

SUMMARY OF PROCEEDINGS
SEVENTH MEETING OF 1960
REAL ESTATE LICENSE COMMISSION
DEPT OF TREASURY AND REGULATION
STATE OF HAWAII
205 Empire Bldg., Honolulu 13, Hawaii

July 19, 1960

The Chairman, Mr. AARON M. CHANEY, called the meeting to order at 8:00 a.m. Tuesday, July 19, 1960 in the Governor's Conference Room, Second Floor, Iolani Palace, Honolulu, Hawaii. The purpose of the meeting was to conduct a formal hearing in the matter of REAL ESTATE LICENSE COMMISSION, STATE OF HAWAII vs JAMES T. MORIOKA, Broker, and to take care of such other business as is necessary.

Present were: Aaron M. Chaney, Chairman
Dorothy S. Ahrens, Member
James C. Ching, Member
Charles C. Cross, Member
Yukio Kashiwa, Member
Hirotooshi Yamamoto, Member
Robt E. Bekeart, Executive Secretary
Dick H. Okaji, Investigator
Hannah Furuta, Recording Secretary

ORDER OF BUSINESS

MINUTES OF PREVIOUS MEETING

Mrs. AHRENS moved, seconded by Mr. CHING, that the minutes of the June 15, 1960 meeting be approved as circulated. Carried unanimously.

FISCAL REPORT

Executive Secretary reported that this report was in the process of being prepared, along with many other reports due in the closing out of the fiscal year. The fiscal report for the month of June 1960 will be circulated to the membership with the minutes of this meeting.

CONFIRMATION OF BROKERAGE LICENSE ISSUED

Mrs. AHRENS moved, seconded by Mr. CHING, that the Executive Secretary's action of June 29, 1960 granting tentative approval for the issuance of a brokerage license to ISLAND CONSTRUCTION CO., INC., dba JOE R. PAO REALTY CO., with Joseph R. Pao as Principal Broker, at 1514-A Kona Street, Honolulu, be confirmed and official approval recorded. Motion carried unanimously.

BRANCH OFFICE APPLICATION

Mr. KASHIWA moved, seconded by Mr. CHING, that the Executive Secretary's action of July 11, 1960 granting tentative approval for the issuance of a branch office license to A. D. CASTRO & CO., LTD at 2307 Kalakaua Avenue, Rm 201-A, with Bess M. Walsh designated as the broker-in-charge be confirmed and official approval recorded. Motion carried.

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The Chairman directed the staff to check into the branch office operation of the applicant, A. D. CASTRO & CO., LTD., in the Aliiamanu-Moanalua-Foster Village area. He stated that a determination should be made to see if this agency is operating within the zoning code and if there is the required official place of business. If necessary a picture should be taken of such facilities and a complete report made at the next meeting.

EQUIPMENT PURCHASE FOR FIRST QUARTER

Mr. KASHIWA moved, seconded by Mrs. AHRENS, that the proposed equipment purchases for the first quarter of the fiscal year be approved. Motion was carried.

Desk for Special Investigator	\$200 approx
Executive Chair	75 "
Control Counter/Stationery Shelf	350 "
Camera and Accessories	150 "

RECESS

The Chairman, at approximately 8:20 a.m., declared that the agenda would be set aside and following a short recess the Commission would proceed to conduct the announced formal hearing in the matter of

REAL ESTATE LICENSE COMMISSION, STATE OF HAWAII
vs
JAMES T. MORIOKA

Transcript of proceedings of this hearing is made a part of the minutes hereof.

Regular proceedings of the Commission resumed at approximately 1:30 p.m.

GUIDANCE POLICIES PROMULGATED BY TREASURER

The Chairman stated that he had received DEPARTMENT OF TREASURY AND REGULATION internal communication of June 24, 1960 wherein the Treasurer prescribed policies applicable to boards and commissions. He was of the opinion that such an important directive should be circularized to all members and the matter be discussed at commission meetings.

The Executive Secretary was of the understanding that this information had been transmitted by the department head to all members of the Commission. An effort will be made to see that similar directives are sent to each member and that certain time be set aside on the agenda to discuss departmental directives, requirements and philosophies.

THIRD EXAMINATION OF 1960

The Executive Secretary recommended that the Third Salesman's examination for Oahu applicants be conducted on Saturday, October 8, 1960 and the third Broker's examination for Oahu applicants be conducted on Saturday, October 15, 1960. Neighboring island applicants for both salesman and broker license will be examined on Saturday, October 15, 1960. The deadline for filing for these examinations was set as the close of the business day, Wednesday, September 7, 1960.

The Commission approved the recommendation of the Executive Secretary.

PROGRESS ON AUDIT REPORTS

The Executive Secretary stated that the report due the Treasurer, for transmittal to the Executive Chambers, was not finished. An extension of time in which this report was due had been granted. It is believed that the two commentaries on the findings of the Comptroller's examination of the records of the Commission for the period February 1, 1955-June 30, 1959 will be completed shortly.

COLORADO FIELD INSPECTION

The Executive Secretary reported on the responsibilities of the Commission to prepare and present a report on the findings of the two representatives who inspected the Colorado offering.

Mr. KASHIWA gave a short summary of his impressions of the real estate in question and his thoughts were drawn against certain representations made by the developers and related to the public by licensees. Very briefly he tied these representations to what he actually learned and observed on the inspection.

The members asked if it would be possible to prepare a capsule report which might be made available to brokers requesting such information from the Commission in order to make a complete disclosure on the out-of-state properties for sale.

The Executive Secretary was directed to proceed with the compiling of a written report of the inspection. It was suggested that the Chairman and Mr. KASHIWA would review a draft of the findings before the final report was transmitted to the Treasurer for further transmittal to Executive Chambers.

SKELETON OUTLINE OF LEGISLATIVE PROPOSALS

An oral report was made by the Executive Secretary on the outline of areas where the licensing statute could be improved or strengthened. A set of proposals, in skeletonized outline form, was presented to the department head as per the deadline time his staff had prescribed earlier in a telephone alert.

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The Chairman had the opportunity to scan this written report before it was delivered to the Treasurer. He was of the opinion that this is just a rough outline of the broader areas and that a great deal of study should go into further changes necessary in the chapter.

COMPLAINTS AGAINST IRENE WISKOW

A capsule report on the status of various complaints against the deceased was presented. The Chairman asked into the filing and maintaining of the required bond.

REQUEST FOR CONTINUANCE

The Commission approved a request for a continuance by respondent's counsel in the matter of REAL ESTATE LICENSE COMMISSION, STATE OF HAWAII vs ANGELES A. FERNANDES.

PROGRESS REPORT ON COMPLAINT

The staff reported on the matter of ANTONIO ANCHETA's complaint against ANGELES A. FERNANDES. The Executive Secretary had concurred in the Investigator's earlier suggestion that this be set aside as civil action was impending. Information has reached the Commission that the civil action is resolved in a decision against Fernandes; subsequently the case was appealed to the Circuit Court where it is pending. The respondent has been contacted with instruction to report what has transpired in the original complaint.

MARCH BROKER EXAMINATION STUDY

The Executive Secretary reported that under an earlier directive of the Commission a study was made of the broker candidates performance in question number 17 of the March 19, 1960 examination. The review showed that 30 candidates selected "TRUE", while 70 candidates selected "FALSE."

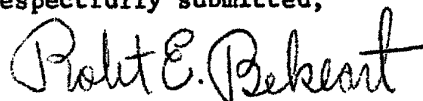
The members were in agreement that possibly both answers could be correct. With their appreciation of the closeness of the answers and not wanting to arbitrarily fail an applicant who had performed reasonably well, the Commission directed the staff to go over all March 19 broker examinations, look for candidates who had failed six questions in the first twenty questions--if this check discloses that certain persons could qualify by being allotted one more point for question "17", then the applicant should be found qualified and notified accordingly.

The Chairman will be advised of further findings in this project.

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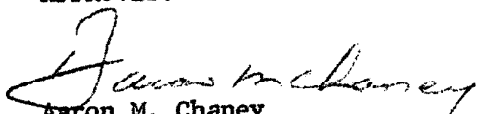
There being no further business the meeting was adjourned at
1:55 p.m.

Respectfully submitted,



Robt E. Bekeart
Executive Secretary

APPROVED:



Aaron M. Chaney
Chairman

REAL ESTATE LICENSE COMMISSION