

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

MINUTES OF MEETING

Date: Thursday, July 25, 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
Tadayoshi Ishizu, Member
John D. Texeira, Member
Ah Kau Young, Member

Clyde E. Sumida, Deputy Attorney General
Yukio Higuchi, Executive Secretary

Wesley Park, Small Business Management Program, U.H.
George Morris, Jr., Hawaii Association of Real Estate Boards
John Reilly, John F. Stapleton School of Real Estate

Absent: John J. Urner, Member

Call to Order: There being a quorum, Chairman Sodetani called the meeting to order at 9:20 a.m.

Minutes: Herbert Isonaga moved and Tadayoshi Ishizu seconded that the minutes of the June 27, 1974 meeting be approved as circulated. Motion carried.

Committee Reports: Real Estate Education Advisory Council

Education Consultant

Wesley Park addressed the Commission to request direction for this project.

Mary Savio was requested to work with her Real Estate Education Advisory Council to establish the Commission's post licensing education through a consultant. Wes Park volunteered to prepare a report containing the concept and scope of the consultant's part in post licensing education.

School Visitation Report of Glenn Ikemoto

The Chair directed that a letter be written to Glenn Ikemoto to thank him for a job well done and for a fine report; and copies of this letter to be forwarded to the Director of Regulatory Agencies and the Licensing Administrator.

The Chair further directed that all schools be notified of their weaknesses. In cases where there is violation, the school shall be directed to answer the charges within 30 days.

Ah Kau Young moved and Mary Savio seconded to accept Glenn Ikemoto's report and to place it in the Commission's file. Motion carried.

Marketing of Videotape Math Course

The letter of inquiry from Kinetics Incorporated, dated July 18, 1974, was presented to the Commission. The Commissioners were in unanimous agreement to mail Kinetics Incorporated a list of our accredited schools. The Commission decided that they could not accede to the request to endorse the videotaped course, but this does not preclude the schools from purchasing the videotaped course.

Real Estate Commission Bulletin

The Chair reported that he has received many nice comments in response to the Commission's first issue of its Bulletin which was mailed to all licensees in July 1974. The members and staff also reported receiving nice comments.

Real Estate Seminar

Wesley Park reported that he is working on the second seminar which will be on the subject of agreement of sale. The Chair thanked Wesley Park for the excellent job he did in putting together the first seminar on DROA and Listing Agreements. The Chair volunteered to write to the instructors, Mary Shern, Louis Cannelora and Kinji Kanazawa to commend them for a job well done. Copy of letters are to be forwarded to Wesley Park.

Book Donations

Mary Savio reported that this project is being pursued by the Real Estate Advisory Council. There has been a slight delay in the Council's pursuit due to the absence of Connie Solarana who must provide the Executive Secretary with some explanation and information.

GRI Courses

Wesley Park advised the Commission that he is working out negotiations with George "Red" Morris, Jr., whereby the GRI courses will not be curtailed.

Instructors and Schools

Instructor Application of Stanley Tobias
(Mike McCormack School of Real Estate)

The Commission was presented with the application of Stanley Tobias for instructor's certificate, which was received a few hours earlier. The Chair directed that staff review the application and make its recommendation at the next meeting.

Condominium Review Committee

Due to the absence of the committee chairman, John Urner, who had to go to the mainland for his brother's funeral, the Commission received no report.

Rules and Regulations Committee

Herbert Isonaga moved and Ah Kau Young seconded to adopt the amendments and revisions to the rules and regulations as corrected by staff. Motion unanimously carried.

Mary Savio was directed by the Chair to have the Real Estate Education Advisory Council draft guidelines to supplement Rules 4.2 and 4.4 of the amended rules and regulations.

Recovery Fund Report

The Executive Secretary advised the Commission that the next quarterly report will be requested for the period ending July 31, 1974.

Attorney General's Report

Statute of Limitation on Regulatory Matters

Clyde Sumida reported that he has researched the matter and he had found no statute of limitation for commission regulatory matters.

Act 117, 1974 Legislature

Clyde Sumida advised the Commission of passage of Act 117 and gave a brief explanation of the Commission's authority to effect settlement in consumer complaints.

Sales of Waikiki Park Heights Condominium
Units in Japan Only

Clyde Sumida informed the Commission of an article that appeared in the newspaper regarding the sale of condominium units in Japan only. He maintained that at the time the project was registered with the Commission he was unaware of any law that

precluded such an arrangement, and at this time he still maintains the same feeling.

Business Out
of Minutes:

Questionable Applications

Violet C. King (Broker License Applicant)

The Commission was presented with the hearing report on Violet C. King's hearing regarding the denial of her application for real estate broker license. John Texeira moved and Ah Kau Young seconded to approve the Commission's findings of fact and conclusion of law, and decided to deny her application on the basis of its findings and conclusions. Motion was unanimously carried.

Mike Dietz Golf Shops, Inc., dba Ann Grubb, Realtors

By letter dated July 11, 1974, Mrs. Helen Dietz requested that the Commission permit her to register her corporation under the following title:

Ann Grubb, Realtors
A division of Mike Dietz Golf Shops, Inc.

Ah Kau Young moved and Tadayoshi Ishizu seconded to approve Helen Dietz's request subject to the applicant mentioning the corporation's name on letterheads, business cards, advertisements, sales contracts, listing agreements, etc. Motion carried.

Use of "Realtors" in Corporate Names

By memorandum dated May 28, 1974, the Director of Regulatory Agencies was informed that no corporation should be registered with the word "Realtor(s)" in their corporate name because "Realtor" is a registered tradename. By memorandum dated June 14, 1974, James Williams, Corporation and Securities Administrator, gave his comments to the Director. Williams indicated that his division has no legal authority to police the use of the word "Realtor(s)." The Director has indicated that the Realty Board should file a registration, and to file their own complaint thereafter. The Chair directed that a copy of Williams' memorandum to the Director be sent to George "Red" Morris, Jr.

Investigations: RE-518 Singleton Associates

It was reported that the draft of hearing notices has been prepared and being processed for review by the Attorney General.

RE-531 Julian Buttons

It was reported that the draft of hearing notices has been prepared and being processed for review by the Attorney General. Chair appointed Mary Savio and Ah Kau Young as hearing officers.

RE-528 Durrel Robison

It was reported that the draft of hearing notices has been prepared and being processed for review by the Attorney General.

RE-547 Durrel Robison

It was reported that Clyde Sumida has reviewed the material submitted by our Kona Investigation, and he felt that the material was adequate evidence. Herbert Isonaga moved and Tadayoshi Ishizu seconded to hold a hearing. Motion carried.

RE-560 Donald E. Sandborn

It was reported that Clyde Sumida and the Executive Secretary met to review this file for the purpose of drafting hearing notice. After reviewing the file, both concurred that there was no evidence that Sandborn had violated the real estate license law or the Commission's rules and regulations. John Texeira moved and Ah Kau Young seconded that the Commission rescind its earlier decision to conduct a hearing. Motion carried. The Executive Secretary was directed to notify the complainant of the Commission's decision.

RE-553 Bernice Midkiff

Herbert Isonaga moved and Ah Kau Young seconded to proceed with a hearing. Motion carried. Chair appointed himself and Herbert Isonaga as hearing officers.

RE-571 Benjamin Ayson

Herbert Isonaga moved and John Texeira seconded to proceed with a hearing. Motion carried. Chair appointed John Texeira and Tadayoshi Ishizu as hearing officers.

New Business:

Licensing

CORPORATION:

Sunrise Realty, Inc. - 1124 Fort St. Mall, Rm. 208, Honolulu
Tadashi Najita, PB
Omega Realty, Inc. - 700 Bishop Street #1413, Honolulu
Theodore Y.H. Loo, PB
Real Property Hawaii, Inc. - 190 S. King, Ste. 1880, Honolulu
Charles A. Shipman, PB
Coin Realty Co., Inc. - 250 Ward Ave., #224, Honolulu
Raymond T. Harada, PB
Pacific Area Realty, Ltd. - 841 Bishop St., #1420, Honolulu
Robert C. Hastings, PB
Fulton Realty Corporation - 914 Ala Moana Blvd., #105, Honolulu
John D. Fulton, PB
Garden Island Properties, Inc. - Kuhio Hwy., Box 155, Hanalei,
Nelson K. Hardenberg, PB Kauai

Sonnenblick-Goldman Corp. of Calif. - 190 S. King St., Ste. 2400,
John A. Topliss III, PB Honolulu
Credit Service Co., Ltd., dba American Pacific Realty Co. -
Charles S.C. Young, PB 914 Ala Moana Blvd., #203, Hon.

CHANGE OF NAME:

Lawson-Worrall, Inc. - formerly Lawson-Currier, Inc.

PARTNERSHIP:

H-N Realty - 1441 Kapiolani Blvd., #917, Honolulu
Harry K. Kaneshiro, PB

DBA:

J.T. Ishimoto Realty - 1218 Waimanu St., Honolulu
Jeremiah T. Ishimoto, dba
Geoff Yuen, Realtor - 745 Fort St., Ste. 1001, Honolulu
Geoffrey K.J. Yuen, dba
Commercial Realty Co. - 190 S. King St., Ste. 2610, Honolulu
Bruce F. Buckman, dba
Lyles' Realty - 841 Bishop St., #2300, Honolulu
John W. Lyles, dba
Sun Pac Realty - 1270 Queen Emma Ave. #503, Honolulu
Eddie Flores, Jr., dba

Bi-Annual License Renewals (Recommended by Licensing Administrator)

John Texeira moved and Tadayoshi Ishizu seconded that the Commission go on record as endorsing biannual license renewals, and requested that Administration draft legislation to effect the change to biannual renewals. Motion carried.

Replacement of Wall Certificates (Suggested by Herbert Isonaga)

Tadayoshi Ishizu moved and John Texeira seconded to approve the idea of replacing the present wall certificates with a computer-type license certificate like other states have. Motion carried. Staff was requested to explore the possibility of getting computer type licenses and to submit a report to the Commission for decision.

Miscellaneous: Request for Extension of One Year Limitation by Broker Applicant

By letter dated July 22, 1974, Ah Chong Dung requested that the Commission grant him an extension of the one-year limitation to complete his experience requirement, because he had been ill for the last 6 months. Herbert Isonaga moved and Tadayoshi Ishizu seconded to deny Dung's request. Motion carried.

1974 Legislation - Act 117

This matter was reported on earlier by Clyde Sumida.

July 6, 1974 Examination Results

The passing percentage for both salesmen and brokers were presented to the Commission for their information.

Mr. John Reilly appearing on his own behalf, presented the Commission his written critique of the July 1974 examination. With the consent of all Commissioners present, Chair was authorized to write to Educational Testing Service after receipt of the Hawaii Association of Real Estate Schools' critique on the July 1974 examination.

Some discussion took place on the California Multi-State Examination program. John Texeira moved and Mary Savio seconded to authorize Herbert Isonaga to send an invitation to Gerry Harrington, of the California Department of Real Estate, to appear before our Commission to discuss their multi-state program. Motion carried.

Correspondence: Resolution of Midwest and Western Districts of NARELLO

A resolution thanking the Hawaii Real Estate Commission for its floral contribution was read to the Commission.

Robert W. Karpe's Letter Regarding Resolution on Role of the States with Respect to Federal Subdivision Jurisdiction

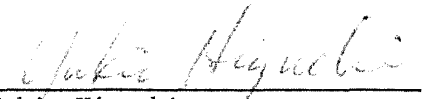
The Executive Secretary was requested to forward this material to Robert Bekeart since he administers our Uniform Land Sales Practices Act.

Announcements: None

Date of Next Meeting: Thursday, August 29, 1974, at 9 a.m.

Adjournment: There being no further business, the Chair adjourned the meeting at 4:30 p.m.

Recorded by:


Yukio Higuchi
Executive Secretary