

Minutes of the Meeting  
of the  
REAL ESTATE LICENSE COMMISSION  
OF THE TERRITORY OF HAWAII

August 30, 1956, in the Conference Room of the Governor of Hawaii,  
Iolani Palace, Honolulu, Hawaii.

Present: Eaton H. Magoon, Chairman  
Hirotohi Yamamoto, Member  
John K. Clarke, Jr., Member  
Robt E. Bekeart, Executive Secretary

The regular weekly meeting of the Real Estate License Commission of the Territory of Hawaii was held in the Conference Room of the Governor of Hawaii, Second Floor, Iolani Palace, Honolulu, Hawaii. Chairman Magoon called the meeting to order at 11:30 a.m. sharp, and the order of business and actions taken were as follows:

ORDER OF BUSINESS

Before proceeding with the business of the day, Mr. Bekeart, Executive Secretary, announced to the members present that a prepared copy of the minutes of the previous meeting and the agenda for today's meeting have been circulated in advance as strongly requested by Commissioner Yamamoto for official action of this Commission. It was unanimously decided at this time that action on the minutes be deferred to the end of the meeting so that Commissioner Yamamoto would have an opportunity to study its contents.

Reinstatement of Salesman's License  
for Raymer Kauilani Kanealii

Mr. Bekeart personally reinvestigated the police record of Mr. Kanealii with Lt. Fraga of the Police Department, determining that the charge recorded was found to be a misdemeanor not involving moral turpitude. A verbal report authorizing Mr. Kanealii to operate as a reinstated licensed salesman was phoned to Mrs. Marion Blair (the employing broker). It was followed by a letter to the applicant informing him that after completing certain questionable investigation checks, he was reinstated, pending official approval of this body. Commissioner Yamamoto duly moved the action taken by the Executive Secretary which was unanimously carried.

Aloha Realty, Ltd.

Mr. H. Ray Millard, Jr., principal broker of Aloha Realty, Ltd., has personally informed the Commission's office that a copy of their charter of incorporation and brokerage license fee for the corporation and re-issuance fees will be submitted today which complete the requirements for licensure. On the assumption that Mr. Millard will follow through with the above, the Commission unanimously approved the granting of a brokerage license to ALOHA REALTY, LTD.

NALLO Convention Panel Assignment

For the record, it was announced that Mr. Magoon has accepted the appointment made by Mr. William F. Swanson, Program Committee Chairman for the 1956 NALLO Convention, to serve as Moderator for a panel discussion on "Apprenticeship Requirements and Part-Time Salesmen." Chairman Magoon proceeded in making preliminary plans for this assignment by appointing Commissioner Clarke as his deputy in developing and presenting the panel discussion. He requested that Mr. Clarke work closely with the Executive Secretary and also Commissioner Yamamoto in pooling their thinking and knowledge for a very constructive presentation.

Governor's Approval of Commission  
Members Attending NALLO Convention  
in St. Louis, Missouri

Chairman Magoon, at this time, announced that in a personal interview with Governor King this morning, he was given verbal approval by the Chief Executive for Chairman Magoon, Commissioner Clarke, and the Executive Secretary to attend the 1956 NALLO Convention which convenes November 6-10, 1956, at Park Plaza Hotel, St. Louis, Missouri. Governor King authorized that all transportation costs and per diem expenditures will be assumed by the Commission. The Executive Secretary will endeavor to make arrangements on his own to get transportation to the West Coast.

Commissioner Yamamoto made a motion that Chairman Magoon, Commissioner Clarke and Executive Secretary Bekeart attend the 1956 NALLO Convention with all expenses connected thereto be assumed by the Commission for the two members and for Mr. Bekeart, only in the event he is not able to make other arrangements for transportation. Per diem expenses for Mr. Bekeart will be assumed by the Commission for the duration of the convention and for travel to and from destinations. Motion was unanimously approved.

Honolulu Realty Board's Letter on  
Educational Conference

Mr. Bekeart read the letter received from Mr. Aaron Chaney, Chairman of the Second Annual Educational Conference of the Honolulu Realty Board in which it set in writing the original thinking announced at last week's meeting, inviting the Commission's participation by securing the services of a well-known license law official as a featured speaker for the conference.

As directed the Executive Secretary dispatched a letter immediately to Commissioner Watson and received a cabled reply on August 28th, expressing his willingness to come down on his own time to speak at either October the 5th or 6th.

Chairman Magoon announced that in this morning's interview with Governor King, express approval to invite Mr. Watson to address this educational conference was received; however, pending further clearance with

the Office of the Attorney General, Territory of Hawaii. For the record, Commissioner Clarke so moved the motion of the Chairman in inviting Commissioner Watson of California as one of the featured speakers at the Conference. Mr. Bekeart was directed to see Mr. Edward N. Sylva, Attorney General of the Territory of Hawaii, at his earliest convenience for an expression as to the legality of expending this Commission's fund for defraying such expenses for promoting educational purposes. Suggestion was made that strong emphasis be placed on the educational aspect and to present substantiating pertinent communication leading to this request and that verbal authorization has already been received through the Governor's office. Once this matter is completed, the Commissioners will work on the details of making definite commitments for Dean Watson's arrival time, hotel reservation, length of stay, entertainment costs, transportation costs, etc. The Honolulu Realty Board should be informed in writing of the progress made by this Commission. Furthermore, Mr. Magoon, who is planning to leave for the West Coast today, will personally contact Mr. Watson, at which time Mr. Magoon can secure more definite information from Mr. Watson as to his schedule.

#### Report on Conference with Governor King

Another important matter taken up in this morning's conference with the Governor was that Miss Marguerite K. Ashford of that office has consented to assist this Commission in revising our present real estate law. Broad areas on proposed amendments discussed covered the following:

1. Commingling of funds.
2. Conflict of interests.
3. Real Estate fines.
4. New statutory provisions under subdivision and mineral, oil and gas rights.
5. Define advance fee listing and prohibit advance fee listing (similar to California).
6. Define residence and state requirements.
7. Re-examination phase and setting down conditions for applicants failing in examinations.
8. Finger printing requirement.
9. Apprenticeship period of salesman to possibly two years.
10. Commission should have broader powers to examine candidates who were licensed without taking an examination in 1949.
11. Commission should have the same power as Commissioner Watson of California that if the Commission has factual evidence on a licensee that he is not qualified and competent in the field of real estate, it could compel such licensee to take an examination.

#### Re-allocation Upwards of the Executive Secretary

Chairman Magoon reported that another important matter discussed with the Governor this morning was on the subject of adjusting the present salary

of Mr. Bekeart, Commission's Executive Secretary, upwards to a salary range equitable and commensurate to the increasing responsibilities and complexities of the position demanded of him as the administrative officer of the Real Estate License Commission. In accordance with the approval and authority of the Governor, Mr. Magoon introduced a motion recommending the salary of the Executive Secretary be raised from its present SR-17 to a compensation paying not less than \$650.00 per month which is an equivalent salary to the established range scale of SR-25. Commissioner Clarke seconded the motion. Commissioner Yamamoto agreed that he would go along with the Commission on the condition that the salaries of the clerical helpers be considered at the same time, as it would seem logical that their duties would increase likewise with the growth and expansion of the Commission. It was finally compromised that it would be advisable to consider only the Executive Secretary's salary at this time, and in the very near future, a favorable action will be taken on the salaries of Elaine Kakutani and Joan Kato, office staff employees.

Mr. Bekeart was advised to put this recommendation on his salary in writing to the Governor immediately so that the Chief Executive can advise this Commission on the proper procedure and channels to proceed in this matter.

Eligibility for Taking Examination  
- Residence Requirement

A letter from Mrs. W. M. Harding, who is requesting an opinion from this Commission whether she meets our requirements as a resident of the Territory from the facts presented in her letter of August 25, 1956, was reviewed with the members. The Commission unanimously voted that she is eligible for applying for the next examination, which is tentatively scheduled for November 3, 1956.

Staff Vacation

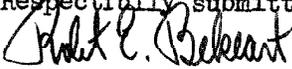
Mr. Bekeart announced that Joan Kato is on her vacation of two weeks, commencing August 27 to September 10, and Elaine Kakutani would like to take hers from September 10 to September 24. It was unanimously moved and carried that the vacation schedule meets with their approval.

Approval of Commission Minutes of 8/23/56

Commissioner Clarke made a motion approving the minutes of the meeting held on August 23, 1956 as circulated, subject to Commissioner Yamamoto calling to the office for any suggested changes if he sees fit. Commissioner Yamamoto seconded the motion, remarking that he is highly pleased with the minutes as presented. Motion was carried.

Adjournment

There being no further business to discuss, the meeting was adjourned at 11:55 a.m.

Respectfully submitted,  
  
Robt E. Bekeart  
Executive Secretary