

MINUTES OF MEETING OF JANUARY 9, 1959

The first meeting of calendar year 1959 of the Real Estate License Commission was held on January 9, 1959 in Room 121, Honolulu Armory. Messers Chaney and Yamamoto, members, were present, with the former serving as Acting Chairman in the absence of Mr. Magoon. The Executive Secretary was present.

ORDER OF BUSINESS

I. Minutes of Meeting of December 16, 1958

As all but most urgent administrative business had been set aside to allow the staff to give full attention to the renewal project, there were no minutes of the December 16, 1958 meeting circulated.

II. Informal Hearing - Edith Ellington vs Ernest N. Heen

Responding to a Commission notice that an informal conference would be held to hear the complaint of Edith Ellington against her former employing broker, Ernest N. Heen, the latter appeared to present his side of the picture endeavoring to make clear in the members' minds the facts as he saw them. With the complainant failing to put in an appearance, the complaint was discussed with the respondent. Mr. Yamamoto moved that the complaint be dismissed on the grounds that there was insufficient evidence to substantiate the complainant's charge. The Commission moved for the dismissal and stressed that the complainant waived her right to pursue this matter further by not being present at this meeting which was called primarily to afford her the opportunity to appear and be heard.

III. Informal Conference - Request of Edward S. Ching, Broker

An informal conference to determine whether a Honolulu-based broker, Edward S. Ching, could employ as salesman one Koshi Miyasaki who resides on Island of Hawaii. Attorney Clesson Chikasuye, counsel for Mr. Ching, presented his findings that the licensing statute nor the rules and regulations forbid the type of employment as is under consideration. In light of Mr. Magoon's rather strong position on this matter, made known to the Executive Secretary on December 29, 1958, it was moved that action be deferred until the Chairman's return. It was agreed to by all parties that this matter be re-scheduled for the next Commission meeting.

IV. Reinstatement Requests:

Applications of licensees who failed to renew as required in Sec. 170-10 and forfeited their licenses received approval as follows:

Walter C. H. Chang	(B)	Mabel Lai Hipp	(S)
Henry Chong M. Lee	(B)	Louis M. Marks	(S)
John A. Burns	(B)	Agnes E. Bryan	(S)
Joan K. Thomas	(B)		

The following licensees, having filed an application requesting reinstatement and having enclosed the appropriate penalty fee, were approved as being reinstated from forfeited status:

Hansel L.S.A. Chang	(B)	Wallace Otaguro	(S)
Susumu Tanaka	(B)	Robert W. Davis	(S)
John K. Aiona	(B)	Fred Ishibashi	(S)
Frank Munoz	(B)	Joseph T. Rania	(S)

V. Application for Brokerage License

Application of KINJI, LTD for brokerage license was approved.

VI. Application for Branch Office License

Application of WAIKIKI REALTY, LTD to establish a branch office in Kailua with George Morita as broker-in-charge was approved, confirming January 6, 1959 tentative approval granted by the Executive Secretary.

VII. Application for Use of Fictitious Names

Applications to register and use the following fictitious names, as required in Rule 8, were approved for the following brokers:

- a. Francis Nagatori dba FRANCIS NAGATORI REALTY
- b. Joseph S. Carrilho dba CARRILHO REALTY
- c. William K. Y. Dam dba OAHU REALTY COMPANY
- d. Angeles A. Fernandes dba TERRITORIAL REALTY COMPANY

VIII. Request of Harry I. Tanaka (S)

Request of Harry I. Tanaka, salesman resident of Kona, Hawaii, to be employed by Honolulu based agency Nosaka-Gondo Realty was set aside pending Chairman Magoon's return.

IX. Request of Fred Blanco (B)

Commission considered broker Fred Blanco's prospectus to advertise offering for sale of lands located in California owned in fee by his principal Robert Arizumi of Honolulu, was taken under advisement awaiting the return of Mr. Magoon.

X. James Peltier's Newspaper Advertisement

Staff reported on interview with broker James Peltier regarding his January 4, 1959 advertisement in the Honolulu Advertiser that over a million-and-a-half dollars in property had been purchased through his agency in 1958. Commission's opinion was that his representation could be assumed to be correct, but the members were reluctant to accept this type of advertising as being one that would elevate the real estate business to the level of a profession. A guide line to the Staff was offered as follows: where representations such as this are made and an offer on the purchase had been accepted, it is to be considered as a meeting of the minds; therefore, a contract or sale is said to exist.

xi. "Basic Shelf" Distribution

To set the distribution of the "Basic Shelf" in motion the proposal was approved that Mr. Yamamoto and the Executive Secretary, in company with Buzzy Okazaki, President of the Honolulu Realty Board, journey to Hawaii on or about January 14 to present the real estate books to the Hilo Library. The Executive Secretary's advance planning with Hilo licensees having been accepted by all parties, it was the opinion of the Commission that we move ahead once a program of events has been received from Broker Bill Beard of Hilo First Trust Company, Ltd.

A similar presentation ceremony should be arranged, if possible, for getting the books into circulation at the Maui County Free Library while a trip is being made in Hawaii direction. Delivery of the "Basic Shelf" to Kauai should be the next order of business, followed by distribution of three sets to the Library of Hawaii once Chairman Magoon is present to officiate at the ceremony.

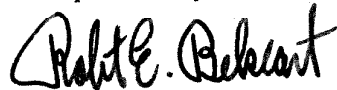
XII. 1959 Renewal Project

Progress report on the 1959 renewal project was accepted. Completion date of renewal project was established as January 15, 1959.

XIII. The Commission moved that staff present information at the next meeting in regards to personnel sick leave, vacation schedule, military leave, etc.

There being no further business, the meeting was adjourned at 10:35 a.m.

Respectfully submitted,



Executive Secretary