

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

MINUTES OF MEETING

Date: Thursday, January 10, 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 Savio, Member
John D. Texeira, Member
Hiromu Yamanaka, Member
Ah Kau Young, Member

Clyde E. Sumida, Deputy Attorney General
Yukio Higuchi, Executive Secretary
Mrs. Peggy Lau, Stenographer

Hiroshi Sakai, Attorney at Law
Mrs. Iris Riber, Real Estate Association of Hawaii
Miss Lynn Nakkim and Mrs. Vi Dolman
Elmer Brenno, Applicant for Broker License
James Conahan, Attorney for Elmer Brenno

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

Minutes: John Texeira moved and Ah Kau Young seconded that the minutes of the December 6, 1973 meeting be approved as circulated. Motion unanimously carried.

Pre-hearing: Douglas Chew Kum Tom, Applicant for Salesman License

The Executive Secretary informed the Commissioners that as directed he gave Douglas Tom orders by certified mail to appear for a pre-hearing today in the matter of falsifying his application for salesman license; Tom acknowledged receipt of the certified letter.

Douglas Tom failed to appear before the Commission. Since Tom was given notice to appear, the Deputy Attorney General recommended that Tom's application for license be rejected on the basis that Tom was not truthful in answering question 3a of his application, and he has not shown any evidence that he is of good moral character. The violation he was convicted of in 1968 is considered a violation of moral turpitude.

John Texeira moved and Herbert Isonaga seconded that the Commission accept the Deputy Attorney General's recommendation on Douglas Tom's application. Motion carried.

Barbara Jane Hamrick, Applicant for Salesman License

The Executive Secretary reported that he received a telephone call from Barbara Jane Hamrick this morning requesting postponement of her pre-hearing due to illness.

Chair ordered that Hamrick's pre-hearing be rescheduled upon receipt from her that she is no longer ill.

Informal
Conference:

Lynn B. Nakkim and Vi Dolman (RE-544)

Lynn Nakkim and her employing broker, Vi Dolman, appeared before the Commission in the matter of Nakkim's unlicensed real estate activities in 1972.

Nakkim contended that she received no notice of forfeiture, therefore, she had no idea that she was unlicensed or she would not have continued her real estate business. She stated that she confused California's renewal policy with Hawaii's.

It was pointed out that Vi Dolman is guilty of sharing a commission with an unlicensed person. Vi Dolman explained that this was not intentional as she did not realize that Nakkim's license was forfeited. She further mentioned that her office practice regarding renewals have been corrected.

Following the conference, Mary Savio moved and Ah Kau Young seconded that: (1) Lynn Nakkim and Vi Dolman receive extremely strong letters of reprimand, which are to become a permanent part of their records; (2) Nakkim be required to restore her salesman license for 1972 upon payment of the restoration fee; and (3) Both Nakkim and Dolman be advised that if they wish to challenge the Commission's feelings, a formal hearing will be held. Motion carried.

Committee
Reports:

Real Estate Education Advisory Council

Approval of Instructor's Certification
(Daniel Chadwick)(Century 21 School of Real Estate)

Mary Savio reported that Century 21 School of Real Estate has requested that the Commission grant Daniel Chadwick an instructor's certificate although he lacks the three years' full-time real estate sales experience. Century 21 requested that, in lieu of the three years' real estate experience, the Commission accept Chadwick's past teaching experience at Brillhante & Associates, Inc. and the Hawaii Association of Real Estate Boards.

Mary Savio recommended that the Commission deny Daniel Chadwick's application as she felt that it was not the intent of the policy to consider teaching experience per se, but to experience related to real estate sales activities. The Commission unanimously concurred with Mary Savio's recommendation.

Real Estate Newsletter

It was reported that Beverly Muir will be responsible for reviewing the material for the newsletter. Mary Savio further reported that former Commissioner, William Young, will serve on the Committee and that the Committee is really moving.

Continuing Education

Mary Savio reported that the Educational Advisory Committee has circulated a questionnaire to determine what continuing educational requirements shall be enacted for existing licensees. The questionnaire has been circulated to most principal brokers.

Establishment of Mechanics for Collection of Accreditation and Certification Fees

The Executive Secretary informed the Commission that he has drafted up and mailed out applications for examination and certification of real estate instructors and applications for registration of real estate schools. The certificates are still in the process of being drafted up.

Condominium Review Committee

The Executive Secretary announced that because of the dilemma created by Louis Cannelora's resignation, Dwight Rush, Hiroshi Sakai and Douglas Prior were approached to continue their review of the Horizontal Property Regime Act and to submit proposed amendments. They have consented to continue serving on the Committee.

Hiroshi Sakai was present to pass out and discuss several suggested changes to Chapter 514 prepared by he, Rush and Prior. Chair informed Sakai that the next step would be to take this list according to its importance.

The Commission went through the list of suggested changes and the Executive Secretary was directed to advise Sakai of the Commission's priorities.

Rules and Regulations Committee

Copies of the proposed rules and regulations amendments were distributed and discussed considerably.

Recovery Fund Report

The Executive Secretary informed the Commission that the following civil suits have been received:

- (1) George Kazuko Davies vs. Harold Silva
- (2) Thelma Zalman vs. Bob Watson, Real Estate Commission and the Department of Regulatory Agencies

He further reported that the Commissioners will have a report on the recovery fund every three or four months.

Attorney General's Report

Deputy Attorney General Clyde Sumida reported as follows:

(1) Blackfield Hawaii Corporation: Felt that the law does not provide for the issuance of more than one license to each corporation. If this corporation forms subsidiaries, they may be licensed separately.

Mary Savio moved and Herbert Isonaga seconded that the Commission accept the Deputy Attorney General's recommendation to deny Blackfield Hawaii Corporation's request for more than one corporate license.

(2) Offering of Condominium Project only in Japan: From a legal standpoint, there is no problem--this may involve securities.

Business Out
of Minutes:

Identification Policy for Admittance to Examination

Educational Testing Service has requested that the Commission reconsider its decision of requiring a duplicate photograph to gain admittance to the examination, because problems may be created if applicants are refused entry for failing to present his photo.

After discussion, the Commissioners ruled that any photo identification card will suffice to gain admittance to the examination if applicant has no duplicate photograph.

Keith Marshall Lysen, Applicant for Broker Examination

The Executive Secretary announced that Keith Lysen has challenged the constitutionality of the Commission's action to deny his application for broker examination.

The Commission scheduled a formal hearing for Keith Lysen at the next meeting. The Executive Secretary was directed to advise Lysen that the Commission has no authority to permit him to take the examination without first meeting the requirements for broker applicants.

Investigation: RE-412 Tsugio Tanigawa

John Texeira moved and Ah Kau Young seconded that this complaint be dismissed as it is a civil matter. Motion carried.

RE-543 Pearl A. Nagatoshi

Pearl A. Nagatoshi's formal hearing will be held on February 22, 1974, at 10 a.m., in the State Building in Hilo, with John Texeira and Hiromu Yamanaka as hearing officers.

Sheldon Soosman

Action deferred.

RE-507 Reliance Realty & Management

Action deferred.

RE-518 Singleton Associates, Inc.

The Executive Secretary is working on the hearing notices. Hearing will be held in Kona with John Texeira and Herbert Isonaga as hearing officers.

RE-528 Durrel Robison

The Executive Secretary was directed to schedule Durrel Robison's hearing in Kona on the same day as Case No. RE-518 with the same hearing officers.

RE-537 Pink Realty

Chair appointed Ah Kau Young and Herbert Isonaga as hearing officers.

New Business: Licensing

CORPORATION

- Hirota, Griffin & Associates, Inc. - 268 Waiianuenu Avenue, Hilo
Rudy T. Hirota PB
- Douglas Taylor & Associates, Inc. - 1232 Waimanu Street, Honolulu
Douglas S. Taylor PB
- King Enterprises, Inc. dba King's Realty Company - 1001 Dillingham
Ralph J. King PB #219, Honolulu
- Limco Realty, Inc. - 1690 Ala Moana Blvd., Honolulu
Barbara G. Berry PB

- M. Shigeoka, Inc. 166 Keawe Street, Hilo
Minoru Shigeoka PB
- Magnum Realty & Investments, Inc. - 1124 Fort St., Room 201, Hon.
Archie K. Wong PB
- Realty Sales & Development, Inc. dba Santangelo Realty - 841 Bishop St.
Stephen Santangelo PB #918, Honolulu
- Associated Realty, Ltd. - 6650 Hawaii Kai Drive, Honolulu
John A. Rash PB
- Properties Hawaii, Inc. - 23 So. Vineyard, Honolulu
Frederick H. C. Lum PB
- E. L. Forde, Ltd. - Waikoloa Village Clubhouse, Kamuela
Ernest L. Forde PB
- Professional Realty Corporation - 2222 Kalakaua, Suite 1505, Honolulu
Marshall F. Goldman PB
- Surfside Hawaii, Inc. - 1412 Colburn Street, Honolulu
Robert C. Blackshear PB
- Islands Eight Realty, Inc. - 1394 Kapiolani Blvd., Suite 15, Honolulu
John H. McCreedy PB
- A-Hui Realty, Inc. - 1649 Kalakaua, Room 201, Honolulu
Monica von Friesen PB
- Realty Service Hawaii, Inc. - 142 Kinoole Street, Room 4, Hilo
Tomoe S. Tashima PB
- State Development Corporation - 360 Papa Place, Kahului, Maui
Vaughn O. Morrison PB
- Mitsui Fudosan (Hawaii), Inc. - 700 Richards, Suite 2109, Honolulu
Kenneth K. Fujii PB
- Aiea Realty, Inc. - 99-128 Aiea Heights Drive, Room 8, Aiea
David K. Taogoshi PB

NAME CHANGE: First Hawaiian Properties, Inc.
(formerly - International Equities Realty, Inc.)

PARTNERSHIP

- Chlo Realty - 190 South King, Suite 1190, Honolulu
Gordon Y. D. Chun PB
William K. M. Chee)
Sidney I. Hashimoto) partners
Ronald Y. C. Lee)
Hiroshi Oshiro)

BRANCH OFFICE

- Realty Sales & Development, Inc. dba Santangelo Realty BR-1
Lois E. Venter BIC 348 Lahainaluna, Lahaina
- J. M. Urner, Inc. BR-2 - 6650 Hawaii Kai Drive, Suite 101, Honolulu
Helen L. Price BIC
- Hirota, Griffin & Associates, Inc. BR-1 - 2087 Wells St., Wailuku
William I. Wilson BIC
- The McCormack Land Co., Ltd. dba Mike McCormack Realtors BR-9
Natividad Tanega BIC 85-761 Farrington Hwy, Waianae

DBA

Joe R. Pao Realty - 1020G Keolu Drive, Kailua
Joseph R. Pao dba
A-1 Realty Management Co. - 205 Merchant, Room 12, Honolulu
Joseph G. Ting dba
E & L Realty - 250 Ward Avenue, Honolulu
Edward L. Lim dba
Jim King & Associates - 841 Bishop, Suite 1202, Honolulu
George King dba
Makaha Realty - 84-111 Orange Street, Waianae
Fred Rackle dba
Dede Rose, Realtor - 407 Uluniu Street, Kailua
Abigail L. Rose dba
Isle Wide Realty - 970 No. Kalaheo Avenue, Kailua
Edward G. Bly dba
Teo Tom Realty - 72 Wilikina Drive, Wahiawa
Theodore C. K. Tom dba
Sunshine Properties - 350 Alexander Young Bldg., Honolulu
Eric A. Lighter dba
Real Estate Honolulu - 1410 Kapiolani, Suite 11, Honolulu
Edmund H. F. Ching dba
MRS Realty - 1451 S. King, Suite 304, Honolulu
Miles Silberstein dba
Jan Hiatt, Realty - 629A Kailua, Suite 109, Kailua
Catherine J. Hiatt dba
Rodrigo E. Castro Realty - 1126 12th Avenue, Suite 208, Honolulu
Rodrigo E. Astro dba
Robert Taylor Realty - 173-C So. Kukui Street, Honolulu
Robert R. Taylor dba

DBA NAME CHANGE: First Real Estate Exchange - 1129 Bethel, Room 218
(formerly - Pupukea Realty - Realty Enterprises Inc. dba)

Upon motion, the Commissioners approved, with the exception of King Enterprises, Inc., the licensing processing of the above as tentatively approved by the Executive Secretary.

Questionable Application

Gary Lloyd Gilbertson, Applicant for Salesman License

The Executive Secretary informed the Commission that Gary Gilbertson satisfied his application for salesman license.

Chair directed that Gary Gilbertson be present at the next meeting for an informal conference and that he bring in three character references from Hawaii residents.

Violet C. King, Applicant for Broker License

Herbert Isonaga moved and Mary Savio seconded that the Commission propose to deny Violet King's application for broker license for

possessing a bad character, being uncooperative and having her salesman license revoked twice; she be advised of her pre-hearing rights. Motion carried unanimously.

Elmer Brenno, Jr., Applicant for Broker License

Elmer Brenno and his attorney, James Conahan, appeared before the Commission in the matter of Brenno's application for broker license. Conahan explained in detail the background of Brenno's experience and knowledge in real estate and related areas.

Hiromu Yamanaka moved and Herbert Isonaga seconded that the Commission deny Brenno's application for broker license as he has not fulfilled the requirements for broker license. Motion carried without dissent.

Miscellaneous: 1974 Legislation

Chair directed the Executive Secretary to check the progress of the recovery fund legislation.

Announcement: Number of Candidates for January 26, 1974 Examination

The Executive Secretary reported that there are 1,302 eligible real estate salesman applicants and 126 eligible broker applicants for the January 26, 1974 examination--96 salesman and 17 broker applications were rejected.

Next Meeting Date:

Chair scheduled the 1974 meeting dates as follows:

February 21st	July 25th
March 28th	August 29th
April 25th	September 26th
May 30th	October 24th
June 27th	December 5th

Adjournment:

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

Taken and recorded by

Peggy Lau
Peggy Lau, Stenographer

Approved by

Yukio Higuchi
Yukio Higuchi, Executive Secretary