

MINUTES OF MEETING OF MAY 20, 1959

The Seventh meeting for 1959 of the Real Estate License Commission was called to order by the Acting Chairman at 9:00 a.m. on Wednesday, May 20, 1959 at the Commission office, 121 Honolulu Armory.

Present were: Aaron M. Chaney, Acting Chairman
Hirotooshi Yamamoto, Member
Robt E. Bekeart, Executive Secretary
Dick H. Okaji, Investigator
Absent; Eaton H. Magoon, Chairman

ORDER OF BUSINESS

Informal Conferences

In attempt to resolve a dispute over the facts in two separate real estate transactions the parties to the complaints were invited to attend a meeting where the complainant and respondent could state their respective sides of the problem to the Commission who in turn would try to recommend further action by this agency. In response to form letter invitation the following parties appeared this date:

- a. Alvin Shannan, Complainant
Patrick M. Murphy, Respondent (B)

Following brief statements by the complainant and respondent the Commission proceeded to question both parties. An attempt was made to see if Mr. Shannon's complaint against the respondent broker was within the Commission's jurisdiction. Not being able to resolve this difference of opinion after hearing presentations by both sides, it was the feeling of the members present that this matter will be taken under advisement to ascertain whether it is necessary to set down for a formal hearing. The Department of the Attorney General representative, Henry Shigekane, will be given a complete briefing on this case and his opinion on proceeding to a formal hearing will be solicited.

- b. Johann Lee, Complainant
Martha Maier, Broker, Respondent

The Complainant presented his side of the problem after the Acting Chairman established the informality of the conference as one where there could be an attempt to settle this matter to the satisfaction of all without moving into the cumbersome area of a formal hearing. In addition to his oral presentation, Mr. Lee introduced certain documents and exhibits to support his contentions that Mrs. Maier had not conducted herself in the best ethical manner in this transaction where complainant purchased certain income units from respondent who in this case is also the seller. The question of whether the seller's actions actually came within the purview of the licensing statute

in this case was explored. Mrs. Maier offered to explore with Mr. Lee the areas where they were apart, she assumed that possibly something could be worked out. Conference was closed with the understanding that both parties to the dispute would try to effect a settlement of the points now in question.

Reinstatement Request of Kazuo Yoshioka (B)

Kazuo Yoshioka, broker, had submitted a request for reinstatement of his forfeited license for 1959. The required fee has been forwarded and appropriate background check made. The members present, after hearing the Executive Secretary's briefing on this licensee's record, approved the request for reinstatement with the contingency that Mr. Yoshioka be notified to the effect that the Investigator will make periodic checks and inspections of his official place of business and all real estate records and accounts therein.

Application for Brokerage License

Applications for the following to be issued brokerage license were approved:

Herbert K. Horita Realty, Inc.
Urban Property Management, Inc.
James W. Peltier, Limited
Arakaki and Yamaguchi, Inc. (confirming tentative
approval given 4/22/59)

Request to Use Fictitious Name

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

Paul E. Simpson dba INDUSTRIAL REALTY
Jack E. Chaffee dba WAIANAE MAKANA LAND MART
Percy Mirikitani dba ISLAND PROPERTIES COMPANY
(confirming tentative approval given 5/18/59)

Note: The members directed that an immediate check be made to see if ISLAND PROPERTIES, INC., formerly used by Richard Ho and Clyde Yamamoto was still used by these two licensees. Report from Department of Treasury was negative-- name had been officially cancelled.

Report on February Examinations

	<u>Brokers</u>	<u>Salesmen</u>
Passed Outright	26	70
Failed Outright	48	120
Passed After Oral Examination	10	40
Failed After Oral Examination	0	5

The Commission approved the report establishing the final statistics on the February 14 brokers and February 21 salesman examinations.

Report on Preparation for June Examinations

Mr. Chaney and Mr. Yamamoto will check their personal schedule and through agreement decide which of the neighbor island examinations they will proctor.

Inquiry of Honolulu Realty Board on Zone Restrictions

The Board's letter over the signature of Buzzy T. Okazaki, President, was read into the record. The Executive Secretary reported on the information which will appear in the May edition of RELCO COMMENTS relative to brokers conducting a real estate business in other than a business zone. The fact that this matter has been under study for sometime by the Commission was reported to Mr. Okazaki in a telephone conversation earlier and assurance was given that the suggestion of the Honolulu Realty Board would be placed on the agenda of today's meeting.

The Commission directed that the Board's letter be acknowledged and that reference be made to zoning story in the official publication now been circulated.

Legislative Matters

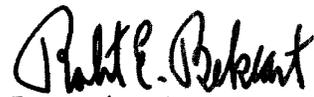
In reply to memorandum from Chief Executive's Chambers soliciting the Commission's recommendations on the two real estate bills now on the Governor's desk, the following communication (Exhibit A attached) was approved by the members present.

Equipment Purchase Authorization

In compliance with an earlier Commission directive, the staff reported favorably on the utilization of the SOUNDSCRIBER equipment as an implementing tool in orally examining 55 candidates from the February examinations. No recommendation was presented to purchase this disc-recording system as it was believed advisable that other types of sound recording equipment should be evaluated for the different functional uses here in the Commission's offices.

There being no other business the meeting was adjourned.

Respectfully submitted,


Executive Secretary