

FOR RELEASE :
January 31, 2001

DCCA NEWS RELEASE

Office of Administrative Hearings
Department of Commerce and Consumer Affairs – State of Hawaii
Richard A. Marshall, Esq. * Phone 586-2828 * Fax 586-3097

BOARD, COMMISSION & PROGRAM DISCIPLINARY ACTIONS



..... CONTRACTORS LICENSE BOARD.....

<u>Respondent</u>	<u>Sanction</u>	<u>Date</u>
Todd C. Thompson, dba Sea Crest Construction CLB 1998-61-L	Revocation of license	12-11-00

The Board determined that the Respondent had failed to comply with a previous order of the Board – which had adopted the terms of a settlement agreement imposing a \$5,000 fine and a \$30,000 restitution payment, as well as a provision for an automatic revocation of his license if the fine and restitution were not paid. (Oahu)

<u>Respondent</u>	<u>Sanction</u>	<u>Date</u>
Klausdieter F.W. Huebner CLB-1997-340-L+	Suspension of license for 6 months and a fine of \$5,749.99	01-19-01

The Board determined that the Respondent had violated, *inter alia*, HRS § 444-17(5) by willfully departing from or disregarding plans or specifications without the owner's approval; HRS § 444-17(5) and HAR § 16-77-80(3)&(6) by failing to make required disclosures to homeowners; HRS 436B-16 by failing to provide notice of a court judgment against him that related to his activities as a contractor; and HRS § 436B-19(7) by engaging in unprofessional conduct. (Hawaii)

Continued on page 2

..... **CONTRACTORS LICENSE BOARD**

<u>Respondent</u>	<u>Sanction</u>	<u>Date</u>
Mark R. Newcomer, dba Shoreline Construction CLB-1999-151-L	Revocation of license	01-19-01

The Board determined that the Respondent had violated, *inter alia*, HRS § 444-17(21) by failing to pay delinquent taxes in compliance with the terms of a tax payment plan, and HRS § 436B-19(8) by failing to maintain a record of financial integrity. (Maui)

..... **BOARD OF MEDICAL EXAMINERS**

<u>Respondent</u>	<u>Sanction</u>	<u>Date</u>
David G. Dixon, MD MED-1999-78-L	\$500 fine	12-08-00

The Board approved a settlement agreement prior to the filing of a petition where the Regulated Industries Complaints Office (RICO) had prepared to charge the Respondent with submitting to or filing with the board a notice, statement, or other required document, which was false or untrue or contained a material misstatement or omission of fact. (Oahu)

<u>Respondent</u>	<u>Sanction</u>	<u>Date</u>
Daniel S. McGuire, MD MED-1998-33-L	Suspension of license stayed if Respondent undergoes psychiatric evaluation and enters appropriate reporting, monitoring, treatment, and random drug testing	01-12-01

The Board determined that the Respondent had violated, *inter alia*, HRS § 453-8(a)(10) and HRS § 92-17(d) by failing to comply with the conditions upon which his limited license was issued. (Molokai)

Continued on page 3

.....MOTOR VEHICLE REPAIR INDUSTRY BOARD.....

<u>Respondent</u>	<u>Sanction</u>	<u>Date</u> .
Nocturne, Inc., dba Auto Rehab Service ARP-1999-68-L	Revocation of license, a \$1,000 fine, and a \$658.01 restitution payment	01-10-01

The Board determined that the Respondent had violated, *inter alia*, HRS § 437B-11.3 and HRS § 436B-19(5) by procuring its license through fraud, misrepresentation, or deceit, and HRS § 437B-11(1) by making written untrue statements which it knew or should have known to be untrue. (Oahu)

..... REAL ESTATE COMMISSION.....

<u>Respondent</u>	<u>Sanction</u>	<u>Date</u> .
Frank Joseph Supon and Pacific Ocean Properties, Inc. REC-1999-119-L	\$500 fine	11-30-00

The Commission approved a settlement agreement prior to the filing of a petition where the Regulated Industries Complaints Office (RICO) had prepared to charge the Respondent with placing newspaper advertisements which failed to conform to the applicable real estate laws. (Kauai)

<u>Respondent</u>	<u>Sanction</u>	<u>Date</u> .
CBIP, Inc., dba Coldwell Banker Island Properties, and Douglas R. Fitch REC-1998-1-L	\$ 500 fine	11-30-00

The Commission approved a settlement agreement prior to the filing of a petition where the Regulated Industries Complaints Office (RICO) had prepared to charge the Respondent with representing both parties in a real estate sale without obtaining written permission for such dual representation and failing to obtain a signed listing agreement for that sale. (Maui)

Continued on page 4

..... REAL ESTATE COMMISSION.....

<u>Respondent</u>	<u>Sanction</u>	<u>Date</u> .
Julie A. Fedele (fka Julie A. Lisle) dba Maui Paradise Properties REC-1999-43-L	\$500 fine	11-30-00

The Commission approved a settlement agreement prior to the filing of a petition where the Regulated Industries Complaints Office (RICO) had prepared to charge the Respondent with, *inter alia*, making a representation concerning a real estate transaction; failure to maintain a reputation for or record of competency, honesty, truthfulness, financial integrity, and fair dealing; adding or modifying the terms of an instrument previously signed or initiated by a party to a transaction without the written consent of all the parties. (Maui)

<u>Respondent</u>	<u>Sanction</u>	<u>Date</u> .
Suzanne Jackson, dba Main Street Realtors REC-1998-23-L+	\$1,000 fine and \$8,312.50 in restitution to clients	11-30-00

The Commission approved a settlement agreement after the filing of a petition where the Regulated Industries Complaints Office (RICO) had charged the Respondent with, *inter alia*, failing to account for money belonging to others within a reasonable time; commingling money or property of her clients with her own money or property; and failing to maintain a reputation for or record of competency, honesty, truthfulness, financial integrity, and fair dealing. (Oahu)

<u>Respondent</u>	<u>Sanction</u>	<u>Date</u> .
Gregory K. Yost REC-119-L	\$250 fine	12-05-01

The Commission approved a settlement agreement prior to the filing of a petition where the Regulated Industries Complaints Office (RICO) had prepared to charge the Respondent with placing newspaper advertisements which failed to conform to the applicable real estate laws. (Kauai)

Continued on page 5

..... **BOARD OF PHARMACY**

<u>Respondent</u>	<u>Sanction</u>	<u>Date</u> .
Steven D. Sicherman	\$500 fine	01-18-01

The Board approved a settlement agreement prior to the filing of a petition where the Regulated Industries Complaints Office (RICO) had prepared to charge the Respondent with making a false statement in a document (license application) he had submitted, and failing to report a disciplinary decision issued against him in another state. (Oahu)

..... **BOARD OF BARBERING AND COSMETOLOGY**

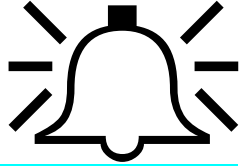
<u>Respondent</u>	<u>Sanction</u>	<u>Date</u> .
Thuy Trong Le, dba Professional [sic]	\$750 fine	01-10-01

The Board approved a settlement agreement prior to the filing of a petition where the Regulated Industries Complaints Office (RICO) had prepared to charge the Respondent with procuring a license through fraud, misrepresentation, or deceit, and permitting an unlicensed person to perform activities which require a license. (Maui)

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THIS CONCLUDES THE 01-31-01 DCCA PRESS RELEASE REGARDING BOARD,
COMMISSION & PROGRAM DISCIPLINARY ACTIONS.

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FOR RELEASE :
February 28, 2001

DCCA NEWS RELEASE

Office of Administrative Hearings
Department of Commerce and Consumer Affairs - State of Hawaii
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BOARD, COMMISSION & PROGRAM DISCIPLINARY ACTIONS



..... CONTRACTORS LICENSE BOARD.....

<u>Respondent</u>	<u>Sanction</u>	<u>Date</u>
John A.V. McCrary, dba Concrete Unlimited CLB-2000-78-L	\$ 500 fine	02-16-01

The Board approved a settlement agreement after the filing of a petition where the Regulated Industries Complaints Office had charged the Respondent with, *inter alia*, failing to maintain required workers' compensation insurance and acting as a specialty contractor in a classification for which he did not hold a specialty license. (Maui)

..... REAL ESTATE COMMISSION.....

<u>Respondent</u>	<u>Sanction</u>	<u>Date</u>
Peter B. Savio, Savio Realty Ltd. Better Homes and Gardens, and Derrick H.P. Fujisaki REC-1999-93-L	\$500 fine	01-26-01

The Commission approved a settlement agreement prior to the filing of a petition where the Regulated Industries Complaints Office had prepared to charge the Respondent with conduct or practice contrary to recognized standards of ethics. (Oahu)

Continued on page 2

..... **REAL ESTATE COMMISSION**

<u>Respondent</u>	<u>Sanction</u>	<u>Date</u>
Donald A. Fleming REC-1999-40-L	Revocation of license	01-26-01

The Commission approved a settlement agreement after the filing of a petition where the Regulated Industries Complaints Office had charged the Respondent with, *inter alia*, failing to account for moneys belonging to others, making a misrepresentation concerning a real estate transaction, and converting other people's moneys to his own use. (Oahu)

..... **MOTOR VEHICLE INDUSTRY BOARD**

<u>Respondent</u>	<u>Sanction</u>	<u>Date</u>
Reno Motors, Inc. MVI-2000-47-L	\$ 500 fine	02-21-01

The Board approved a settlement agreement prior to the filing of a petition where the Regulated Industries Complaints Office had prepared to charge the Respondent with aiding and abetting an unlicensed person to directly or indirectly perform activities requiring a license. (Oahu)

..... **BOARD OF ACUPUNCTURE**

<u>Respondent</u>	<u>Sanction</u>	<u>Date</u>
Kang Jae Cho, dba Oriental Acupuncture & Herbal Clinic, Inc. ACC-2000-2-L+	Revocation of license and a \$1,000 fine	02-13-01

The Board determined that the Respondent had violated, *inter alia*, HRS § 436E-10(4) by procuring a license through fraud, misrepresentation, or deceit, and HRS § 436E-10(5) by professional misconduct or gross carelessness or manifest incapacity in the practice of acupuncture. (Oahu)

Continued on page 3

..... **BOARD OF PRIVATE DETECTIVES AND GUARDS**.....

<u>Respondent</u>	<u>Sanction</u>	<u>Date</u>
Royal Guard Security, Inc., and Clarence E. Scanlan PDG-2000-4-L	\$ 250 fine	02-01-01

The Board approved a settlement agreement prior to the filing of a petition where the Regulated Industries Complaints Office had prepared to charge the Respondent with failing to comply with the requirement to register an employee with the Board upon employment with the agency. (Oahu)

..... **MORTGAGE BROKERS AND SOLICITORS PROGRAM**.....

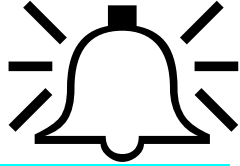
<u>Respondent</u>	<u>Sanction</u>	<u>Date</u>
Gary L. Kuanoni MBS-1997-1-L	Revocation of license	02-05-01

The Director determined that the Respondent had failed to comply with a prior order which had imposed a fine and restitution for previous law violations and which included a provision for revocation of licensure under such circumstances. (Oahu)

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THIS CONCLUDES THE 02-28-01 DCCA PRESS RELEASE REGARDING BOARD,
COMMISSION & PROGRAM DISCIPLINARY ACTIONS.

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FOR RELEASE :
April 30, 2001...

DCCA NEWS RELEASE

Office of Administrative Hearings
Department of Commerce and Consumer Affairs – State of Hawaii
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BOARD, COMMISSION & PROGRAM DISCIPLINARY ACTIONS



..... REAL ESTATE COMMISSION.....

<u>Respondent</u>	<u>Sanction</u>	<u>Date</u>
NATHAN Y. YOSHIOKA REC-2000-173-L	Six (6) month license suspension	03-30-01

The Commission approved a settlement agreement prior to the filing of a petition where the Regulated Industries Complaints Office had prepared to charge the Respondent with having pled no contest to charges related to gambling. (Oahu)

<u>Respondent</u>	<u>Sanction</u>	<u>Date</u>
JOSEPHINE D. GOMEZ, and G & M INVESTMENTS, INC. REC-1999-111-L	Five (5) year license revocation, \$2,500 in fines, and \$1,250.02 in client restitution	03-30-01

The Commission determined that the Respondent had violated, *inter alia*, HRS § 467-14(7) by failing to account for money belonging to others, HRS § 467-14(16) by converting other people's money to the licensee's own use, and HRS § 467-14(20) by failing to maintain a record of competency, honesty, truthfulness, financial integrity, and fair dealing, as well as HRS § 436B-19(7) by engaging in professional misconduct, incompetence, gross negligence, or manifest incapacity, and HRS § 436B-19(9) by engaging in conduct contrary to recognized standards of ethics. (Oahu)

Continued on page 2

.....MOTOR VEHICLE REPAIR INDUSTRY BOARD.....

<u>Respondent</u>	<u>Sanction</u>	<u>Date</u>
NOBLE GEORGE dba NOBLE'S TRANSMISSION & AUTO REPAIR ARP-2000-18-L	\$500 fine	03-07-01

The Board approved a settlement agreement after the filing of a petition where the Regulated Industries Complaints Office had charged the Respondent with, *inter alia*, failing to provide a written estimate prior to commencement of work, failing to state on an invoice that a supplied part was a rebuilt part, engaging in fraudulent conduct, departing from or disregarding accepted practices, engaging in professional misconduct, and engaging in conduct contrary to recognized standards of ethics. (Oahu)

..... MORTGAGE BROKERS AND SOLICITORS PROGRAM.....

<u>Respondent</u>	<u>Sanction</u>	<u>Date</u>
NESTOR E. SEGUNDO MBS-1999-9-L	\$1,000 Fine and \$600 in client restitution	04-04-01

The Director approved a settlement agreement after the filing of a petition where the Regulated Industries Complaints Office had charged the Respondent with, *inter alia*, failing to account for or deliver money, documents, or other personal property to the owner or person entitled to its possession, and failing to deposit valuables in escrow or in an appropriate bank account to be kept safely pending disbursement, as well as professional misconduct. (Maui)

..... PEST CONTROL BOARD.....

<u>Respondent</u>	<u>Sanction</u>	<u>Date</u>
GIMA PEST CONTROL, INC. PCO-2000-3-L	\$2,000 Fine	04-23-10

The Board approved a settlement agreement prior to the filing of a petition where the Regulated Industries Complaints Office had prepared to charge the Respondent with having violated rules of the Department of Agriculture relating to the application of a pesticide (Vikane) relative to house fumigation usage. (Oahu)

Continued on page 3

..... BOARD OF MASSAGE THERAPY.....

<u>Respondent</u>	<u>Sanction</u>	<u>Date</u> .
DENNIS K. MIYAGI, Individually, and dba LILIHA SHIATSU MAS-1999-100-L	\$2,000 Fine	03-21-01

The Board approved a settlement agreement prior to the filing of a petition where the Regulated Industries Complaints Office had prepared to charge the Respondent with having engaged in sexual conduct with a massage customer. (Oahu)

..... BOARD OF NURSING.....

<u>Respondent</u>	<u>Sanction</u>	<u>Date</u> .
CATHIE D. MASILAMONEY RNS-2000-10-L	\$500 Fine, and compliance with a physician monitoring program	04-06-01

The Board approved a settlement agreement prior to the filing of a petition where the Regulated Industries Complaints Office had prepared to charge the Respondent with having engaged in professional misconduct, unethical practices, and substance abuse by diverting narcotics for her own use. (Hawaii)

<u>Respondent</u>	<u>Sanction</u>	<u>Date</u> .
MARK R. BROWN RNS-2000-4-L	\$500 Fine and compliance with Drug Court Program	04-06-01

The Board approved a settlement agreement prior to the filing of a petition where the Regulated Industries Complaints Office had prepared to charge the Respondent with having engaged in professional misconduct, unethical practices, and substance abuse by diverting narcotics for his own use. (Maui)

<u>Respondent</u>	<u>Sanction</u>	<u>Date</u> .
EDNA M. KIHARA RNS-1998-18-L	Permanent surrender of license	04-06-01

The Board approved a settlement agreement prior to the filing of a petition where the Regulated Industries Complaints Office had prepared to charge the Respondent as being unfit or incompetent by reason of negligence, habits, or other causes, and engaging in unprofessional conduct. (Oahu)

Continued on page 4

..... CONTRACTORS LICENSE BOARD.....

<u>Respondent</u>	<u>Sanction</u>	<u>Date</u>
CRAIG K. MUKAI, dba C. MUKAI LANDSCAPING CLB-1998-175-L+	Five (5) year revocation of license, a \$5,000 fine, and \$17,609.12 in total client restitution	03-23-01

The Board determined that the Respondent had repeatedly violated multiple provisions of law, *inter alia*, HRS § 444-9 by performing unlicensed contracting work, HRS § 444-17(1), (2), (3), (4), (11), (12), and (13) by engaging in dishonest, fraudulent, or deceitful acts, failing to complete, abandoning, and/or not diligently prosecuting a project to completion, and wilfully diverting funds received for a specific project or operation, HRS § 444-25.5 by failing to make required contractual disclosures to homeowners, as well as HAR § 16-201-97 by not performing all work in a workmanlike manner. The Board also determined that the Respondent had violated HRS § 444-17(14) and § 444-25 by wilfully failing to pay debts incurred for services or materials purchased in connection with the licensee's operations. (Hawaii)

<u>Respondent</u>	<u>Sanction</u>	<u>Date</u>
HERBERT J. KAUHANE, dba THEE IRON SHOPPE OF HAWAII CLB-1999-280-L+	\$500 fine, and restitution in the form of repainting the client's fence	04-20-01

The Board approved a settlement agreement after the filing of a petition where the Regulated Industries Complaints Office had charged the Respondent with, *inter alia*, failing to provide written notice of a court judgement, failing to provide a homeowner with required contractual disclosures, failing to prosecute a project to completion with reasonable diligence, and failing to perform all work in a workmanlike manner. (Oahu)

<u>Respondent</u>	<u>Sanction</u>	<u>Date</u>
WAVECREST CONSTRUCTION, INC., and STANLEY DELEON CLB-1997-362-L	\$1,500 fine, and restoration in the form of remedial work on client's home	04-20-01

The Board approved a settlement agreement after the filing of a petition where the Regulated Industries Complaints Office had charged the Respondent with, *inter alia*, failing to complete a project with reasonable diligence, entering into a subcontract with an unlicensed person, and failing to perform all work in a workmanlike manner. (Hawaii)

Continued on page 5

..... **CONTRACTORS LICENSE BOARD**

<u>Respondent</u>	<u>Sanction</u>	<u>Date</u> .
LAWRENCE R. JOHNSON CLB-1996-328-L	\$750 Fine	03-23-01

The Board approved a settlement agreement prior to the filing of a petition where the Regulated Industries Complaints Office had prepared to charge the Respondent with failing to provide the disclosure information on lien rights and bonding as required in homeowner contracts, and failing to perform all work in a workmanlike manner. (Hawaii)

<u>Respondent</u>	<u>Sanction</u>	<u>Date</u> .
JOSE DOMINGO CLB-1999-380-L	\$750 Fine	03-23-01

The Board approved a settlement agreement prior to the filing of a petition where the Regulated Industries Complaints Office had prepared to charge the Respondent with aiding and abetting an unlicensed person in regard to contracting work. (Oahu)

<u>Respondent</u>	<u>Sanction</u>	<u>Date</u> .
APOLOSI LAUHINGOA, dba A. LAUHINGOA CONTRACTOR CLB-2000-119-L	\$500 Fine, \$5,000 in client restitution, and corrective work at client's house	03-23-01

The Board approved a settlement agreement prior to the filing of a petition where the Regulated Industries Complaints Office had prepared to charge the Respondent with failing to obtain a proper building permit, engaging in work beyond the scope of his license, and failing to perform all work in a workmanlike manner. (Oahu)

<u>Respondent</u>	<u>Sanction</u>	<u>Date</u> .
LEANDRO R. AGCAOILI CLB-2000-2-L	\$1,500 Fine	04-20-01

The Board approved a settlement agreement prior to the filing of a petition where the Regulated Industries Complaints Office had prepared to charge the Respondent with failing to perform all work in a workmanlike manner. (Kauai)

Continued on page 6

..... CONTRACTORS LICENSE BOARD.....

<u>Respondent</u>	<u>Sanction</u>	<u>Date</u> .
JIRI KOVARIK, dba JIRI'S CERAMIC TILE AND MARBLE CLB-1999-309-L	Stayed six (6) month suspension of license – to become effective upon failure to comply with current tax payment plan	04-20-01

The Board approved a settlement agreement prior to the filing of a petition where the Regulated Industries Complaints Office had prepared to charge the Respondent with failing to pay delinquent state taxes relating to the business of contracting and/or to comply with the terms of a conditional payment plan for such delinquent taxes, and failing to maintain a record or history of competency, trustworthiness, fair dealing, and financial integrity. (Oahu).

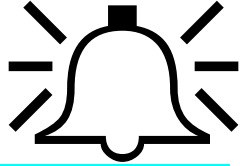
<u>Respondent</u>	<u>Sanction</u>	<u>Date</u> .
ULIPO TAU, dba TRIPLE "A" CONTRACTING CBL-1999-50-L+	Five (5) year revocation of license	03-27-01

The Board determined that the licensee had failed to comply with the terms of an existing settlement agreement (requiring payment of a \$1,000 fine as well as \$1,000 in client restitution) which provided for license revocation upon failure to comply with its terms. (Oahu)

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THIS CONCLUDES THE 04-30-01 DCCA PRESS RELEASE REGARDING BOARD,
COMMISSION & PROGRAM DISCIPLINARY ACTIONS.

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FOR RELEASE :
May 31, 2001

DCCA NEWS RELEASE

Office of Administrative Hearings
Department of Commerce and Consumer Affairs – State of Hawaii
Richard A. Marshall, Esq. ♦ Phone 586-2828 ♦ Fax 586-3097

BOARD, COMMISSION & PROGRAM DISCIPLINARY ACTIONS



..... BOARD OF MEDICAL EXAMINERS.....

<u>Respondent</u>	<u>Sanction</u>	<u>Date</u>
MILTON J. ACKERMAN MED-1999-11-L	Two (2) year suspension of license, satisfactory completion of a treatment program, notification of suspension status to all other states/jurisdictions where licensed, and payment of a \$2,000 fine	05-11-01

The Board determined that the Respondent had violated, *inter alia*, HRS § 453-8[a](7) and (9) by having engaged in inappropriate sexual behavior with a patient. (Oahu)

<u>Respondent</u>	<u>Sanction</u>	<u>Date</u>
PATRICIA JO GROGAN MED-2000-101-L	Payment of a \$500 fine	05-11-01

The Board approved a settlement agreement prior to the filing of a petition where the Regulated Industries Complaints Office (RICO) had prepared to charge the Respondent with having disciplinary action taken against her license in another jurisdiction and failing to report it to the Board. (North Carolina)

..... **BOARD OF MEDICAL EXAMINERS**

<u>Respondent</u>	<u>Sanction</u>	<u>Date</u>
NICANOR F. JOAQUIN MED-1995-92-L+	\$3,000 fine and compliance with tax installment payment program	05-11-01

The Board approved a settlement agreement after the filing of a petition where the Regulated Industries Complaints Office (RICO) had charged the Respondent with, *inter alia*, professional misconduct, failure to maintain a record or history of competency, trustworthiness, fair dealing and financial integrity, and conduct contrary to recognized standards of ethics. (Oahu)



..... **BOARD OF PUBLIC ACCOUNTANCY**

<u>Respondent</u>	<u>Sanction</u>	<u>Date</u>
ERIC S. OKUHATA ACC-1997-8-L	Five (5) year revocation of license	05-17-01

The Board approved a settlement agreement after the filing of a petition where the Regulated Industries Complaints Office (RICO) had charged the Respondent with, *inter alia*, professional misconduct, incompetence, gross negligence, or manifest incapacity in the practice of accounting. (Oahu)



..... **MOTOR VEHICLE REPAIR INDUSTRY BOARD**

<u>Respondent</u>	<u>Sanction</u>	<u>Date</u>
HARRISON MEW, dba ISLAND AUTO AIR ARP-1999-62-L+	Payment of a \$500 fine	05-02-01

The Board approved a settlement agreement after the filing of a petition where the Regulated Industries Complaints Office had charged the Respondent with failing to provide a written estimate prior to performing work, and wilfully departing from accepted practices. (Oahu)

.....MOTOR VEHICLE REPAIR INDUSTRY BOARD.....

<u>Respondent</u>	<u>Sanction</u>	<u>Date</u> .
WILLIAM J. R. FLERLAGE, dba TIRE WAREHOUSE OF MAUI ARP-2000-120-L	\$500 fine and \$143.25 in client restitution	05-02-01

The Board approved a settlement agreement prior to the filing of a petition where the Regulated Industries Complaints Office had prepared to charge the Respondent with permitting a certified mechanic to perform work beyond the scope of his license. (Maui)

<u>Respondent</u>	<u>Sanction</u>	<u>Date</u> .
MAUI SHELL SERVICE, INC., aka WAILUKU AUTO MALL, INC. ARP-1998-1-L+	Five (5) year revocation of license and \$2,500 fine	05-02-01

The Board determined that the Respondent had violated HRS § 437B-11(6) by submitting a license renewal application which contained false information. (Maui)

<u>Respondent</u>	<u>Sanction</u>	<u>Date</u> .
KMA RACING HAWAII, INC. ARP-1997-70-L+	Payment of a \$3,000 fine	05-02-01

The Board determined that the Respondent had violated, *inter alia*, HRS § 437B-7 by performing unlicensed work after the expiration of its registration; HRS § 437B-11(4), (6), (7), (8) and (9) by wilfully departing from accepted practices, making false promises to influence a customer to authorize work, performing work without obtaining prior consent, and engaging in professional misconduct; HRS § 437B-13 by failing to separately state the applicable tax on an invoice for work performed and failing to provide a customer with a copy of the invoice; and HRS § 437B-15 by failing to provide a written estimate or obtain a waiver prior to performing work. (Oahu)



..... **REAL ESTATE COMMISSION**

<u>Respondent</u>	<u>Sanction</u>	<u>Date</u> .
TRADING PLACES INTERNATIONAL, and AGNES CLARE VENTURA, fka CLARE V. BUTCHART REC-2000-18-L	Payment of a \$500 fine	04-27-01

The Commission approved a settlement agreement prior to the filing of a petition where the Regulated Industries Complaints Office had prepared to charge the Respondent with aiding and abetting an unlicensed person to perform activities requiring a license, and disciplinary action by another state or federal agency regarding applicable licensing laws. (Maui)

<u>Respondent</u>	<u>Sanction</u>	<u>Date</u> .
CAPITAL RESEARCH GROUP, INC., and FREDERICK H. OVERSTREET REC-2000-63-L	Payment of a \$500 fine	04-27-01

The Commission approved a settlement agreement prior to the filing of a petition where the Regulated Industries Complaints Office had prepared to charge the Respondent with failing to maintain an appropriate trust account upon receipt of an earnest money deposit from a client. (Oahu)

<u>Respondent</u>	<u>Sanction</u>	<u>Date</u> .
CORWIN K. TAKETA, and CORWIN & ASSOCIATES, INC. REC-1999-120-L	\$500 fine	05-23-01

The Commission approved a settlement agreement prior to the filing of a petition where the Regulated Industries Complaints Office had prepared to charge the Respondent with failing to put an agreement in writing and failing to account for money belonging to others which was in the possession or control of the licensee. (Oahu)

..... **REAL ESTATE COMMISSION**.....

<u>Respondent</u>	<u>Sanction</u>	<u>Date</u>
BRUCE R. TRAVIS and AMERICORP INTERNATIONAL, LTD. REC-2000-8-L	Payment of a \$250 fine	04-27-01

The Commission approved a settlement agreement prior to the filing of a petition where the Regulated Industries Complaints Office had prepared to charge the Respondents with failing to report a judgment entered against them for damages related to their conduct as real estate brokers. (Maui)



..... **BOARD OF NURSING**.....

<u>Respondent</u>	<u>Sanction</u>	<u>Date</u>
DELONCE J. MARTIN RNS-2000-25-L	Six (6) month suspension of license and \$500 fine	05-04-01

The Board approved a settlement agreement prior to the filing of a petition where the Regulated Industries Complaints Office had prepared to charge the Respondent with failing to report disciplinary action against his license by another state (North Dakota).



..... **BOARD OF PHARMACY**.....

<u>Respondent</u>	<u>Sanction</u>	<u>Date</u>
CURTIS R. ATER PHA-1999-12-L	Payment of a \$500 fine	04-26-01

The Board approved a settlement agreement prior to the filing of a petition where the Regulated Industries Complaints Office had prepared to charge the Respondent with failing to report disciplinary action against his license by another state. (Oregon)

..... BOARD OF PHARMACY

<u>Respondent</u>	<u>Sanction</u>	<u>Date</u>
KENNETH P. CAMPBELL PHA-1999-6-L	Payment of a \$500 fine	04-26-01

The Board approved a settlement agreement prior to the filing of a petition where the Regulated Industries Complaints Office had prepared to charge the Respondent with failing to report disciplinary action against his license by another state. (Kauai)



..... CONTRACTORS LICENSE BOARD

<u>Respondent</u>	<u>Sanction</u>	<u>Date</u>
LYLE P. F. LUI-KWAN, dba L. A. FINISHERS CLB-1998-287-L+	Five (5) year revocation of license and \$50,000 fine	05-18-01

The Board determined that the Respondent had committed multiple violations of, *inter alia*, HRS § 444-17(13) by wilfully failing or refusing to prosecute projects to completion with reasonable diligence, HRS § 444-25.5 by failing to make required contractual disclosures to homeowners, and HRS § 436B-19(7) by engaging in professional misconduct, incompetence, gross negligence, or manifest incapacity as a contractor. (Oahu)

<u>Respondent</u>	<u>Sanction</u>	<u>Date</u>
BETSILL BROTHERS CONSTRUCTION, INC., and DOYLE G. BETSILL, JR. CLB-1999-382-L	Payment of a \$1,500 Fine	05-18-01

The Board approved a settlement agreement prior to the filing of a petition where the Regulated Industries Complaints Office had prepared to charge the Respondent with aiding and abetting an unlicensed person to perform activities requiring a license, and failing to disclose the lien rights of subcontractors and materialmen within its contract. (Maui)

.....**CONTRACTORS LICENSE BOARD**.....

<u>Respondent</u>	<u>Sanction</u>	<u>Date</u>
BIG ISLAND ROOFING, INC., and JAN C. PUBANZ CLB-2000-46-L	Payment of a \$500 Fine	05-18-01

The Board approved a settlement agreement prior to the filing of a petition where the Regulated Industries Complaints Office had prepared to charge the Respondent with performing work in an unworkmanlike manner. (Hawaii)



.....**BOARD OF PSYCHOLOGY**.....

<u>Respondent</u>	<u>Sanction</u>	<u>Date</u>
DAN G. KEHOE PSY-1999-6-L	\$1,000 fine, and follow-up interviews with the Board as may be requested	05-18-01

The Board approved a settlement agreement prior to the filing of a petition where the Regulated Industries Complaints Office had prepared to charge the Respondent with being the subject of disciplinary action in another jurisdiction (criminal convictions in California) based upon conduct which would constitute a violation of the Hawaii licensing laws. (Oahu)

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THIS CONCLUDES THE 05-30-01 DCCA PRESS RELEASE REGARDING BOARD,
COMMISSION & PROGRAM DISCIPLINARY ACTIONS.

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FOR RELEASE :
June 29, 2001.

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BOARD, COMMISSION & PROGRAM DISCIPLINARY ACTIONS



..... BOARD OF MEDICAL EXAMINERS.....

<u>Respondent</u>	<u>Sanction</u>	<u>Date</u> .
SCOTT L. HAVSY, D.O. OST-1999-6-L	\$ 500 fine	06-08-01

The Board approved a settlement agreement prior to the filing of a petition where the Regulated Industries Complaints Office had prepared to charge the Respondent with failing to submit a written report regarding disciplinary action taken against his license in another jurisdiction. (Washington)

..... BOARD OF MASSAGE THERAPY.....

<u>Respondent</u>	<u>Sanction</u>	<u>Date</u> .
EVE M. CLUTE, dba INSTITUTE OF BODY THERAPEUTICS MAS-2000-42-L	One (1) year suspension of massage establishment license and \$ 500 fine	05-16-01

The Board approved a settlement agreement prior to the filing of a petition where the Regulated Industries Complaints Office had prepared to charge the Respondent with, inter alia, procuring a license through fraud, misrepresentation, or deceit, or permitting an unlicensed person to perform activities which require a license, and failing to obtain a sanitation clearance from the department of health and submit evidence of clearance to the board. (Maui)

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THIS CONCLUDES THE 06-29-01 DCCA PRESS RELEASE REGARDING BOARD,
COMMISSION & PROGRAM DISCIPLINARY ACTIONS.

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BOARD, COMMISSION & PROGRAM DISCIPLINARY ACTIONS



REAL ESTATE COMMISSION

<u>Respondent</u>	<u>Sanction</u>	<u>Date</u>
DONALD H. MATSUMURA and MATSUMURA & ASSOCIATES, INC. REC-1999-88-L	5 year revocation of license	06-29-01

The Commission approved a settlement agreement after the filing of a petition where the Regulated Industries Complaints Office had charged the Respondent with, *inter alia*, representing both parties in a real estate transaction without making a full disclosure and obtaining written consent to do so, misrepresentation concerning a real estate transaction, failing to reveal the licensee's interest in real property sold to a purchaser, failure to provide notice to the licensing authority of a judgment finding the licensee liable for damages, and failure to maintain a definite place of business. (Oahu)

<u>Respondent</u>	<u>Sanction</u>	<u>Date</u>
EDWARD A. NEIZMAN and KAIMAN REALTY, INC., REC-1999-89-L+	\$6,000 fine and \$12,000 in client restitution	06-29-01

The Commission approved a settlement agreement after the filing of a petition where the Regulated Industries Complaints Office had charged the Respondent with, *inter alia*, acting as a real estate broker without an active license, failing to insure that the licenses of all associated real estate licensees and the brokerage firm were current and active, failing to recommend that legal counsel be obtained when the interests of the client required it, representing both parties in a real estate transaction without making a full disclosure and

..... **REAL ESTATE COMMISSION (Continued)**.....

obtaining written consent to do so, failing to deliver a copy of contract documents to a client, failing to ascertain and disclose all material facts concerning real property, misrepresentation concerning a real estate transaction, failing to maintain a reputation for or record of competency, honesty, truthfulness, financial integrity and fair dealing, and failure to maintain a definite place of business. (Maui)



..... **CONTRACTORS LICENSE BOARD**.....

<u>Respondent</u>	<u>Sanction</u>	<u>Date</u>
CLANCE STONE, aka CLARENCE STONE, dba MAUI PLASTERING CO. CLB-1998-275-L+	5 year revocation of license	07-02-01

The Board determined that the licensee had failed to comply with the terms of an existing settlement agreement (requiring payment of a \$2,000 fine as well as \$4,653 in client restitution) which provided for a revocation of his license upon failure to comply with its terms. (Maui)

<u>Respondent</u>	<u>Sanction</u>	<u>Date</u>
GLENN T. HIRONAGA, dba CHEMICAL PAINTING COMPANY CLB-1998-43-L+	\$5000 fine, five (5) year revocation of license, and payment of \$52,047.61 in client restitution	07-20-01

The Board approved a settlement agreement after the filing of a petition where the Regulated Industries Complaints Office had charged the Respondent with, *inter alia*, abandoning multiple construction projects or operations without reasonable or legal excuses, wilfully failing or refusing to prosecute multiple projects to completion with reasonable diligence, engaging in workmanship which did not conform to trade standards, and failing to provide homeowners with a written contract which clearly stated the amount due and the number of days for completing the project. (Oahu)

.....CONTRACTORS LICENSE BOARD (Continued).....

<u>Respondent</u>	<u>Sanction</u>	<u>Date</u> .
ROTO-ROOTER SERVICES COMPANY, and WALTER K. BAKER CLB-1999-148-L	\$500 fine	07-20-01

The Board approved a settlement agreement after the filing of a petition where the Regulated Industries Complaints Office had charged the Respondent with engaging in workmanship which did not conform to trade standards. (Oahu)

<u>Respondent</u>	<u>Sanction</u>	<u>Date</u> .
SIONE K. LATU, dba S.K. LATU MASONRY CONTRACTORS CLB-2000-136-L	\$500 fine	07-20-01

The Board approved a settlement agreement after the filing of a petition where the Regulated Industries Complaints Office had charged the Respondent with disregarding plans and specifications, failing to prosecute a project toward completion with reasonable diligence, and engaging in workmanship which did not conform to trade standards. (Oahu)

<u>Respondent</u>	<u>Sanction</u>	<u>Date</u> .
STEVE D. ALLEN, and ALLEN'S PLUMBING, INC. CLB-2000-224-L	\$500 fine, and agreement to not unilaterally initiate any legal action to recover the unpaid balance (\$2,101.41) on homeowner contract	07-20-01

The Board approved a settlement agreement prior to the filing of a petition where the Regulated Industries Complaints Office had prepared to charge the Respondent with engaging in workmanship which did not conform to trade standards. (Oahu)

.....CONTRACTORS LICENSE BOARD (Continued).....

<u>Respondent</u>	<u>Sanction</u>	<u>Date</u> .
PACIFIC DYNAMICS CORPORATION and HARVEY F. GERWIG II CLB-2000-38-L	\$1,500 fine	07-20-01

The Board approved a settlement agreement prior to the filing of a petition where the Regulated Industries Complaints Office had prepared to charge the Respondent with engaging in workmanship which did not conform to trade standards. (Oahu)



.....MOTOR VEHICLE REPAIR INDUSTRY BOARD.....

<u>Respondent</u>	<u>Sanction</u>	<u>Date</u> .
ANDREW D. DUNG, dba ANDY'S PERFORMANCE SERVICE ARP-2000-57-L	\$500 fine	07-11-01

The Board approved a settlement agreement after the filing of a petition where the Regulated Industries Complaints Office had charged the Respondent with failing to provide a written estimate prior to performing motor vehicle repairs. (Oahu)

<u>Respondent</u>	<u>Sanction</u>	<u>Date</u> .
CRONKITE ENTERPRISES, INC. dba ERNIE'S KWIK LUBE AND AUTO REPAIR ARP-1999-33-L	\$250 fine and \$303.95 in client restitution	07-11-01

The Board approved a settlement agreement after the filing of a petition where the Regulated Industries Complaints Office had charged the Respondent with failing to provide a written estimate prior to performing motor vehicle repairs. (Maui)

.....MOTOR VEHICLE REPAIR INDUSTRY BOARD (Continued).....

<u>Respondent</u>	<u>Sanction</u>	<u>Date</u>
RONALD W. CARIAGA ARP-1999-23-L	\$300 fine	07-11-01

The Board approved a settlement agreement prior to the filing of a petition where the Regulated Industries Complaints Office had prepared to charge the Respondent with, *inter alia*, engaging in the repair of motor vehicles for compensation without a proper license, and failing to provide a written estimate prior to performing motor vehicle repairs. (Oahu)

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THIS CONCLUDES THE 07-31-01 DCCA PRESS RELEASE REGARDING BOARD,
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FOR RELEASE :
August 31, 2001

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BOARD, COMMISSION & PROGRAM DISCIPLINARY ACTIONS



.....CONTRACTORS LICENSE BOARD.....

<u>Respondent</u>	<u>Sanction</u>	<u>Date</u> .
KLAUSDIETER F.W. HUEBNER CLB-1997-340-L+	Five (5) year revocation of license	08-02-01

The Board determined that the licensee had failed to comply with the terms of a previous order (requiring payment of a \$5,749.99 fine) which provided for a revocation of his license upon failure to comply with its terms. (Oahu/Hawaii)

<u>Respondent</u>	<u>Sanction</u>	<u>Date</u> .
HERBERT J. KAUHANE, dba THEE IRON SHOPPE OF HAWAII CLB-1999-280-L+	Five (5) year revocation of license	08-06-01

The Board determined that the licensee had failed to comply with the terms of a previous settlement agreement (requiring payment of a \$1,000 fine and corrective restitution work) which provided for a revocation of his license upon failure to comply with its terms. (Oahu)



..... BOARD OF MASSAGE THERAPY.....

<u>Respondent</u>	<u>Sanction</u>	<u>Date</u> .
PALMS SPRING MASSAGE RELAXATION, and HONG SONG HE MAS-2001-18-L+	\$1,000 Fine	08-01-01

The Board approved a settlement agreement prior to the filing of a petition where the Regulated Industries Complaints Office had prepared to charge the Respondents with, *inter alia*, professional misconduct and aiding an unlicensed person to perform activities requiring a license. (Oahu)



..... BOARD OF
NURSING.....

<u>Respondent</u>	<u>Sanction</u>	<u>Date</u> .
DAVID W. NICHOLSON RNS-1999-20-L	Five (5) year revocation of license, and \$3,000 fine	08-03-01

The Board determined that the Respondent had violated, *inter alia*, HRS § 457-12(a)(2), (6) and (9) by engaging in gross immorality and unprofessional conduct, and having been convicted of a penal offense substantially related to the qualifications, functions, or duties of a nurse. (Kauai)

<u>Respondent</u>	<u>Sanction</u>	<u>Date</u> .
CYNTHIA M. HAZEN RNS-2000-33-L	\$500 Fine	08-03-01

The Board approved a settlement agreement prior to the filing of a petition where the Regulated Industries Complaints Office had prepared to charge the Respondent with, *inter alia*, having engaged in professional misconduct and unethical practices. (Maui)



..... **BOARD OF DENTAL EXAMINERS**.....

<u>Respondent</u>	<u>Sanction</u>	<u>Date</u> .
ERLINDA HONRALES PELAGIO DEN- 1999-22-L	\$500 Fine	07-21-01

The Board approved a settlement agreement prior to the filing of a petition where the Regulated Industries Complaints Office had prepared to charge the Respondent with, *inter alia*, having failed to obtain a signed parental consent before treating a minor. (Oahu)

ROBERT W. STALEY, JR DEN-1999-24-L	Surrender of license	08-21-01
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The Board approved a settlement agreement prior to the filing of a petition where the Regulated Industries Complaints Office had prepared to charge the Respondent with having failed to report in writing to the licensing authority any disciplinary decision issued against him in another jurisdiction. (Oregon)



..... **MOTOR VEHICLE REPAIR INDUSTRY BOARD**.....

<u>Respondent</u>	<u>Sanction</u>	<u>Date</u> .
HAWAII NISSAN, INC. dba NEW CITY NISSAN MVI-1999-20-L	\$750 Fine	08-22-01

The Board approved a settlement agreement prior to the filing of a petition where the Regulated Industries Complaints Office had prepared to charge the Respondents with, *inter alia*, violating the laws relating to procedures for advertising the sale of specific motor vehicles which require that no such ads shall be placed without setting forth the year and make of the motor vehicle, and in the case of a used motor vehicle the license plate number. (Oahu)



..... **BOARD OF MEDICAL**
EXAMINERS.....

<u>Respondent</u>	<u>Sanction</u>	<u>Date</u>
ALAN N. AOKI MED-2000-28-L	\$1,000 Fine	08-10-01

The Board approved a settlement agreement prior to the filing of a petition where the Regulated Industries Complaints Office had prepared to charge the Respondent with having failed to correct a transcription error in a prescription, which he wrote for a patient. (Oahu)

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THIS CONCLUDES THE 08-31-01 DCCA PRESS RELEASE REGARDING BOARD,
COMMISSION & PROGRAM DISCIPLINARY ACTIONS.

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FOR RELEASE :
October 31, 2001

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BOARD, COMMISSION & PROGRAM DISCIPLINARY ACTIONS



.....CONTRACTORS LICENSE BOARD.....

<u>Respondent</u>	<u>Sanction</u>	<u>Date</u>
DANTE S. AGRA, dba IN-HOUSE BUILDERS CLB-2000-271-L	\$1,000 Fine	08-24-01

The Board approved a settlement agreement prior to the filing of a petition where the Regulated Industries Complaints Office had prepared to charge the Respondent with failing to disclose pertinent information in contracting with a homeowner. (Oahu)

<u>Respondent</u>	<u>Sanction</u>	<u>Date</u>
ABRAHAM CONSTRUCTION, INC., and ABRAHAM N. MARTIN CLB-1999-304-L+	18 month suspension of license	09-21-01

The Board approved a settlement agreement after the filing of a petition where the Regulated Industries Complaints Office had charged the Respondent with aiding and abetting an unlicensed contractor, as well as wilfully failing to prosecute a project with reasonable diligence. (Oahu)

.....**CONTRACTORS LICENSE BOARD**.....

<u>Respondent</u>	<u>Sanction</u>	<u>Date</u>
AMERICAN WELDING, INC., and HARRY T. SUDO, RME CLB-1999-349-L	Licenses revoked plus \$2,000 Fine - AWI, & \$1,000 Fine - Sudo	10-19-01

The Board determined that Respondent AWI, had violated HRS § 444-17(21) [*Failure to pay delinquent taxes, interest, and penalties assessed under chapter 237 that relate to the business of contracting, or to comply with the terms of a conditional payment plan with the department of taxation for the payment of such delinquent taxes, interest, and penalties*], and that by the above conduct both Respondents had violated HRS § 436B-19(8) [*Failure to maintain a record or history of competence, trustworthiness, fair dealing and financial integrity*].



.....**BOARD OF NURSING**.....

<u>Respondent</u>	<u>Sanction</u>	<u>Date</u>
RUTH J. LAGANA, nka RUTH LA GANA- QUARTERO RNS-1999-6-L	Five (5) year revocation of RN and LPN licenses	09-07-01

The Board determined that the Respondent had violated, HRS § 457-12(a) (6) and HAR § 16-89-59 by engaging in unprofessional conduct, had violated HRS § 457-12(a)(8) by having had disciplinary action taken against her by another state for reasons as provided in that section, and had violated HRS § 457-12(a) (10) by having failed to report that out of state disciplinary action to the Board. (Nevada)



..... **BOARD OF DENTAL EXAMINERS**

<u>Respondent</u>	<u>Sanction</u>	<u>Date</u>
MAURICE M. MATSUZAKI, JR. DEN-2000-9-L	\$500 Fine and compliance with repayment agreement	10-01-01

The Board approved a settlement agreement prior to the filing of a petition where the Regulated Industries Complaints Office had prepared to charge the Respondent with failing to repay his Health Education Assistance Loan. (Oahu)



..... **BOARD OF MEDICAL EXAMINERS**

<u>Respondent</u>	<u>Sanction</u>	<u>Date</u>
CHRISTOPHER J. LINDEN MED-2000-19-L	\$500 Fine	10-12-01

The Board approved a settlement agreement prior to the filing of a petition where the Regulated Industries Complaints Office had prepared to charge the Respondent with aiding and abetting an unlicensed nurse by representing to the unlicensed nurse's prospective employer that he had employed her as a nurse and that she had performed all duties as a nurse. (Hawaii)

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THIS CONCLUDES THE 01-31-01 DCCA PRESS RELEASE REGARDING BOARD,
COMMISSION & PROGRAM DISCIPLINARY ACTIONS.

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FOR RELEASE:
November 30, 2001

DCCA NEWS RELEASE

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BOARD, COMMISSION & PROGRAM DISCIPLINARY ACTIONS



.....CONTRACTORS LICENSE BOARD.....

<u>Respondent</u>	<u>Sanction</u>	<u>Date</u>
SECURITY ONE, INC. and KERRY L. WASSON, RME CLB-2000-345-L	\$3,000 Fine	11-16-01

The Board approved a settlement agreement prior to the filing of a petition where the Regulated Industries Complaints Office had prepared to charge the Respondent with, *inter alia*, failing to provide a homeowner with a written and signed contract disclosing pertinent information to the homeowner; aiding and abetting an unlicensed person to perform activities requiring a license; and, acting and/or advertising as a contractor in a classification beyond the scope of its licensure. (Oahu)

<u>Respondent</u>	<u>Sanction</u>	<u>Date</u>
MAN HUNG KAN, aka JOHN KAN, dba MK PACIFIC CONSTRUCTION CLB-1999-363-L+	\$2,250 Fine	11-16-01

The Board approved a settlement agreement after the filing of a petition where the Regulated Industries Complaints Office had charged the Respondent with failing to complete a project with reasonable diligence; failing to perform work in a workmanlike manner, failing to secure workers' compensation insurance; failing to provide a homeowner with required information; and, failing to limit work to the scope of his license. (Oahu)

<u>Respondent</u>	<u>Sanction</u>	<u>Date</u>
GREG LEGROS, dba EVERGREEN HAWAII LANDSCAPE CONSTRUCTION CO. CLB-2000-198-L	Revocation of license and \$12,000 fine	11-16-01

The Board determined that the Respondent had violated, *inter alia*, HRS § 444-17(11) [Failing to complete in a material respect a construction project or operation], HRS § 444-17(16) [Failing to secure or maintain workers' compensation insurance], HAR § 16-77-33(c) [Acting or advertising as a contractor in any classification other than that held by the licensee], and HAR § 16-77-97 [Failing to perform all work in a workmanlike manner.] (Oahu)

<u>Respondent</u>	<u>Sanction</u>	<u>Date</u>
BENJAMIN A. AGUSTIN CLB-1999-346-L+	Revocation of license, \$5,000 fine, and \$24,250 in restitution	11-16-01

The Board determined that the Respondent had violated, *inter alia*, HRS § 444-17(11) [Failure to complete in a material respect a construction project or operation], HRS § 444-17(15) [False denial of a debt due or of the validity of a claim made], HRS 444-25.5 [Failure to disclose required information to a homeowner], HRS 436B-19(6) [Aiding and abetting an unlicensed person to perform activities requiring a license], and HRS 436B-19(7) [Professional misconduct, incompetence, gross negligence, or manifest incapacity in the licensed practice or profession.] (Lanai and Oahu)



..... **BOARD OF NURSING**.....

<u>Respondent</u>	<u>Sanction</u>	<u>Date</u>
LINDA B. ALVIOR RNS-1999-19-L	\$2,500 fine and successful completion of a nursing course to be designated	11-02-01

The Board approved a settlement agreement prior to the filing of a petition where the Regulated Industries Complaints Office had prepared to charge the Respondent with engaging in professional misconduct and unethical practices by falsifying a medication administration report to correct an error. (Oahu)

<u>Respondent</u>	<u>Sanction</u>	<u>Date</u>
JOHN C. SWAB RNS-1999-13-L+	Revocation of license	11-02-01

The Board approved a settlement agreement after the filing of a petition where the Regulated Industries Complaints Office had charged the Respondent with, *inter alia*, professional misconduct, incompetence, gross negligence, or manifest incapacity in the licensed profession; practice contrary to recognized standards of ethics; administering medication and treatment in a careless or negligent manner; and, failing to take appropriate action in safeguarding a patient from incompetent health care. (Maui)

<u>Respondent</u>	<u>Sanction</u>	<u>Date</u>
VIRGINIA M. BURCHETT RNS-1998-20-L	Revocation of license, and \$2,000 fine	11-02-01

The Board determined that the Respondent had violated HRS § 457-12(a)(3) [*Unfitness or incompetence by reason of negligence, habits, or other causes*], and HRS § 457-12(a)(6) [*Unprofessional conduct as defined by the Board in accordance with its own rules.*] (Oahu)

<u>Respondent</u>	<u>Sanction</u>	<u>Date</u>
ALYSON R. GILL RNS-2000-22-L	Revocation of license	11-02-01

The Board determined that the Respondent had violated HRS § 457-12(a)(6) [*Unprofessional conduct as defined by the Board in accordance with its own rules*] and HRS § 457-12(a)(9) [*Conviction of a penal offense substantially related to the qualifications, functions, or duties of a nurse.*] (Oahu)



.....**MOTOR VEHICLE REPAIR INDSTRY BOARD**.....

<u>Respondent</u>	<u>Sanction</u>	<u>Date</u>
UNIBODYTECH LLC ARP-1999-117-L	\$500 Fine	11-07-01

The Board approved a settlement agreement prior to the filing of a petition where the Regulated Industries Complaints Office had prepared to charge the Respondent with engaging in business with an expired license and violating rule requirements relating to the registration of personnel or vehicles. (Oahu)



..... REAL ESTATE COMMISSION.....

<u>Respondent</u>	<u>Sanction</u>	<u>Date</u>
BIG ISLAND HAWAII REALTY, INC., dba CENTURY 21 BIG ISLAND, and JAMES BECKETT, JR., and SANDRA M. TAKEYA REC-1996-101-L	\$500 Fine (Takeya) and \$1,000 fine (Beckett)	10-30-01

The Commission approved a settlement agreement prior to the filing of a petition where the Regulated Industries Complaints Office had prepared to charge Respondent Takeya with signing an addendum to a DROA without the seller's authorization, and that Respondent Beckett failed to cancel a termite inspection and survey. (Hawaii)

<u>Respondent</u>	<u>Sanction</u>	<u>Date</u>
KAREN N.W. MEYER, dba KAM REALTY REC-2000-142-L	\$250 Fine	10-30-01

The Commission approved a settlement agreement after the filing of a petition where the Regulated Industries Complaints Office had charged the Respondent with failing to maintain a definite place of business in this State at an address registered with the Commission from which the broker conducts business and maintains books and records. (Hawaii)



.....BOARD OF MASSAGE THERAPY.....

<u>Respondent</u>	<u>Sanction</u>	<u>Date</u>
FRANK B. DOEMER MAS-2001-8-L	\$500 Fine	10-31-01

The Board approved a settlement agreement prior to the filing of a petition where the Regulated Industries Complaints Office had prepared to charge the Respondent with professional misconduct and unethical practices by touching a massage customer in her private area without her consent. (Hawaii)

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THIS CONCLUDES THE 11-30-01 DCCA PRESS RELEASE REGARDING BOARD,
COMMISSION & PROGRAM DISCIPLINARY ACTIONS.

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FOR RELEASE:
December 31, 2001

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BOARD, COMMISSION & PROGRAM DISCIPLINARY ACTIONS



..... **REAL ESTATE COMMISSION**.....

<u>Respondent</u>	<u>Sanction</u>	<u>Date</u>
JAMES R. BUCKLEY and REGENCY PACIFIC REALTY LLC REC-2000-79-L	\$500 Fine and \$500 client restitution	11-30-01

The Commission approved a settlement agreement after the filing of a petition where the Regulated Industries Complaints Office had charged the Respondent with professional misconduct, incompetence, gross negligence, or manifest incapacity in the practice of the licensed profession or vocation. (Kauai)

<u>Respondent</u>	<u>Sanction</u>	<u>Date</u>
HUGH M. HOWELL REC-2000-136-L	\$2,500 Fine and complete a specified real estate course within 6 months	12-14-01

The Board determined that the Respondent had violated HRS § 436B-19(9) [*Conduct or practice contrary to recognized standards of ethics for the licensed profession or vocation*], and HAR § 16-99-3(f) [*The licensee, for the protection of all parties with whom the licensee deals, shall see that financial obligations and commitments regarding real estate transactions, including real property rental management agreements, are in writing, reviewed by the principal broker or broker-in-charge of the licensee, expressing the exact agreements of the parties, and set forth essential terms and conditions, and that copies of those agreements, at the time they are executed, are placed in the hands of all parties involved.*] (Oahu)

..... REAL ESTATE COMMISSION.....

<u>Respondent</u>	<u>Sanction</u>	<u>Date</u> .
JON F. ANDERTON REC-2000-171-L	\$500 Fine	12-14-01

The Commission approved a settlement agreement after the filing of a petition where the Regulated Industries Complaints Office had charged the Respondent with accepting compensation as a real estate salesperson from someone other than his employer or associated broker; acting or attempting to act as a broker and/or for any broker other than his employer or the broker with whom he was associated; and failing to see that the specific financial obligations regarding a real estate transaction were in writing, were reviewed by his broker, and were provided to the parties at the time they were executed. (Kauai)

<u>Respondent</u>	<u>Sanction</u>	<u>Date</u> .
STEVEN D. WEEKS REC-2000-45-L	\$2,000 Fine	12-14-01

The Commission approved a settlement agreement after the filing of a petition where the Regulated Industries Complaints Office had charged the Respondent with failing to have first obtained the written consent of both parties in a real estate transaction before acting on behalf of both parties in connection with the transaction, and failing to ascertain and disclose all material facts relating to the property that was subject to the transaction. (Oahu)

<u>Respondent</u>	<u>Sanction</u>	<u>Date</u> .
RONALD D. SILVERMAN and HAWAIIAN PROPERTIES, LTD. REC-2000-74-L	\$500 fine and \$193.19 in client restitution	12-14-01

The Board approved a settlement agreement prior to the filing of a petition where the Regulated Industries Complaints Office had prepared to charge the Respondent with engaging in professional misconduct and unethical practices by failing to consult with a client prior to refunding rent monies to a tenant who had vacated before the expiration of the rental period. (Oahu)



.....MOTOR VEHICLE REPAIR INDUSTRY BOARD.....

<u>Respondent</u>	<u>Sanction</u>	<u>Date</u> .
RANDALL W. WONG, dba TLC MOTORCYCLE REPAIR ARP-1997-66-L	2 year suspension of license (stayed)	12-18-01

The Board determined that the Respondent had violated HRS § 437B-11(1) [*Making or authorizing any statement which is untrue or misleading, and which is known or should reasonably be known to be untrue and misleading*], and HRS § 436B-19(14) [*Criminal conviction of a penal crime directly related to the qualifications, functions, or duties of the licensed profession or vocation*]. (Oahu)



..... TRAVEL AGENCY PROGRAM.....

<u>Respondent</u>	<u>Sanction</u>	<u>Date</u> .
DELIA E. ALUPAY, dba PHIL-USA TRAVEL & SERVICES TAR 2000-58-L	\$100 Fine and \$500 client restitution	12-04-01

The Board approved a settlement agreement prior to the filing of a petition where the Regulated Industries Complaints Office had prepared to charge the Respondent with failing to provide a ticket to a customer upon receipt of payment for the ticket, and failing to fulfill terms or conditions of the contract for travel services. (Oahu)



.....**BOARD OF MEDICAL EXAMINERS**.....

<u>Respondent</u>	<u>Sanction</u>	<u>Date</u>
JAMES T. HICKS, MD MED-2000-52-L	\$500 Fine, and 5 year suspension of license	12-14-01

The Board approved a settlement agreement prior to the filing of a petition where the Regulated Industries Complaints Office had prepared to charge the Respondent with disciplinary action by another state or federal agency – and failure to report said action to the Board, conviction of a penal offense substantially related to the qualifications, functions, or duties of a physician, and submitting to the Board a notice, statement, or other required document which is false or contains any material misstatement or omission of fact. (Hawaii and Illinois)

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THIS CONCLUDES THE 12-31-01 DCCA PRESS RELEASE REGARDING BOARD,
COMMISSION & PROGRAM DISCIPLINARY ACTIONS.

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