

REAL ESTATE COMMISSION
Professional & Vocational Licensing Division
Department of Regulatory Agencies
State of Hawaii

MINUTES OF MEETING

Date: Thursday, May 30, 1974

Place: Board Room, Department of Regulatory Agencies
1010 Richards Street, Honolulu, Hawaii

Present: Douglas R. Sodetani, Chairman
Herbert S. Isonaga, Vice Chairman
Mrs. Mary V. Savio, Member
John D. Texeira, Member
Ah Kau Young, Member
John J. Urner, Member
Tadayoshi Ishizu, Member

Clyde E. Sumida, Deputy Attorney General
Calvin Murashige, Deputy Attorney General
Yukio Higuchi, Executive Secretary
Mrs. Peggy Lau, Stenographer

Holly Beebe, Court Reporter
Violet C. King, Applicant for Broker License
Gladys Nakamatsu, Co-insurance Worker
Robert Measel, Jr., Applicant for Real Estate Salesman License
Michael O'Connor, Attorney at Law
John Topliss, Sonnenblick-Goldman Corp. of California
Representatives of Real Estate Schools Association of Hawaii

Call to Order: There being a quorum, Chairman Sodetani called the meeting to order at 9:05 a.m.

Minutes: Ah Kau Young moved and Mary Savio seconded that the minutes of the April 25, 1974 meeting be approved as circulated. Motion unanimously carried.

Formal Hearing: Violet C. King, Applicant for Real Estate Broker License
9:40 a.m./Deputy Attorney General Clyde Sumida presented the Commission's case on its decision to propose to deny Violet King's application for broker license based upon King's continuous record for misconduct and uncooperativeness, and for the protection of the industry and general public. Sumida submitted 16 exhibits as exhibits to show why King is not deserving of a real estate broker license.

Violet King, not being represented by counsel, presented her own defense; King submitted Exhibits 1 through 4.

Following the hearing, Chair appointed John Texeira to review the testimony and exhibits presented by Violet King and to write the findings of fact and conclusion of law for the June meeting/11:45 p.m.

Committee Reports:

Real Estate Education Advisory Council

The Executive Secretary reported that the Director has given his blanket approval of the budget, except for the donation of library books, the consultant and the NARELLO trips--more information on these are requested by the Director. Mary Savio volunteered to submit the material to the Executive Secretary for forwarding to the Director.

Application for Accreditation of Real Estate School and Instructors' Certificates

Mary Savio reported that she and the Executive Secretary reviewed the following applications and recommend:

Accreditation of School

The Land Company, Inc. dba Elroy Osorio School of Real Estate (B & S)

Approval--subject to issuance of license by D.O.E.

Instructors' Certificates

Daniel Chadwick (B & S)

Denial--lacks one year of the necessary three years of real estate experience.

John Daughters (B & S)

Denial--has not fulfilled the basic instructor's requirement

Tillman Boxell (Math instructor/B & S)

Defer--has not submitted further proof of his educational background in math

Herbert Isonaga moved and Ah Kau Young seconded that the Commission accept Mary Savio's recommendations. Motion carried.

Real Estate Newsletter

Mary Savio distributed sample formats of the newsletter submitted by Pat Patterson and Trade Publishing Company along with their bids and credentials (the only two bids received).

After some discussion, Herbert Isonaga moved and Ah Kau Young seconded that Trade Publishing Company be awarded the contract for the newsletter, inasmuch as, the Commission was satisfied with their capability and their bid was lower. Motion carried unanimously.

On behalf of the Commission, Chair expressed deep appreciation for the hard work Mary Savio has done on the newsletter.

Chair directed the Executive Secretary to write Pat Patterson thanking him for his bid and assistance and to notify Trade Publishing Company that they have been awarded the contract. Chair further directed that the Executive Secretary and Deputy Attorney General work on the contract with Trade Publishing Company.

Education Orientation Seminar

After each public hearing, the Commission plans to hold an education orientation seminar to meet with the licensees to answer questions and apprise them of the new laws passed and of the education program.

Chair directed the Executive Secretary to discuss this with George Morris of the Honolulu Board of Realtors.

Real Estate Seminar

Mary Savio informed the Commissioners that the seminars have been set up by Wesley Park.

Condominium Review Committee

Condominium Review Committee Chairman John Urner announced that he is in the process of forming his committee and will have a report for the next meeting.

Rules and Regulations Committee

As reported by the Executive Secretary, arrangements for the proposed rules and regulations public hearing have been made.

Recovery Fund Report

Copies of the recovery fund report dated April 30, 1974 were circulated by the Executive Secretary.

During the discussion, Chair appointed Herbert Isonaga chairman of the committee to appoint an attorney to represent the Commission in defending the recovery fund against claims.

Attorney General's Report

Deputy Attorney General Clyde Sumida gave updated reports on various investigation cases.

Business Out
of Minutes:

Questionable Applications

Douglas C. K. Tom, Applicant for Real Estate Salesman License

In addition to Douglas Tom not disclosing his arrest for second degree burglary on his application for salesman license, John Texeira advised the Commission that at Tom's formal hearing yesterday, it was revealed that Tom was recently charged for possession of harmful drugs. John Texeira further advised the Commission that Tom has requested a continuation of his formal hearing until his trial is over (October 15, 1974).

Mary Savio moved and Herbert Isonaga seconded that the Commission comply with Tom's request for the continuation. Motion carried.

Robert Measel, Jr., Applicant for Real Estate Salesman License

Robert Measel appeared before the Commission represented by Attorney Michael O'Connor. O'Connor expressed his opinion of moral turpitude and informed the Commission that "misprison" is a lesser offense for Measel's "firearm" charge.

Chair advised Measel and O'Connor that the Commission will continue its deliberation on Measel's application after affidavits from federal authorities are submitted by O'Connor.

John M. White, Applicant for Real Estate Broker License

John White, whose application for broker license was denied for failure to satisfy the educational requirements, presented boxes of documents that he feels will qualify him for a broker license.

Ah Kau Young was assigned the responsibility to look over the documents submitted by White with all Oahu Commissioners, and make a recommendation.

Sonnenblick-Goldman Corp. of California, Applicant for Corporate License

John Topliess enlightened the Commission of their real estate activities in California--primarily mortgage and financing, which goes hand-in-hand with real estate.

The Executive Secretary was directed to check with Bank Examiner as to possible conflict of interest. Herbert Isonaga moved and John Urner seconded that if Bank Examiner gives its clearance, the Commission approve the application for corporate license. Motion carried.

Mike Dietz Golf Shops, Inc. dba Ann Grubb, Realtor, Request for Use of dba

The Executive Secretary informed the Commissioners that Ann Grubb wants to sell her real estate brokerage business to her daughter, Helen Dietz. Helen Dietz will be the principal broker of the firm, Mike Dietz Golf Shops, Inc. dba Ann Grubb, Realtors; Ann Grubb will be a broker/salesman.

John Urner moved and Herbert Isonaga seconded that the Commission approve the transfer of name; provided that, the incorporation is reflected in their name. Motion carried.

Investigations: RE-518 Singleton Associates) The Executive Secretary and Clyde
RE-531 Julian Buttons) Sumida will review these cases.
RE-560 Donald E. Sandborn)

RE-528 Durrel L. Robison

Case file has been forwarded to the Attorney General's Office.

Sheldon Soosman

Clyde Sumida will inform Investigation Branch to work on this case as preliminary indications are that the Commission cannot use the Court's determination to revoke a license--must hear the case again.

Audience: Representatives of Real Estate Schools Association of Hawaii

Representatives of the School's Association (Milton Motooka, Mary Shern, Daniel Chadwick, John Wilson, John Stapleton and John Reilly) praised Glenn Ikemoto's work on the visitation of schools.

Representatives expressed that it was a disservice to the consumer as there is a 60-day filing deadline for applications and the 1975 examination dates have not been scheduled. The Commissioners set mid April, August and the last part of November as the tentative months for the 1975 examinations.

The Representatives further expressed that the Commission should give serious thoughts to raising the experience requirements to 3 years for broker applicants--they feel that brokers licenses are being given away too easily.

It was reiterated by the Representatives that E.T.S. should strenghten their examination and get the results back sooner (not wait 5 weeks). They will submit a list of states using the E.T.S. examination that have received results back in 2 weeks time, so that staff can demand this of E.T.S., too.

New Business: Licensing

CORPORATION

Surfside Investments, Inc. - 2270 Kalakaua, Suite 1108A, Hon.
 Arthur H. Ikeda, PB
 General Management Corporation - Suite 2320 Pacific Trade Center
 Kenneth H. Lum, PB Hon.
 Success Unlimited, Inc. - 917 Halekauwila Street, Honolulu
 Harry H. Odo, PB
 Friendship Realty Corporation - 1287 S. King Street, Honolulu
 Abraham Song, PB
 Fred Chee Realty, Inc. - 4747 Kilauea, Suite 209, Honolulu
 Frederick K. O. Chee, PB
 D & M Realty, Inc. - 190 S. King, Suite 1384, Honolulu
 Jesse N. Dela Cruz, PB
 The Land Broker, Ltd. - 1402 Kapiolani, Suite 32, Honolulu
 Renee L. Kam, PB
 Hawaii Mortgage Co. Ltd. - 925 Bethel, Suite 206, Honolulu
 John K. Clarke, Jr., PB
 The Realty Corporation - 1451 S. King, Suite 201, Honolulu
 Wilfred M. Motokane, PB
 Tropicana Investments, Inc. - 1339 Hunakai, Honolulu
 Paul R. Warford, PB
 Hawaiian Real Estate Corp - 1860 Ala Moana, Suite 403, Honolulu
 Francis E. Schiederich, PB
 Kanaloa Property Managers, Inc. - Dolphin Plaza, Box 1071,
 Typ L. Lawrence, PB Kailua-Kona
 Sunshine Real Estate Consultants, Inc. - 2828 Paa St., #3065, Hon.
 John K. Ikeda, PB

CHANGE OF NAME - CORPORATION

Luko Realty, Ltd. - formerly Pacific Trade Investment, Ltd.
 Overseas Land Corporation - formerly ICM Realty, Inc.

BRANCH OFFICE

Loyalty Enterprises, Ltd. dba Loyalty Realty BR-1 - Corner of
 Walter C. J. Pang, BIC Likini & Ala Napunani Sts.
 Kauai Realty, Inc. BR-1 - Kuhio Hwy, Box 26, Hanalei, Kauai
 Nelson K. Hardenbergh, BIC

DBA

Phil Boyle Realty - 94-210 Hanawai Circle, Waipahu
 Phillip S. Boyle, dba
 Maybelle P. Yeomans, Realtor - 1152 Bishop Bldg., #801, Honolulu
 Maybelle P. Yeomans, dba
 Loyalty Realty - 233 Merchant Street, Honolulu
 Loyalty Enterprises, Ltd., dba

DBA (continued)

Don Chang, Broker - 1441 Kapiolani, Suite 1118, Honolulu
Donald W. Chang, dba
Worldwide Exchange Brokers - 1888-L Kalakaua Avenue, Honolulu
Eileen L. Ender, dba
Harriet T. Gega, Realtor - 710 S. King Street, Honolulu
Harriet T. Gega

UPON MOTION, the Commissioners approved the licensing processing of the above as tentatively approved by the Executive Secretary.

Questionable Applications

George Weiss, Request for Activation of Salesman License

George Weiss' request for reconsideration was denied--the Commissioners concurred that Weiss will not be issued a real estate salesman license if his proposed principal broker resides on another island.

Daniel M. Rhodes, Applicant for Real Estate Salesman License

One month has lapsed on Daniel Rhodes' one-year deadline in which to apply for license and he has requested a waiver.

Herbert Isonaga moved and Ah Kau Young seconded that Rhodes' request for waiver of the deadline be denied. Motion carried.

Barbara King, Applicant for Real Estate Broker Examination

The Executive Secretary reported that Barbara King has requested a 2-month waiver from the educational requirement for the broker examination on the basis that she completed a course offered by John Stapleton Real Estate School and taught by James Conahan. King contends that this course was better than GRI and taught by the same teacher.

John Texeira moved and Ah Kau Young seconded to deny her request. Motion carried without dissent.

Herbert Isonaga moved and Ah Kau Young seconded that the authorities responsible for GRI (Wesley Park and George Morris) be notified to upgrade this course as many unfavorable comments on the contents as well as the quality of the examination have been received; if no measures are taken to improve the course, the Commission will consider removal of GRI from the list of waivers for education requirements. Motion carried unanimously.

Robert W. Gibson, Applicant for Real Estate Salesman License

The Executive Secretary explained that Robert Gibson applied for the broker examination without first obtaining a Hawaii real

estate salesman license. Gibson maintains that according to the statutes, he qualifies for waiver of the salesman license. It was further explained that in typing the legislation, one sentence under "Prerequisites for written examination", was erroneously omitted.

Herbert Isonaga moved and Ah Kau Young seconded that Gibson be denied admission to the broker examination. Motion carried.

Appointed by Chair for Robert Gibson's formal hearing next month were John Urner and Herbert Isonaga.

Willard H. Simms, Applicant for Real Estate Salesman License

Following the Executive Secretary's report, Ah Kau Young moved and John Urner seconded that Willard Simms be issued a salesman license, but if an unsatisfactory FBI fingerprint report comes back from Washington, his license will be rescinded. Motion carried unanimously.

Miscellaneous: Ala Wai Cove Condominium Report

Chair directed that investigation be initiated on those licensees convicted.

1974 Legislation

The Executive Secretary reported that he has received no formal notice that any of the 1974 bills have been signed into law by the Governor.

Hale Aupuni Subdivision

Following some discussion, Mary Savio moved and Herbert Isonaga seconded that the Commission allow the announcement, but no prices shall be quoted if they cannot hold to the price quoted; no take out loan commitment, no appraisal and no stated interest rate shall be indicated, unless they submit evidence to substantiate such statements. All ads must be reviewed by staff before publication. Motion carried unanimously.

Correspondence: Charles W. Levet and Joseph R. Levet--Comments on Examination

The Executive Secretary reported that Charles and Joseph Levet have suggested that the Commission devise a new program, whereby one would receive a temporary real estate license.

Herbert Isonaga moved and John Urner seconded that the Executive Secretary file the letter away after advising the Levets that their suggestion will be taken under advisement, and that they are notified to contact E.T.S. to request for rescoring of their examination.

NARELLO Correspondence and Questionnaire on National Conference

No answer is necessary.

NARELLO Questionnaire on Constitution and By-Laws

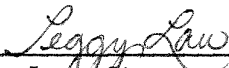
Forwarded to Mary Savio for reply.

Next Meeting

Date: June 27, 1974, 9 a.m.

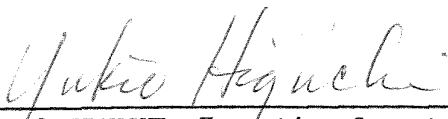
Adjourned: There being no further business, Chair adjourned the meeting at 5 p.m.

Taken and recorded by:



Peggy Law, Stenographer

Approved by:



YUKIO HIGUCHI, Executive Secretary