

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

October 8, 1956, at the offices of Eaton H. Magoon, Chairman,
910 Alakea Street, Honolulu, Hawaii.

Present:

Eaton H. Magoon, Chairman
Hirotooshi Yamamoto, Member
Robt E. Bekeart, Executive Secretary
John K. Clarke, Jr., (unconfirmed by the Senate, Special Legislature '56)

A regular meeting of the Real Estate License Commission of the Territory of Hawaii was called to order by Chairman Magoon at 3:00 p.m. in his offices at 910 Alakea Street, Honolulu, Hawaii. The order of business and actions taken were as follows:

ORDER OF BUSINESS

Approval of Minutes of Meeting
Held on September 13, 1956

The minutes of the meeting held on September 13, 1956 was unanimously approved as presented. The Executive Secretary commented that Miss Kato, who substituted in the absence of Elaine T. Kakutani, prepared the minutes. The Commission unanimously agreed Miss Kato did an excellent job.

Reinstatement Requests

The following applicants have petitioned for the reinstatement of their forfeited real estate licenses:

<u>Salesmen</u>	<u>Broker</u>
1. Charles Y. Kuwaye	1. Ruth S. Yamauchi
2. John R. Phillips	
3. Harry C. Bertain	
4. Charles H. Silva	

Chairman Magoon motioned that a blanket approval be granted for reinstatement of the above petitioners, provided that in the normal course of a routine investigation no derogatory reports have been revealed against any of them. Mr. Yamamoto seconded the motion and carried.

Applications to Operate Under
Fictitious Trade Names

- (a) An application by Larry N. Kuriyama, Broker, to do business as "WAIANAE REALTY COMPANY" was unanimously approved. Mr. Kuriyama has fully complied with our requirements by submitting a copy of the Certificate of Registration of Trade Name from the Treasurer, Territory of Hawaii, dated 9/4/56.
- (b) Mr. Martin A. Fennell, Broker, has reported to this Commission that he has been working and advertising his business as P.D.Q. Listing Service. It is not a registered or patented name. The Commission deliberated on the proper usage of such trade name, and it came to the conclusion that Mr. Fennell should be advised to select another name which is in better taste. It was unanimously moved and carried that Mr. Fennell's request be denied.

Application for Branch Office License
in Kapaa, Kauai, by Wendell F. Brooks

Mr. Brooks has applied to establish a branch office in Kapaa, Kauai, with Mrs. Selma Leppold appointed as broker-in-charge. Upon the recommendation of the Executive Secretary that such approval be contingent to a clear understanding of responsibilities invested in the principal broker in the control and supervision of the activities of a branch office, the members unanimously moved for approval of a branch office license to Mr. Brooks.

Letter from Clarence S. L. Tam, Broker

A letter from Mr. Clarence Tam, broker, explaining his "association" with Mr. Wendell Brooks was questioned as to determining the true working status between the two brokers. The members unanimously moved that this request be held pending until the Executive Secretary could clarify with Mr. Tam in person whether "he's merely renting desk space in Mr. Brooks' office" or whether "he's employed in the capacity of a broker-salesman" or whether "it's a co-partnership arrangement."

Letter from Louis V. Cadinha

A letter from Mr. Louis V. Cadinha transmitted from the Governor's office was read to the members. It was moved by Mr. Magoon, seconded by Mr. Yamamoto, and carried that Mr. Cadinha's request to be exempted from taking the required written real estate examination be denied. The Executive Secretary was advised to write Mr. Cadinha, citing our law under Section 7737 (1), Chapter 150, Revised Laws of Hawaii, as amended, which requires all persons to take a written examination before licensure.

Letter from Auditor, Territory of Hawaii
Transfer of Special Fund, 3-2524, to
Salary Increase Fund

A letter from Mr. Howard K. Hiroki, Auditor, Territory of Hawaii,

under date of October 1, 1956, directs the attention of this Commission to Act 2, SSLH 1956, which creates a Salary Increase Fund and provides that the Auditor of the Territory transfer to this Fund from special fund appropriations of the various Territorial commissions and boards. Under the Act, the Real Estate License Commission is to appropriate from its Special Fund the estimated sum anticipated as of June 30, 1957 amounting to \$45,920.00. The Auditor suggested that where the full appropriations at this time would disrupt financially the operation of a department, convenient installment transfers could be worked out.

The recommended installments of such payments were presented as follows:

12/30/56.....	\$15,000.00
3/31/57.....	\$15,000.00
6/30/57.....	<u>\$15,930.00</u>
	\$45,930.00

The members unanimously rejected the above recommendation and went on record as protesting the estimated amount to be appropriated as exorbitant, unreasonable, and unfair. It further went on record that in line with the Governor's economy directive, this Commission has been able to build up its present fund only through a continuous effort to operate on a stringent budget by foregoing the services of a full-time investigator and extra clerical help. The Commission would concede as fair and reasonable if the money is being appropriated for the purposes of real estate education or for the Governor's fund, but it looks with disfavor any appropriation of this Commission contributed towards the salary of "school teachers and other government employees."

It was moved by Mr. Yamamoto, seconded by Mr. Magoon, and carried that this Commission appropriate not more than \$10,000.00 this year and \$10,000 next year, or a total sum of \$20,000.00.

Letter from Honolulu Realty Board

A letter from the Honolulu Realty Board, dated October 5, 1956, under the signature of R. H. Deisseroth, President, was reviewed. Briefly it proposes the establishment of an Advisory Council comprising of several representatives, including a member of this Commission, Executive Secretary Robt E. Bekeart, the President and Past President of the Board, Chairman of the Board's Education and Legislation Committees, President of the University of Hawaii, Dr. Roberts and a Professor under him. (see copy of letter attached)

Mr. Yamamoto moved that this letter be taken under advisement. Motion was seconded by Chairman Magoon, and carried. The members requested a copy of the letter for their review and recommendations.

Review of Examination Papers
Conducted August 4, 1956

In accordance with the express request of the Chairman, as stated in the previous meeting of August 23, 1956, that the Commission revert to the old system of reviewing the examination papers of applicants in the borderline grades to afford them an opportunity of further qualifying themselves, the test papers of broker applicants who made borderline grades in the August 4, 1956 examination were presented for the members' review. To recheck these papers in a non-personal approach, the applicants were only identified by numbers and the following unanimous actions were taken after a very detailed and thorough scrutiny of the test answers given by each applicant. For the record, the names corresponding with the identification numbers are revealed for the minutes only:

<u>Applicant</u>	<u>Identification Number</u>	<u>Grade Attained</u>	<u>Action Taken</u>
1. William M. Cox	32	83.70	recommended passing
2. Patrick Murphy	34	83.70	" "
3. William H. K. Lum	9	82.96	" "
4. Kenneth Kawazoe	30	82.59	" "
5. D. C. Ching	12	82.22	" "
6. Oscar M. Nishihira	14	81.11	reexamine - poor on closing statement.
7. Isami Inoshita	29	80.74	recommended passing
8. Laura L. Thompson	8	80.74	reexamine her on the same Land Description problem.

Applications Received for Examination
to be Conducted November 3, 1956

The tally of the total number of applications received for broker and salesman licenses on or before the deadline October 31, 1956 were as follows:

Brokers.....	67	(15 retakes)
Salesmen.....	<u>172</u>	(46 retakes)
	239	

The Commission unanimously approved that the Executive Secretary be given full authority to exercise his administrative prerogative to approve the above applications, contingent upon a clear and favorable investigation reports.

It was unanimously moved and carried that Mr. Yamamoto be authorized to go to Kauai to proctor the examinees on the Island of Kauai. The Commission has received four applications, as follows:

1. William A. Akana
2. Louis T. Self
3. Naomi M. Thomas
4. Julia S. Wernicke

There were fourteen broker applicants, included in the above total, whose tenure as salesman is shy from several days to several weeks to complete a full year as required by law. The members unanimously authorized the Executive Secretary to use his discretion in his review and allow them to take the examination, basing the one year required period as of the date he would be taking the examination rather than the date of the filing of the application. Their names are as follows:

1. Alfred R. Cadinha
2. Francis K. W. Chung
3. Theodore R. DiTullio
4. William D. Flanders
5. Fumie Fujii
6. Ken Kenichi Hironaka
7. Barbara Barber Holbrook
8. Grace Hatsue Hotoke
9. Harriet Chang Mew
10. Theodore H. Murray
11. Adele Kauilani Ostrem
12. Carl Richard Questad
13. Merlyn Ching Yap
14. Herbert D. Thacker

The Executive Secretary presented the names of the following applicants who show some question whether they qualify as residents of the Territory. The Commission directed the Executive Secretary to screen each one personally and determine for himself their qualifications; however, if there is any doubt of their eligibility, the Commission should be consulted.

1. Bernice Jean Ditto
2. Rufo Hermano Ganir
3. Kathleen Sullivan Hernandez
4. Sachiko Takano Inouye
5. Kenneth Raymond Kelly
6. E. Paul Simpson
7. Robert Henry Wade
8. Lucy Stewart Kastenbein
9. Ross Fitzjohn
10. Ruth Amanda Johnson
11. Thelma Pfeifer

The following applications were received after the deadline date, October 3, 1956:

1. James T. Omura
2. Robert W. Liddle
3. Antonio Mirafuentes

The Commission unanimously approved and accepted the applications for the coming examination and advised that the applicants be notified.

Advancement of Date of Examination

The Executive Secretary's request to advance the date of the next examination from November 3, 1956 to October 27, 1956 was unanimously approved by the members. This change was necessary because that date would conflict with the 28th Annual NALLO Convention which falls about the same time.

Case of Jack C. Cross, Broker

Several advertisements have been appearing in the papers with Jack C. Cross, Broker, under the contracting firm of Pacific Builders, an unlicensed firm. Mr. Cross was questioned on the propriety of his name appearing as broker of an unlicensed firm and whether it was his intention to act as their principal broker. Mr. Cross assured this Commission that the ads would stop immediately and would send us a letter of explanation for his oversight.

The members unanimously approved the action taken by the Executive Secretary on this matter.

Case of Robert E. Paine, Broker

The several ads Mr. Paine has been running in both the Honolulu Star-Bulletin and the Honolulu Advertiser, inviting the general public to come in for free Hawaiian punch in his real estate offices, were reviewed by the Commission. It was the general feeling of the members that any sort of wiles or gimmick used to draw the crowd was in very poor taste in the real estate profession and advised the Executive Secretary to caution Mr. Paine on such practices in the future.

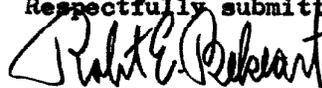
Requisition for License Certificates and Identification Cards for 1957

It was moved by Mr. Yamamoto and seconded by Mr. Magoon and carried that the Commission immediately requisition with the printers 1957 real estate license certificates and identification cards for salesmen and brokers. Motion was also moved and carried that the format and styling of the certificates will be left entirely to the Executive Secretary.

Adjournment of Meeting

There being no further business to discuss, the meeting was adjourned at 4:35 P.M.

Respectfully submitted,



Robt E. Bekeart
Executive Secretary

REB:etk