

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

MINUTES OF MEETING

Date: Thursday, April 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
John D. Texeira, Member
Ah Kau Young, Member
John J. Urner, Member
Tadoyoshi Ishizu, Member

Clyde E. Sumida, Deputy Attorney General
Leighton Oshima, Deputy Attorney General
Yukio Higuchi, Executive Secretary
Glenn Ikemoto, Investigator
Alvin Yamamoto, Investigator
Mrs. Peggy Lau, Stenographer

George Morris, Jr., Honolulu Board of Realtors
Mrs. Violet King, Applicant for Broker License
John Appleby, Applicant for Salesman License
Mary Bishop, Proposed Employing Broker
Robert Measel, Jr., Applicant for Salesman License
Donald Robertson, Proposed Employing Broker
Representatives of Real Estate Schools Association of Hawaii
John Stapleton, John Reilly and Paige Vitousek

Call to Order: There being a quorum, Chairman Sodetani called the meeting to order at 9:06 a.m.

Announcement: Chairman Sodetani announced that John Texeira has been reappointed to serve on the Commission for another term. On behalf of the Commission, Chair welcomed John Texeira and the two new members aboard, John Urner (Oahu) and Tadoyoshi Ishizu (Hilo).

Minutes: Ah Kau Young moved and Herbert Isonaga seconded that the minutes of the March 28, 1974 meeting be approved as circulated. Motion unanimously carried.

Prehearing: Violet C. King, Applicant for Real Estate Broker License

At the outset of the prehearing, Violet King demanded that the Commission conduct a formal hearing instead of a prehearing.

The Commission responded with a negative answer and advised her that if she desired to forego a prehearing for a formal hearing, a formal hearing could be scheduled for the next meeting.

King spoke for almost an hour repeatedly maintaining that she was an honest person and intends to clear her name. In closing, she indicated that she preferred to wait for the formal hearing before she presents her case.

Prior to the conclusion, Deputy Attorney General Leighton Oshima requested that the formal hearing date be set. Chair scheduled May 30, 1974, at 9:30 a.m., for the formal hearing. King was advised that she may be represented by counsel and that she may bring in character witnesses to the hearing.

Committee
Reports:

Real Estate Education Advisory Council

Approval of Application for Certification of Instructor

John W. Reilly (Salesman and Broker Instructor at John Stapleton School of Real Estate)

Herbert Isonaga moved and Ah Kau Young seconded to approve Mary Savio's recommendation that John Reilly be certified as an instructor as he has fulfilled all requirements. Motion carried unanimously.

Real Estate Newsletter

The specifications for the real estate newsletter will be going out for bids.

Real Estate Education Fund Budget

The Executive Secretary circulated copies of a revised draft of the real estate education fund budget for 1973-1974 and 1974-1975 fiscal years.

Ah Kau Young moved and John Texeira seconded to ratify the revised education fund budget. Motion unanimously carried.

Visitation of Real Estate Schools

Investigator Glenn Ikemoto reported that he has visited 14 salesman and 4 broker schools thus far for the July examination; intends to make 2 visits to each school; spends about 1-1½ hours at each school and that the schools welcome his visits.

Ikemoto related that he felt unqualified to properly evaluate the schools since he has neither the background nor the experience. The Commissioners informed Ikemoto that this

is a temporary assignment; there will be a carry over to a more professional consultant; and they they were pleased with his work and report.

Real Estate Reference Manual

George Morris handed out complimentary copies of "Modern Real Estate Practice" from James Conahan to all Commissioners. This manual will be forwarded to Educational Testing Service.

Education Orientation Seminar

Mary Savio reported that Wesley Park is busy arranging plans for the seminars--first seminar will be on Oahu on May 31, 1974; Mary Shern, Kinji Kanazawa and Louis Cannelora will be teaching the DROA and listing agreements; and the cost will be \$7.50 per student, lunch included (U of H will collect the fees and the balance will be billed to the Commission). The seminars for the neighbor islands are planned for June.

Condominium Review Committee

John Urner was appointed Chairman of this Committee.

Rules and Regulations Committee

Ah Kau Young moved and Tadoyoshi Ishizu seconded that the final typing of the proposed rules and regulations along with the Practice and Procedures Act amendments distributed today go for public hearing as is. Motion carried unanimously.

Chair rescheduled the 1974 public hearing dates as follow:

Kauai - Wednesday, June 19 - 1:30 p.m. - M. Savio/D. Sodeani
Maui - Thursday, June 20 - 7:00 p.m. - J. Teixeira/T. Ishizu
Hawaii - Hilo - Friday, June 21 - 10:00 a.m. - J. Urner/H. Isonaga
Hawaii - Kona - Saturday, June 22 - 10:00 a.m. - J. Urner/H. Isonaga
Oahu - Wednesday, June 26 - 9:30 a.m. - Full Commission

Recovery Fund Report

Chair directed the Executive Secretary to mail a copy of the January 31, 1974 Recovery Fund Report to John Urner and Tadoyoshi Ishizu.

Attorney General Report

Deputy Attorney General Clyde Sumida reported that tomorrow's hearing on Pink Realty has been cancelled as the complainants have left the State and have submitted a letter of withdrawal.

Herbert Isonaga moved and John Texeira seconded to accept Clyde Sumida's recommendation that this case be closed without making any determination, since the complainants have withdrawn their complaint and there is insufficient evidence to warrant an independent investigation. Motion carried unanimously.

Following Clyde Sumida's report on the Kornowski case, the Commissioners reconsidered the matter and ruled that under the present existing law his present activity does not require a real estate license. Clyde Sumida volunteered to assist the Executive Secretary with the drafting of the letter to Kornowski.

Business Out
of Minutes:

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

The Executive Secretary reported that Douglas Tom has filed an appeal to the Commission's decision to deny his application for salesman license.

Chair appointed Ah Kau Young and John Texeira hearing officers and set May 29, 1974, at 1:30 p.m., as the hearing date.

Wanda L. Wong, Applicant for Real Estate Salesman License

Wanda Wong appeared before the Commission with Warren Ho, her proposed employing broker, to explain why she did not disclose her charge of 2nd larceny on her application. Warren Ho accepted the responsibility of supervising her real estate activities properly should the Commission grant her a license.

Mary Savio moved and Herbert Isonaga seconded for the issuance of a real estate salesman license to Wanda Wong. Motion carried.

John O. Appleby, Applicant for Real Estate Salesman License

John Appleby appeared before the Commission with his proposed employing broker, Mary Bishop of Mid-Pacific Properties, to discuss the revocation of Appleby's California real estate broker license (of the parties concerned, Appleby had the most severe penalty).

Following his explanation and the question and answer period, John Texeira moved and Ah Kau Young seconded to approve the issuance of a salesman license to Appleby. Motion carried.

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

Appearing before the Commission was Robert Measel, Jr., with his proposed employing broker, Donald Robertson of First Hawaiian Properties, Inc., to discuss Measel's misprison of felony conviction.

Mary Savio moved and Herbert Isonaga seconded that the Commission agree to the issuance of a salesman license to Measel on the condition that he submits evidence that his conviction has been expunged or has received a full and free pardon; otherwise, the Commission will be forced under the law to deny his application and Measel be forced to wait the five years. Motion carried.

Investigations: RE-507 Reliance Realty and Management

The Executive Secretary was directed to send an investigator to check on this matter; Reliance Realty and Management has denied all charges.

RE-547 Durrel L. Robison

Chair directed the Executive Secretary to advise Robison that we have lost the case files and must postpone the hearing until the files are located.

RE-528 Durrel L. Robison

Hearing notices are being drawn up.

Sheldon Soosman

Action deferred.

RE-537 Pink Realty

See Attorney General's Report

RE-538 Harold Silva

Investigator has made contact with Harold Silva; Silva maintains that allegations are all wrong. The Commission decided to postpone the hearing until Harold Silva has been interviewed by the Investigator.

RE-531 Julian Buttons

The Executive Secretary was directed to prepare hearing notice.

RE-518 Singleton Associates

Chair directed the Executive Secretary to work with Clyde Sumida in preparing the hearing notice.

RE-543 Pearl A. Nagatoshi

It was moved by Herbert Isonaga and seconded by Ah Kau Young that the Commission adopt the hearing officer's report and recommendation to revoke Nagatoshi's real estate salesman license. Motion carried.

RE-560 Donald E. Sandborn

Chair directed that a hearing be held and appointed Ah Kau Young and John Urner hearing officers.

Audience: Representatives of Real Estate Schools Association of Hawaii

John Stapleton, Paige Vitousek and John Reilly represented the Schools' Association to discuss the E.T.S. examination (Landlord Tenant Code) and apprised the Commission that some students have complained that certain schools have been issuing certificates of completion the second week of school, and that students entitled to refund of deposits are having a difficult time collecting it.

Chair directed that the Executive Secretary send a warning letter to all the schools calling their attention to the complaints and advising them that the Commission considers these complaints grounds for disaccreditation if they hold true.

New Business: Licensing

CORPORATION

- J. Dahlberg Realty, Ltd. - 459 Kinooole Street, Hilo
James L. K. Dahlberg, PB
- William V. Brilhante, Inc. - 463 Laukapu Street, Hilo
William V. Brilhante, PB
- Waialae Realtors Corporation - 2917 Waialae Avenue, Honolulu
Ernest D. Kealoha, PB
- Denis & Carty Realty, Ltd. - 25 Kaneohe Bay Dr., #203, Kailua
Paul E. Denis, PB
- Marion Blair Realtor, Inc. - 2222 Kalakaua, #908, Honolulu
Marion Blair, PB
- Hawaiian Mortgage Co., Inc. - 761 Bishop Street, Honolulu
Theodore K. C. Soong, PB
- The Hawaii Land Corporation dba The Hawaii Land Realty Company
Yukio Takeya, PB 614 Kilauea Ave., Hilo

CORPORATION CHANGE OF NAME

- Lewers & Cooke Realty, Inc. formerly Champion Realty of Hawaii Inc.
- Builders Realty Inc. formerly Continental Realty Co. Ltd.

BRANCH OFFICE

- George Ezaki BR-1 - 1947 Kihei Road, Kihei, Maui
Virginia Yee, BIC
- Sandwich Islands Realty, Inc. BR-1 - 658 Front St., Lahaina
Paul A. Myers, BIC

J. Dahlberg Realty Ltd. BR-1 - 66-134 Kam Highway, Haleiwa
William R. Bright, BIC
The Hawaii Land Corp. dba The Hawaii Land Realty Co. BR-1
Harold P. Kempf, BIC 745 Fort St., #200E, Hon.
Professional Realty Corp. BR-1 - 98-064 Kam Highway, Aiea
Seisuke Niino, BIC
Oceanside Properties, Inc. BR-1 - HIC, 777 Ward Ave., Honolulu
L. F. Price, BIC

DBA

Stanton Realty Corp. - 841 Bishop Street, Suite 925, Honolulu
The Stanton Corp., dba
Walt Taylor Realty - Plantation House, #251, Naalehu
Walter H. Taylor, dba
Red Carpet Realtors - 1019 University Avenue, #4, Honolulu
Alexander J. Culbertson, dba
Jack Lowcher Realty - 87 Banyan Drive, Suite G10, Hilo
John G. Lowcher, dba
Hansen Investment Realty - 735 Bishop, #336, Honolulu
Nancy L. Hansen, dba

Herbert Isonaga moved and Tadoyoshi Ishizu seconded that the Commission approve the licensing processing of the above as tentatively approved by the Executive Secretary, and that Business Registration Division be informed that "Realtors" is a tradename--registrations should not be accepted with this word. Motion carried unanimously.

Questionable Applications

Sonnenblick-Goldman Corp. of California

Ah Kau Young moved and John Texeira seconded that Topliss be called in to answer questions about the extent of their real estate activities. Motion carried without dissent.

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

UPON MOTION, the Executive Secretary was directed to probe further into this matter to determine whether there will be two Ann Grubb, Realtors--poll Oahu Commissioners for decision.

J. Ward Russel, Applicant for Broker Examination

After the Executive Secretary gave a brief background of J. Ward Russel, Ah Kau Young moved and Herbert Isonaga seconded that, based on Russell's prior experience, the Commission grant Russell a waiver of the 2 years' experience and he be permitted to sit for the examination. Motion carried.

O. K. Stender, Applicant for Restoration of Salesman License
and Request to Sit for Broker Examination

After due consideration, John Texeira moved and Herbert Isonaga seconded that the Commission approve the reinstatement of Stender's salesman license upon receipt of a satisfactory criminal abstract, and to approve his application for broker examination. Motion carried

Miscellaneous: Ala Wai Cove Condominium Project

The Commissioners were in agreement that this should be investigated upon conviction of the developer by the Federal authorities for violation of FHA procedures.

1616 Liholiho Condominium Project

The Executive Secretary reported that the Director has requested that we work with Consumer Protection as both have been receiving numerous inquiries as to whether the developer of 1616 Liholiho can raise the sales price after execution of a sales contract.

After discussion with Investigator Alvin Yamamoto, Mary Savio moved and Herbert Isonaga seconded that the Commission pursue whatever is allowable under our condominium law. Motion carried.

1974 Legislation

S. R. No. 24
S. R. No. 224
H. R. No. 421
H. B. No. 971
H. B. No. 2400-74 (S. B. No. 1659-74)
H. B. No. 2796-74 (S. B. No. 1969-74)
H. B. No. 3001-74 (S. B. No. 2189-74)
H. B. No. 3055-74 (S. B. No. 2197-74)
H. B. No. 3056-74 (S. B. No. 2195-74)
H. B. No. 3057-74 (S. B. No. 2196-74)
S. B. No. 397-74
S. B. No. 1659-74 (H. B. No. 2400-74)
S. B. No. 1969-74 (H. B. No. 2796-74)
S. B. No. 2158-74
S. B. No. 2189-74 (H. B. No. 3001-74)
S. B. No. 2195-74 (H. B. No. 3056-74)
S. B. No. 2196-74 (H. B. No. 3057-74)
S. B. No. 2197-74 (H. B. No. 3055-74)

Following the discussion, Chair directed the Executive Secretary to refer S. R. No. 224 and H. R. No. 421 to Condominium Review Committee Chairman, John Urner, for immediate action..

Correspondence: Small Business Management Program, University of Hawaii

Wesley Park, Director of Small Business Management Program, has requested that the Commission allow applicants until May 28, 1974 to submit certification of completion for the GRI Real Estate Finance course in relation to applications for the July 6, 1974 examination.

By unanimous agreement, the Commissioners consented to approve Wesley Park's request.

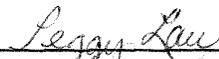
Next Meeting

Date: May 30, 1974

Adjournment:

There being no further business, Chairman Sodeani adjourned the meeting at 4:40 p.m.

Taken and recorded by:



Peggy Lau, Stenographer

Approved by:



YUKIO HIGUCHI, Executive Secretary