

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

MINUTES OF MEETING

Date: Thursday, September 26, 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  
Ah Kau Young, Member  
John D. Texeira, Member  
John J. Urner, Member  
Tadayoshi Ishizu, Member

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

Wesley T. Park, Small Business Management Program, U. H.  
Edward Kemper, Attorney at Law (I.S.I. Case)  
C. P. Goldsmith, Non-licensee, Proposed Advertising Service  
Mary Shern and John Stapleton, Representatives of Real Estate  
Schools Association of Hawaii

Call to Order: There being a quorum, Chairman Sodetani called the meeting to order at 9:10 a.m.

Minutes: Ah Kau Young moved and John Texeira seconded that the minutes of the August 29, 1974 meeting be approved as circulated. Motion carried unanimously.

Committee Reports: Real Estate Education Advisory Council

Accreditation of School  
J V School of Real Estate

The Commissioners accepted Mary Savio's recommendation to defer action on J V School of Real Estate--application was submitted late.

Certification of Instructor  
John M. LaPlante (No special school - Broker and Salesman)

The Executive Secretary informed the Commissioners that John M. LaPlante has submitted the additional material. The Commissioners were in unanimous agreement to certify John M. LaPlante as a broker and salesman instructor.

Claire Ball (Salesman - J V School of Real Estate)

Mary Savio moved and Ah Kau Young seconded that the Commission approve Claire Ball as a salesman instructor. Motion unanimously carried.

Book Donations

Mary Savio read a letter from Connie Solorana in reference to book donations. Real estate books will be donated to nine State regional libraries and 10 University libraries (11 books each library--\$125 per library). The Commission will donate books yearly.

Education Consultant

Wesley Park redrafted the education consultant's job description (a consolidation of the Real Estate Education Advisory Council's draft and Park's draft). Copies were circulated.

Mary Savio moved and Herbert Isonaga seconded that the Commission accept the draft proposal to implement the education consultant package (approximately \$30,000 for the package) submitted by Wesley Park and that Wesley Park be commended for his work. Motion carried unanimously.

Continuing Education

The Commissioners discussed the possibility of establishing a chair in real estate for distinguished visitors in the College of Business Administration at the University of Hawaii. This visiting professor will be available to conduct workshop and seminar-type programs--his role will be half teaching and half research.

Chair thanked Mary Savio and Herbert Isonaga for taking the initial step towards establishing a chair.

Mary Savio moved and Tadayoshi Ishizu seconded that the Commission approve \$50,000 appropriated from the education fund to be given to the University of Hawaii for establishing a chair for a visiting professor subject to the necessary approvals. Motion carried unanimously.

Following discussion, Mary Savio moved and John Texeira seconded that the Commission approve a grant of \$7,500 to the University of Hawaii, Small Business Management Program, for the development of a degree-designation course in real estate. Motion carried without dissent.

School Visitation

The Executive Secretary informed the Commissioners that Glenn Ikemoto is now working for Consumer Protection and Michael Machado will follow up on Ikemoto's findings on the schools.

It was reported that John R. Daughters, whose application for certification as an instructor was denied, has recently taught two classes at the Bartholomew Real Estate Foundation, because he resented the Commission not certifying him.

Herbert Isonaga moved and Mary Savio seconded that the Commission send a letter to David Bartholomew advising him that the Commission has found that he has continued employing an unlicensed instructor and request that Bartholomew show cause why his school's license should not be either suspended or revoked for this kind of violation. Motion unanimously carried.

Mary Savio moved and Ah Kau Young seconded that a similar-type letter be sent to John Daughters asking him to show cause why the Commission should not take action to revoke or suspend his real estate salesman license; carbon copy to be forwarded to Daughter's principal broker. Motion carried unanimously.

Condominium Review Committee

Condominium Review Committee Chairman John Urner informed the Commissioners that his committee had their first meeting last week (Al Vincent, Hiroshi Sakai, Dwight Rush, Douglas Prior and Herbert Isonaga) and that everything will go on schedule for the next legislation.

John Urner recommended that the attorneys be commended for their fine work.

Herbert Isonaga moved and John Urner seconded that the Commission conduct a public hearing on House Resolution No. 421 and Senate Resolution No. 224, relating to the problems and complaints registered with the legislature on condominium management, to invite the public, developers and property managers to air out the problems; conclusion from public hearing will go to the legislature. (Public hearing will be on November 20, 1974, at 10 a.m.) Motion carried unanimously.

Rules and Regulations Committee

The Executive Secretary reported that the rules and regulations amendments are now at Administrative Services Office for typing on the MIST Magnetic Tape; soon after it will be forwarded to

the Governor's Office. It will take about another month before the rules and regulations take effect.

Recovery Fund Report

Attorney Edward Kemper appeared before the Commission in reference to the Order for Payment filed in the First Circuit Court in the amount of \$56,687 from the recovery fund on the International Syndications, Inc. case.

Herbert Isonaga moved and Mary Savio seconded that the Executive Secretary be instructed to make the payment from the real estate recovery fund of \$56,687 as ordered by the Court after consultation with Deputy Attorney General Clyde Sumida. Motion carried unanimously.

Attorney General's Report

Deputy Attorney General Calvin Murashige advised the Commission not to accept any condominium registrations with the time-sharing concept and to revert to common law-- joint tenancy and tenancy in common.

Calvin Murashige apprised the Commission that it is permissible for husband and wife to have different residences while the husband is in the military (wife must file State income tax return on her own for Hawaii).

Business Out  
of Minutes:

Questionable Applications

Parade Realtors, Inc. formerly Parade Realty, Inc.

Mary Savio moved and John Urner seconded that under the circumstances that Parade Realtors, Inc. received short notice of the Commission's directives regarding the word "Realtors", their request to use the name "Parade Realtors, Inc." until the end of the year and then revert back to their old name (Parade Realty, Inc.) during renewal period be granted. Motion carried unanimously.

W. P. Sullivan, Applicant for Broker License

After due consideration, Mary Savio moved and Herbert Isonaga seconded that the Commission be consistent with past action and deny W. P. Sullivan's application for license for failure to meet the two years' experience requirement within one year after passing his broker examination. Motion unanimously carried.

Investigations:

<u>RE-518</u>	<u>Singleton Associates</u>	)	Drafts of hearing notices at the Attorney General's Office.
<u>RE-513</u>	<u>Julian Buttons</u>	)	
<u>RE-528</u>	<u>Durrel Robison</u>	)	

RE-547 Durrel Robison )  
RE-553 Bernice Midkiff ) Drafts of hearing notices at  
RE-571 Benjamin E. Ayson ) the Attorney General's Office.

RE-568 Joe Morton, Realtor

After considerable discussion, Mary Savio moved and Ah Kau Young seconded that the Investigation Branch check further into this case. Motion carried. (Mary Savio enumerated her questions).

RE-574A Joyce Watt

Action deferred pending counsel from the Attorney General's Office.

New Business:

Licensing

CORPORATION

- The Coral Strand, Ltd. - 119 Merchant, Room 401, Honolulu  
Selwyn P. Jenkins, PB
- Diamond Realty, Ltd. - 1410 Kapiolani, Suite 18, Honolulu  
Henry W. Kurkjian, PB
- 50th State Properties Realtors, Inc. - 332 Uluniu St., Kailua  
Edward E. Wright, PB
- Frontier Corp. - 126 Queen Street, Honolulu  
Lawrence K. W. Lee, PB
- In-Sites Realty - a division on In-Sites: A Land Corporation  
Edwin Y. Fujinaga, PB 23 So. Vineyard, Hon.
- Subdividers, Inc. - 850 Richards Street, Suite 301, Honolulu  
John E. Shern, PB
- Realty Concepts, Inc. - 190 So. King, Suite 1404, Honolulu  
Carl L. Finseth, PB
- Oceanic Ltd. - 1777 Kapiolani, Suite 204, Honolulu  
James P. Williams, PB
- Gloria Damron Associates, Inc. - 7192 Kalaniana'ole, #210, Hon.  
Gloria Damron, PB

John Texeira moved and Ah Kau Young seconded to approve the applications for corporate license subject to the various amendments in names and submittals by 50th State Properties Realtors, Inc., In-Sites Realty and Gloria Damron Associates, Inc. Motion carried unanimously.

BRANCH OFFICE

RSM, Inc. BR-6 - Highway 13, Pahoehoe, Hawaii  
Raymond E. Smythe, BIC

UPON MOTION, the above application for branch office license was approved.

DBA

Hale Eka Realty - 1975 S. Kihei Road, Kihei, Maui  
Edgar D. Kerr, dba  
Jordon Realty - Suite 208 Marlin Plaza, Kailua, Kona, HI  
Twillia Jordan, dba  
Broker Associates - 1860 Ala Moana, #1810, Honolulu  
Dennis M. Grady, dba  
Oahu Development & Sales - 825 Keeaumoku, Suite 215, Honolulu  
Charles E. Wilkie, dba  
Shea-Pacific Realty - 2828 Paa Street, Suite 3190, Honolulu  
Joseph T. Shea, dba  
Da Kine Realty - 1410 Kapiolani Blvd., Suite 18, Honolulu  
Merlon H. Tollefson, dba

Herbert Isonaga moved and John Urner seconded to approve the DBA's subject to clarification on Shea-Pacific Realty. Motion carried.

The following were administratively approved (old procedure):

CORPORATION

Clint Childs, Inc. - 4444 Rice Street, #206, Lihue, Kauai  
Sandra H. Tollefson, PB  
Prosser Realty, inc. - 4444 Rice Street, #304, Lihue, Kauai  
Yoshiko Kano, PB  
Amaral-Cole Land Co., Inc. - Kahului Shopping Center, Lahaina  
Robert L. Cole, PB

DBA

Bob Tanabe Realty - 1655 Makaloa Street, Suite 1309, Honolulu  
Robert H. Tanabe, dba  
AB Realty - 1649 Kalakaua Avenue, #200, Honolulu  
Monica von Friesen, dba  
MacLeod Realty - Kona Inn Shopping Arcade, Kailua-Kona, HI  
Theron C. MacLeod, dba

UPON MOTION, the Commissioners approved the above applications for corporate and dba license.

Questionable Applications

Robert W. Hall, Restoration of Salesman License

It was moved by John Teixeira and seconded by John Urner that Robert W. Hall be advised that the Commission reaffirmed its delegation of authority to the appointed reviewing officer to review and act on applications. However, since Hall has questioned the action of the reviewing officer, Hall be further advised that the full Commission did review his application and

ratified the reviewing officer's decision to require Hall taking and passing the special examination. Motion carried.

Hiring of Telephone Solicitors from the Sales Staff of Another Broker

The Commissioners were in agreement that a licensee can only hang his license with one brokerage firm; therefore, a salesman cannot act as a telephone solicitor for a broker other than his employing broker.

Miscellaneous: Review of E.T.S. Examination Questions

The Executive Secretary reported that Sheila Edger of E.T.S. will be here on October 10, 1974 for a review session on the old and new examination questions. The Chairman directed that, if possible, all Commissioners be present. (The Schools' Association has consented to put all critiques together for the Commission's meeting with E.T.S.--they expressed that they were tired of critiquing and critiquing with no results).

NARELLO National Conference

The Executive Secretary informed the Commissioners that out-of-state travel requests have been prepared for Mary Savio, John Texeria and himself for the NARELLO Conference to be held in Scottsdale, Arizona.

Correspondence: Paulette B. Teves' Letter Re: Results of Her July 1974 Exam

As reported by the Executive Secretary, Paulette Teves failed the salesman examination by one point and feels that it was unfair that truth-in-lending was questioned on the salesman examination.

Herbert Isonaga moved and Ah Kau Young seconded that to be consistent with past policies and practices, Teves' request for waiver of the additional point required for her passing the salesman examination be denied. Motion carried.

C.P. Goldsmith's Letter Re: His Proposed Advertising Service to Real Estate Brokers

C. P. Goldsmith appeared before the Commission to discuss whether a real estate license was necessary to engage in the business of providing advertising for real estate brokers (telephone soliciting).

Herbert Isonaga and John Texeira seconded that Goldsmith's request be denied the services Goldsmith proposes to engage in would require a real estate license--proposition to solicit for prospective purchasers of real estate. Motion carried unanimously.

Mike Sohriakoff, Applicant for Real Estate Salesman Exam

The Executive Secretary apprised the Commissioners that Mike Sohriakoff failed the salesman examination by one point and requests the benefit of the doubt as he feels many borderline questions were asked.

John Texeira moved and Herbert Isonaga seconded for the denial of Sohriakoff's request. Motion carried.

Date of  
Next Meeting:

Wednesday, October 30, 1974, at 9 a.m.

Adjournment:

There being no further business, Chairman Sodetani adjourned the meeting at 2:30 p.m.

Taken and recorded by

Peggy Law  
Peggy Law, Stenographer

Approved by

Michael R. Machado  
for YUKIO HIGUCHI, Executive Secretary