 12:42:49 PM HST- IP address: 104.47.65.254

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