

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

MINUTES OF MEETING

Date: Thursday, November 21, 1974

Place: Penthouse Conference Room, Kamamalu Building,
1010 Richards Street, Honolulu, Hawaii

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

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

Call to Order: There being a quorum, Chairman Sodetani called the meeting to order at 9:00 a.m.

Minutes: Ah Kau Young moved and Herbert Isonaga seconded that the minutes of October 30, 1974 meeting be approved as circulated. Motion carried unanimously.

Committee Reports: Real Estate Education Advisory Council

Book Donations

The Executive Secretary reported that he has received an amended list of books recommended for the University of Hawaii Libraries, but he has not had the opportunity to finalize the Commission's request for approval from the Director. He further reported that this would be done before the next meeting.

Education Consultant

The Executive Secretary gave a no progress report on this project.

Continuing Education (S.B.M.)

A no progress report was given by the Executive Secretary.

Real Estate Chair at University of Hawaii

The Executive Secretary requested the assistance from the Chairman of the Commission's Education Advisory Council on this project. Chairman Douglas Sodemani directed Mrs. Mary Savio to work with the Executive Secretary in formalizing this project.

School Visitation

The Executive Secretary gave a no progress report on this project.

Letter from Education Committee of Hawaii Association of Realtors

The Executive Secretary was directed to refer this request to Mr. Wesley Park, Director of Small Business Management, U of H. The request is for a schedule of Commission sponsored educational courses and seminars for the Year 1975.

Condominium Review Committee

Report on S.B. No. 224 and H.R. No. 421

Discussion was held on the public meeting of November 20, 1974, in the Capitol Auditorium and the Commission's discussions held after the public meeting. Some of the Commissioners felt that more work should be done before submitting the report to the Legislature. The Commissioners were in unanimous agreement that the report shall indicate that the Commission will be looking into the area of fair, just and equitable provisions. The Executive Secretary was directed to include this information when drafting the report.

John Urner reported that his committee is working on other legislative proposals which relate to the Horizontal Property Act, and will draft proposed legislation for the Commission's consideration.

Rules and Regulations Committee

The Executive Secretary reported that the amended rules and regulations promulgated pursuant to Chapter 467, H.R.S., has been forwarded to the Director for transmittal to the Governor for approval.

Recovery Fund Report

The Executive Secretary reported that payment of \$56,687.07 was made from the recovery fund in October 1974 to satisfy

the judgment against International Syndications, Inc., Sol Laikind and Jack Leuschel as directed earlier by the Commission.

Attorney General's Report

Deputy Attorney General Clyde Sumida made the following report:

1. Advised the Commission that U. S. citizenship requirements for licensing has been held invalid by the U. S. Supreme Court.
2. Advised the Commission that the Blind Solicitation Law does not apply to real estate. Therefore, the Commission was not wrong in requiring Goldsmith to be licensed as a real estate agent in conducting his proposed business of soliciting prospective purchasers through telephone solicitation.
3. Status reports were given on the following investigations:

RE-518 Singleton Associates - has reviewed this file and can proceed to a hearing.

RE-531 and 552 Julian Buttons - has reviewed these files and can go to a hearing on RE-552, but should wait for civil decision before making decision on RE-531.

RE-528 and 547 Durrel Robison - has reviewed these files and can go to a hearing on both cases.

RE-553 Bernice Midkiff - has not had a chance to review case. Will report back at the next meeting.

RE-571 Benjamin E. Ayson - has not had a chance to review case. Will report back at next meeting.

RE-574A Joyce Watt - has been working on this case and just about ready to proceed to a hearing.

RE-574B Wallace Sanger - has been working on this case and just about ready to proceed to a hearing.

Business Out
of Minutes:

John R. Daughters (Uncertified Instructor at Bartholomew Real Est. Foundation), and Bartholomew Real Estate Foundation (Use of Uncertified Instructor)

The Real Estate Commission held informal conferences on these matters. Since both matters were related, the Commission held a joint conference. John Daughters was present with his attorney, Gil Malpert. David Bartholomew represented himself.

Halpert admitted that Daughters did instruct at two classes without an instructor's certificate, but explained that this was done as a result of events that led to misunderstandings. He pointed out that his client had acted in good faith and not in defiance of the Commission.

Bartholomew gave a synopsis of the events that led to the misunderstandings and apologized to the Commission. He indicated that the blame for this problem should rest with his school's administration and not with Daughters.

After conclusion of the conference, the parties were dismissed and deliberation followed. Herbert Isonaga moved and John Texeira seconded to drop the charges against Daughters and Bartholomew Real Estate Foundation. Motion carried without dissent.

Questionable Applications

Robert W. Hall, Restoration of Salesman License

The Executive Secretary advised the Commission that Robert Hall was contacted and he requested a formal hearing on his application denial. Chairman Sodeani directed the Executive Secretary to schedule the hearing for January 1975, and appointed Ah Kau Young and John Urner as the hearing officers.

Grubb & Ellis Commercial Brokerage Company

John Texeira moved and Herbert Isonaga seconded to approve the issuance of a corporate broker license under the name of "Grubb & Ellis Commercial Brokerage Company", provided that, they agree to indicate that they are a California corporation on all letterheads, advertising and promotional materials; and provided further, that the Business Registration Office has no objection to such arrangement. The motion was unanimously carried.

F. M. Tarbell Company

Herbert Isonaga moved and Mary Savio seconded to approve the issuance of a corporate broker license under the name of "F. M. Tarbell Company" under the same conditions as Grubb & Ellis Commercial Brokerage Company. Motion was carried unanimously.

Central Isle Realty, Inc.

This corporation had earlier applied for a broker license under the name of "Central Realty, Inc.", but said application was denied on the grounds that the Commission

already had a broker's license registered under the dba of "Central Realty". The corporation has changed its name to Central Isle Realty, Inc. Tadayoshi Ishizu moved and John Texeira seconded to approve this application. Motion unanimously carried.

Investigations: See Attorney General's Report

New Business: Licensing

CORPORATION

- Pacific International Realty, Ltd. - 745 Fort St. Mall, #412E, Hon.
Theodore Y. H. Loo, PB
- Pacific Ocean Properties, Inc. - 1515 Kuhio Hwy, Kapaa
Clare F. Ellett, PB
- Real Estate Factors, Ltd. - 210 Ward Ave., #104, Honolulu
Charles I. Hull, PB
- S T A Realty, Ltd. - 1127 11th Ave., #207, Honolulu
Stanley T. Akemoto, PB
- Shopping Center Development Corporation - 841 Bishop, #1921, Honolulu
William E. Prosser, PB
- Francis Y. Wong, Inc. - 735 Bishop, #308, Honolulu
Francis Y. Wong, PB
- Pickard Investment Properties, Inc. - 841 Bishop, #920, Honolulu
Wendell Francis Brooks, Sr., PB

Ah Kau Young moved and John Urner seconded to approve the foregoing applications for corporate broker's license, with the exception of Pickard Investment Properties, Inc. Motion carried unanimously.

Ah Kau Young moved and Tadayoshi Ishizu seconded to grant the Executive Secretary the authority to approve the application of Pickard Investment Properties, Inc., provided, that the name is changed to delete the surname of Pickard, who does not hold a broker's license. Motion carried unanimously.

CHANGE OF CORPORATION NAME ONLY

Monroe & Friedlander, Inc. (former Ayers & Friedlander, Inc.)

DBA

- Hans J. Krause Realty - 1410 Kapiolani, #18, Honolulu
Hans J. Krause, dba
- Honolulu Realty & Investment - 801 Kaheka Street, Honolulu
Land-West Development Co., dba
- Waikoloa Realty Company - Waimea Village Inn, Kamuela
E. L. Forde, Ltd., dba

Mary Savio moved and Ah Kau Young seconded to approve the above change of corporation name and dbas. Motion carried unanimously.

Questionable Applications

U-Buff, Inc., Change of Business Address

John Urner moved and John Texeira seconded to deny Donald MacKay's request to relocate U-Buff, Inc. from 808 Ahua Street to 831-D Pohukaina Street on the grounds that the new location is not within an area where the transaction of business by a real estate firm is allowed by the City and County of Honolulu. Motion carried unanimously.

Calvin W. Ontai, Applicant for Broker's License

Ah Kau Young moved and Tadayoshi Ishizu seconded to deny Ontai's application due to his late filing beyond the one-year period prescribed by Rule 2.2(b) of the Commission's rules and regulations. Motion carried without dissent.

The Executive Secretary was directed to advise Ontai of the Commission's decision and give his reasons for late filing at the appeal hearing.

Hector Hamilton, Broker Examination - April 1975

Mary Savio moved and Ah Kau Young seconded to grant Hector Hamilton an additional experience waiver of 60 days over and above the 12 months earned for completing the 6 GRI courses on the basis of his prior experience as a licensed salesman and broker in Vancouver, B.C. Motion carried.

Robert Gary Watts, Applicant for Salesman License

Ah Kau Young moved and Mary Savio seconded to deny Watts' application due to his late filing beyond the one-year period prescribed by Rule 2.2(b) of the Commission's rules. Motion carried unanimously.

The Executive Secretary was directed to advise Watts of the Commission's decision to deny, and that he can appeal the decision and give his reasons for late filing at the appeal hearing.

Miscellaneous: 1975 Legislation

The Executive Secretary advised the Commission that he had taken it upon himself to draft proposed legislation to amend Section 9.5(4), H.R.S., which pertains to experience requirements for broker applicants. The Commission gave consent for the action taken by staff.

Announcements: Acting Governor's Letter Re: Resignation from Boards and Commissions

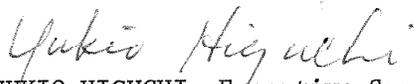
The Commission was advised that Acting Governor George R. Ariyoshi has requested that all incumbent members withhold submittal of courtesy resignations.

Date of

Next Meeting: December 19, 1974, at 9:00 a.m.

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

Taken and recorded by


YUKIO HIGUCHI, Executive Secretary

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12/12/74