

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

MINUTES OF MEETING

Date: Thursday, January 4, 1973

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

Present: Douglas R. Sodetani, Chairman  
Herbert S. Isonaga, Vice Chairman  
Mrs. Mary Savio, Member  
John D. Texeira, Member  
Hiromu Yamanaka, Member  
Louis Cannelora, Member  
Ah Kau Young, Member

Yukio Higuchi, Executive Secretary  
Mrs. Peggy Lau, Stenographer

Call to Order: There being a quorum, Chairman Sodetani called the meeting to order at 9:40 a.m.

Minutes: Ah Kau Young moved and Herbert Isonaga seconded that the Commission approve the minutes of the November 30, 1972 meeting as circulated. Motion unanimously carried.

Committee Reports: Education Task Force Committee

Accreditation of Real Estate Schools and  
Certification of Instructors

Committee Chairman Mary Savio reported that the Education Task Force Committee met on December 19, 1972 to review and act on applications for accreditation of real estate schools and for certification of instructors. She advised the Commission that the Committee had disapproved John Mykut's application for certification as an instructor because the rules and regulations require that applicant shall have a Hawaii real estate license and experience which John Mykut does not have. She further reported that the application of John Mykut Real Estate School for accreditation was disapproved as the school has no certified instructor, no all-year-round local headquarters, and the salesman course curriculum submitted as part of the application does not conform with the Commission's approved curriculum.

It was moved by Hiromu Yamanaka and seconded by John Texeira to ratify the Committee's actions of December 19, 1972 on John Mykut's and John Mykut Real Estate School's applications. Motion carried unanimously.

Committee Chairman Mary Savio further reported that she met with the Executive Secretary on January 3, 1973 to review and consider applications for accreditation or approval of real estate schools, approval of brokers course, and certification of instructors.

She recommended that the Commission take the following actions:

U of H, Kauai Community College  
Certification of Robert E. Lear

Be approved subject to Robert E. Lear passing the qualifying examination.

Approval of School Salesmen Program

Be approved subject to Robert Lear passing the qualifying examination, and upon receipt of salesmen course curriculum, or a letter from Wesley Park stating that course will be the same course given at Hilo College and Maui Community College.

Mike McCormack School of Real Estate  
Certification of Phil Thomas

Be approved subject to Phil Thomas passing the qualifying examination.

Harris Real Estate School  
Accreditation of Brokers Course

Be approved.

David Bartholomew's Hawaii School of Real Estate  
Accreditation of Brokers Course

Be approved.

U of H, College of Business Administration - Approval  
of Real Estate 300 and 310 in Lieu of Salesmen Course

Satisfactory completion of Real Estate 300 (Principles of Real Estate) and Real Estate 310 (Real Estate Law) be accepted as being in conformance with education requirement for salesmen.

Hawaii Pacific College - Approval of Management 338  
and 339 in Lieu of Salesmen Course

Satisfactory completion of Management 338 (Real Estate Fundamentals I) and Management 339 (Real Estate

Fundamentals II) be accepted as being in conformance with the education requirement for salesmen.

It was moved by Herbert Isonaga and seconded by Ah Kau Young that the Commission approve the recommendations made above by Committee Chairman Mary Savio. Motion unanimously carried.

Commission's Policy

It was also recommended by the Education Task Force Committee that the Commission adopt a policy that Completion Certificates granted by accredited and approved real estate schools be acceptable by the Commission for a period of 2 years from the date of issuance, and that this policy be adopted as a rule at the earliest convenience.

Herbert Isonaga moved and Hiromu Yamanaka seconded that the Commission adopt the above-mentioned policy. Motion carried unanimously.

The Executive Secretary was directed to notify all real estate schools of the above policy as soon as possible.

Absence of Broker Course on Neighbor Islands

The Executive Secretary reported that Helene Hale will not teach the broker course in Hilo or in the Kona area; he then requested the neighbor island members to check with their community colleges and private schools to determine whether a broker course will be given.

Real Estate Manual

Mary Savio reported about her communications with Real Estate Education Corporation to determine the possibility of getting a Hawaii real estate manual printed.

Recovery Fund Report

Paul Osumi, Jr. and Evelyn Kurosumi vs. Yoshiharu Hirashima dba Pacific Land Company

The Executive Secretary informed the Commission that the Court had awarded plaintiffs a judgment of over \$14,000, but Ben Matsubara has brought the Court's attention to the statutory recovery limitation of \$10,000 per act. Since the \$10,000 limitation was brought to the Court's attention, the Court has ordered that the amount of \$10,000 be paid to the plaintiffs now and the matter of the balance of more than \$4,000 will be resolved in Court at a later date.

Ah Kau Young moved and Mary Savio seconded that the Commission give authorization to the Executive Secretary to make payment of \$10,000 from the recovery fund as ordered by the Court. Motion carried.

Condominium Review Committee

Committee Chairman Louis Cannelora reported that his committee did not meet in December at the request of Hiroshi Sakai and Dwight Rush, since they are still working on proposed legislation. The next meeting of the Condominium Review Committee will be sometime this month.

Attorney General's Report

There was no Attorney General's report as Ben Matsubara was not present due to illness.

Business Out  
of Minutes:

Educational Testing Service

The Executive Secretary announced that Educational Testing Service has invited one Commission member and one staff member to attend two meetings scheduled for January 30 and 31, 1973 in Princeton, New Jersey, to review the progress of their real estate education program and to discuss the revision of the current examination and the development of a uniform manual.

Herbert Isonaga moved and Ah Kau Young seconded that Mary Savio and a staff member (Lydia Pai, Bernadette Gulisao or Gladys Leong) be sent to attend the E.T.S. meeting in Princeton, New Jersey, on January 30 and 31, 1973. Motion unanimously carried.

Examination Branch is in the midst of preparing an information sheet and has requested to know the Commission's stand on whether or not the Seventh-Day Adventists will be allowed to have a special examination in the future.

Examination Branch is to be notified that as for now the Commission gives no assurance as to whether a special examination will be given in the future to the Seventh-Day Adventists.

Staff has requested that the dates for the 1974 examination be moved up one month as the last examination of the year is given too close to the busy renewal period.

Hiromu Yamanaka moved and Ah Kau Young seconded that the Commission grant staff's request of moving the 1974 examination dates one month up to January, May and September. Motion carried.

Results of October 1972 Real Estate Broker Examination

A revised list of the successful candidates of the 1972 real estate broker examination was circulated.

John Texeira moved and Ah Kau Young seconded that the Commission approve the list of the 275 successful candidates. Motion carried.

Questionable Activity of Bob Mueller

As requested by the Commission, Hiromu Yamanaka followed through on his investigation of Bob Mueller and reported that Bob Mueller is occupying the same office with another firm. He sells for them and receives his commission. He also picks up his own listings and sells his own.

More questions arose after the discussion and Hiromu Yamanaka was directed to check further as to what Bob Mueller's setup is.

Questionable Application of Inter-Finance Investment, Inc.  
dba Bright Realty Investments

The Executive Secretary read a reply letter from Cherie Bright stating that since she cannot use her surname in connection with a corporation, she requests to use the dba, "Brite Realty Investments".

The Commission ruled that by merely changing the spelling of the name, it feels that she is trying to circumvent the law; the Commission strongly believes that in the interest of the public, Cherie Bright should change her dba.

Investigations: RE-471 Martin Da Mate

This case is still pending.

RE-476 Arlene Ellis dba Real Estate Hawaii

Confirmation from California was received stating that Marianne Turiace was a licensee of California.

John Texeira moved and Hiromu Yamanaka seconded that the Executive Secretary advise complainant, Mrs. Marianne Turiace, that particularly in view of the fact that she was a real estate licensee of California since 1961, the Commission found no misrepresentation violation. Motion unanimously carried.

RE-479 Masao Shintani

The hearing on this case will be held on Wednesday, January 10, 1973, at 10:00 a.m. Hearing officers are Hiromu Yamanaka and John Texeira.

RE-492 Budget Realty, Ltd.

Since it was determined that there was no deliberate intent to defraud or misrepresent, John Texeira moved and Ah Kau Young

seconded that Budget Realty, Ltd., be reprimanded for failure to check on subdivision and for premature sales, and that this case be dismissed. Motion carried unanimously.

RE-500 Gordon Crabtree & Associates, Inc.

The Commission was in agreement to hold an informal conference by the full Commission at its next meeting.

RE-514 Velva Bergevin, Ltd.

Upon motion, a formal hearing against Velva Bergevin for failure to present all offers to seller prior to acceptance will be scheduled. Ah Kau Young and Louis Cannelora have been appointed hearing officers.

New Business:

Licensing

Corporation

Baron Realty Corp. - 4747 Kilauea Avenue, Honolulu, Hawaii  
Ronald M. Hirahara, PB  
Aina Hale Realtors, Ltd. - 161 Kalakaua Street, Hilo, Hawaii  
Harold P. Kempf, PB  
John Wilson Enterprises, Ltd. - 602 Kailua, Suite 206, Kailua  
John E. Wilson, III, PB  
G. L. Thoele Company, Ltd. - 700 Bishop Street, Suite 615, Hon.  
Gene L. Thoele, PB  
Diversified Syndications, Inc. - 2171-D Kalakaua, Honolulu  
Joseph J. Fusco, PB  
Community Properties, Inc. - 1655 Makaloa St., Suite 2701, Hon.  
Frederick K. Hirayama, Jr., PB  
Norman Mau Realty, Inc. - 85-998 Farrington Highway, Waianae  
Norman K. F. Mau, PB  
General Hawaiian Development Corp. - 745 Fort St., Suite 1500, Hon.  
Joseph Y. Sotomura, PB  
Fay Y. Nako Realty, Inc. - 120 Pauahi St., Suite 304, Hilo  
Fay Y. Nako, PB  
Sewell Associates, Inc. - 4747 Kilauea Avenue, Honolulu  
William R. Sewell, PB

Partnership

Hawaiian Management Co. - 1860 Ala Moana Boulevard, Honolulu  
William J. Allison, PB  
Land-West Development Co. - 1650 Kanunu, Suite 203, Honolulu  
Norman C. Fung, PB

Branch Office

Prose Childs, Inc. BR-1 - Princeville a. Hanalei, Hanalei, Kauai  
Clinton L. Childs, BIC  
Mililani Town, Inc. RP-1 - 95-349 Kuahelani Ave., Mililani Town  
William G. Barrett, BIC

DBA

David G. Cheng, Realtor - 1210 Auahe, Suite 222, Honolulu  
David G. Cheng, dba  
Hunter Realty Investment Co. - 2379 Kuhio Avenue, Honolulu  
Joseph S. Hunter, dba  
Andre Stephani, Realtor - Kailua Bay Inn, Kailua-Kona  
Frederick C. Stephani, dba  
Diversified Realty - 1001 Dillingham, Suite 104, Honolulu  
Emilio S. Alcon, dba  
Werner G. Ehrensberger, Realty & Property Management, 1441 Kapiolani  
Werner G. Ehrensberger Blvd., Suite 904  
Robson K. Hind, Realtor - 116 So. King Street, Room 301, Honolulu  
Robson K. Hind, dba

Mary Savio moved and Ah Kau Young seconded that the Commission approve the licensing processing of the above as tentatively approved by the Executive Secretary with the exception of Andre Stephani, Realtor. Prior to the Commission granting approval, the Executive Secretary is to check the reason Andre Stephani is using the name Frederick Stephani in his dba. Motion carried without dissent.

Miscellaneous:

In behalf of all the Commission members and the Hawaii Association of Real Estate Boards, Chairman Sodetani presented former Commission member, William Young, with an engraved trophy for his eight years of dedicated service on the Real Estate Commission.

1973 Legislation

0-30(73) Relating to Licensing of Real Estate Brokers and Salesmen  
0-42(73) Relating to Fees for Horizontal Property Regime Legislation  
0-50(73) Relating to License Fees for Real Estate Brokers and Salesmen

The Commission reviewed and discussed the above three bills for 1973. The Executive Secretary was directed to mail copies of the 1973 Legislation to Hawaii Association of Real Estate Boards.

Appeal Request of Daniel O. Sheets, Unsuccessful Student of Tara School of Real Estate

In a letter dated December 21, 1972, Daniel O. Sheets appeals to the Commission because he was not awarded a certificate of completion from Tara School of Real Estate, and therefore, his application to sit for the salesmen examination was not acceptable.

Based on Sheet's letter of December 21, 1972, Herbert Isonaga moved and Hiromu Yamanaka seconded that the Commission deny his request; however, upon receipt of a request for a formal hearing, the Real Estate Commission will conduct a formal hearing to reconsider its denial. Motion so carried.

Announcement:

Chairman Sodetani was appointed to serve on the NARELLO Interstate Cooperation Committee.

Page 8

Minutes of Meeting of January 4, 1973

Date of

Next Meeting:

Thursday, January 25, 1973, at 9:30 a.m.

Adjournment:

There being no further business, Chairman Sodeani adjourned the meeting at 2:40 p.m.

Recorded by



Yukio Higuchi  
Executive Secretary

YH:pl

1/17/73