

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

MINUTES OF MEETING

Date: Friday, May 26, 1978

Place: Board Room, Kamamalu Building
1010 Richards Street, Honolulu, Hawaii

Present: Ah Kau Young, Chairman
Mary V. Savio, Vice Chairwoman
Tadayoshi Ishizu, Member
Edwin H. Shiroma, Member
John M. Urner, Member
Ralph S. Yagi, Member

Russel S. Nagata, Deputy Attorney General
Alvin Yamamoto, Investigator
Yukio Higuchi, Executive Secretary
Saeko Whang, Secretary

Joseph Choy, Director, S.B.M.P., University of Hawaii
Donald Bell, Professor, College of Business Admin., U. of H.
Rhoda Feinberg, Education Director, Hawaiian Ass'n of Realtors
Irene Jacobs, Educational Officer, Honolulu Board of Realtors and
Hawaiian Ass'n of Realtors
Howard W. Isidor, Broker

Absent: John D. Texeira, Member

Call to Order: There being a quorum, Chairman Young called the meeting to order
at 9:05 a.m.

The Executive Secretary apprised that the agenda for today's
meeting was filed on Monday, May 22, 1978 at the Lt. Governor's
office in compliance with the Sunshine Law.

Minutes: Tadayoshi Ishizu moved and Ralph Yagi seconded to approve the
minutes of April 28, 1978 meeting as circulated. Motion carried
unanimously.

Committee
Reports: Real Estate Education Advisory Council

Real Estate Chair - Dr. David Sirota's Report

The Commission received a copy of the report from Real Estate
Chair, Dr. David Sirota. The report will be forwarded to
Director, Mr. Wayne Minami, for his approval.

Mary Savio reported on the hilites of the workshops conducted by Dr. Sirota. There were 22 people who had completed taking this course. Very favorable comments were made of the program and the people expressed their desire to have Dr. Sirota back again.

Mary Savio moved and Ralph Yagi seconded to accept Dr. Sirota's report. Motion carried unanimously.

On a second motion, Ralph Yagi moved and Mary Savio seconded that, upon approval of the Director of Regulatory Agencies, the Commission furnish a copy of the report to Dean David Heenan. Motion carried unanimously.

Mary Savio, as educational chairman, moved that the recommendation portion of Dr. Sirota's report be released for dissemination to the Ad Hoc Committee. Tadayoshi Ishizu seconded the motion and unanimously carried.

S.B.M.P. Advanced Real Estate Courses

Joseph Choy, S.B.M.P. Director, submitted his final report for approval.

Edwin Shiroma moved and Mary Savio seconded to accept the report and also approve payment of \$7,500, subject to Director Wayne Minami's approval. Motion carried unanimously.

Book Donations

Mary Savio reported that she contacted Brian Thomas, President of Institute of Real Estate Management, who had agreed to pass on the discount of 30% to the Commission to purchase approximately 70 copies of text book "The Condominium Community."

Laws and Rules Review Committee

Chairman of Rules Review Committee, Edwin Shiroma, announced that the next committee meeting will be held on July 29, 1978 at Tropic Shores Realty conference room.

Real Estate Recovery Fund

Executive Secretary reported that he received notice from Sidney Ayabe, Real Estate Recovery Fund counsel, requesting authorization to make payment of \$60,000 against 3 licensees, Circle Realty, Inc. Len Dillenbeck and Nancy Hansen.

Edwin Shiroma moved and Mary Savio seconded to approve payments from the Real Estate Recovery Fund. Motion carried unanimously.

On another matter, Sidney Ayabe, who had been given authorization to proceed on the matter of Joseph Culver vs. International Syndications, Inc. at the April meeting, requested that an appraisal be done to the Kona South Estates Subdivision.

After discussion, Mary Savio moved and Edwin Shiroma seconded to approve expenditure of funds for either an MAI or SREA appraiser as requested by Sidney Ayabe. Motion carried unanimously.

Attorney General's Report

Deputy Attorney General Russel Nagata announced that this Commission meeting would be his last as he has accepted the position of Administrator in the Division of Business Registration.

On behalf of the Commission, Chairman Young thanked Russel Nagata for doing a good job as our real estate counsel.

Informal
Conference:

RE-77-153 Howard W. Isidor

At last month's meeting Commission decided to hold an informal conference with Isidor to discuss this matter.

Isidor was present for discussion. After the question and answer period, Chair thanked him and said the matter will be taken under advisement.

Ralph Yagi moved and Edwin Shiroma seconded to send a letter of warning to Isidor for failure to notify the tenant when the rate change became known prior to the arrival of the party with a recommendation to reimburse the overcharge of rental fee to tenant. Motion carried unanimously.

RE-77-105 Ronald G. Reynolds

The Commission received the Hearings Officer's proposed decisions on March 31, 1978 and a copy was forwarded to Ronald Reynolds of Colorado Springs, Colorado, and the prosecuting attorney. Exceptions to the proposed decisions were received dated April 4, 1978.

Ronald Reynolds was notified to be present to offer oral arguments on May 26, 1978. He did not make the appearance.

After much deliberation, Ralph Yagi moved and Tadayoshi Ishizu seconded to accept the Hearings Officer's decision to suspend Reynold's license for 30 days. Chairman Ah Kau Young abstained from voting for possible conflict of interest. Motion carried.

RE-577 Masao Shintani

The Executive Secretary apprised that this matter was forwarded to Attorney General's office sometime ago, a pre-hearing was held and it was also in civil proceeding.

Letter from Judge Harold Shintaku, stated that settlement had been reached. Masao Shintani had entered into a Waiver of Hearing with Prejudice, Plea of Nolo Contendere and Stipulation of 30-day Suspension on his broker's license.

After discussion, Edwin Shiroma moved and Tadayoshi Ishizu seconded to approve the settlement. Motion carried unanimously.

RE-75-8 Hugh Menefee, Inc.

Executive Secretary read a letter from Deputy Attorney General Russel Nagata wherein he claims that complainant had been satisfied by receiving a covered parking stall. Based on counsel's recommendation, Ralph Yagi moved and Mary Savio seconded to close the case and also approved the settlement offer. Motion carried unanimously.

RE-76-128 Aiea Lani Corporation

Executive Secretary reported that Warren Ho had submitted status reports on the settlement proposal that all the Commission's recommendations have been satisfied.

Edwin Shiroma moved and Tadayoshi Ishizu seconded to dismiss this case inasmuch as the necessary corrections were made by Developer and accepted the settlement proposal. Motion carried unanimously.

Investigations: RE-77-151 Leila Virdone

After discussion, Ralph Yagi moved and Mary Savio seconded to accept the Complaint Review Committee's recommendation to (1) hold a formal hearing be held against Leila Virdone in violation of Section 467-7 and Section 467-14(6) H.R.S., and designate departmental hearings officer to hear the case and to (2) hold an informal conference with Marshall Goldman for alleged failure to provide proper supervision. Motion carried unanimously.

RE-77-156 Ocean Shores Land Co., Inc.

Following discussion, Edwin Shiroma moved and Tadayoshi Ishizu seconded to accept Complaint Review Committee's recommendation to dismiss complaint on the basis that a settlement agreement had been reached. Motion carried unanimously.

RE-78-25 Levy Realty, Inc.

After discussion, Edwin Shiroma moved and John Urner seconded to dismiss complaint on the basis that no violation had occurred. Motion carried unanimously.

RE-78-29 Clint Childs, Inc.

Following discussion, Edwin Shiroma moved and Tadayoshi Ishizu seconded to accept the Committee's recommendation to hold an informal conference with Clint Childs to discuss this matter. Motion carried unanimously.

RE-78-30 Andrew K. Aiu dba A.A. Realty

After discussion, Mary Savio moved and Ralph Yagi seconded to dismiss complaint as recommended by Complaint Review Committee for lack of evidence. Motion carried unanimously.

New Business:

LICENSING

CORPORATION

A. S. K. Inc. - 33 S. King St., #412, Honolulu
Aileen S. Tokujo, pb

W. E. Denison Corporation - 735 Bishop St., #422, Honolulu
William E. Denison, pb

Hawaiian Joy, Ltd. - 1314 S. King St., #1464-4, Honolulu
Tsuyako Fukayama, pb

Lani R. Ikeda, Ltd. - 110 Kamehameha Ave., #200, Hilo
Raquel H. A. Ikeda, pb

Inter-Island Business Management Corp, dba G. Lum Realty -
Virginia K. Lum, pb 841 Bishop St., #1820, Honolulu

Komo Mai Realty, Inc. - 94-210 Pupukahi St., #208, Waipahu
Fred M. Uedoi, pb

Mauka Development Corp. - 221 Lalo Place, Kahului
Philip E. Mulligan, pb

Shelter Seekers Realty, Inc. - 89 N. King St., #202, Honolulu
Benjamin G. Jackson, pb

Sidney & Associates, Inc. - 1314 S. King St., #953, Honolulu
Sidney S. Uyetake, pb

Bob Tanaka, Inc - 1820 Algaroba St., Honolulu
Robert K. Tanaka, pb

Edwin Shiroma moved and John Urner seconded to approve the above applications for corporate licenses. Motion carried unanimously.

BRANCH OFFICE

Luke & Luke Realty, Inc. - 6650 Hawaii Kai Dr., #105, Honolulu
Betty M.Y. Luke, bic

Edwin Shiroma moved and Tadayoshi Ishizu seconded to approve the Luke & Luke Realty, Inc. for branch office. Motion carried unanimously.

TRADENAME

Action Realty - 325 Merchandise Mart, Honolulu
Betsy J. Christian, dba

Burma Realty - 1109 Bethel St., #415, Honolulu
Arthur K. Lam, dba

Canadian Hawaiian Resorts - 841 Bishop St., Honolulu
James H. Connell III, dba

Delphi - 841 Bishop St., #2012, Honolulu
Carlos A. Williams, dba

Victor T. Makamura Realty - 190 Keawe St., #32, Hilo
Victor T. Makamura, dba

Ocean Pacific Properties - 33 Lono Ave., #380, Kahului
GRK Ltd. dba (former trade name New Concept Realty)

Santangelo Realty - 4614 Kilauea Ave., #105, Honolulu
Stephen F. Santangelo, dba

Bob Tanabe Realty - 780 Amana St., #1607, Honolulu
Robert H. Tanabe, dba

Mary Savio moved and Edwin Shiroma seconded to approve the above applications for tradename. Motion carried unanimously.

CORPORATION NAME CHANGE

Brilhante-Hawaii, Inc. - 463 Laukapu St., Box 342, Hilo
William V. Brilhante, pb (formerly William V. Brilhante, Inc.)

Tadayoshi Ishizu moved and Edwin Shiroma seconded to approve change of corporate name of Brilhante-Hawaii, Inc. Motion carried unanimously.

APPLICATION EOP LICENSE - past 1 year

Gerold W. Wunderlich - broker

After discussion, Mary Savio moved and Tadayoshi Ishizu seconded to deny Gerold Wunderlich's application for broker's license on the basis that it was filed beyond the 1 year limitation. Motion carried unanimously.

Harold W. Parham - salesman

Following discussion, Mary Savio moved and Tadayoshi Ishizu seconded to deny Harold Parham's application for salesman's license because it was filed beyond the 1 year period. Motion carried unanimously.

Joan K. Yanagi - salesman

After discussion, Ralph Yagi moved and John Urner seconded to deny Joan Yanagi's application for license for failure to file within the 1 year period after examination. Motion carried unanimously.

RESTORATION OF FORFEITED LICENSE - past 2 years

Henry S. Mow

Edwin Shiroma moved and Tadayoshi Ishizu seconded to deny restoration of Henry Mow's forfeited license. Motion carried unanimously.

Kenneth T. Okazaki

Mary Savio moved and Ralph Yagi seconded to deny restoration of above applicant's forfeited license. Motion carried unanimously.

William E. Yandle

Mary Savio moved and John Urner seconded to approve restoration of Yandle's forfeited license provided he submits evidence that he has completed the broker's course in New Mexico. Motion carried unanimously.

REINSTATEMENT OF LICENSE

Laura Light

Edwin Shiroma moved and Ralph Yagi seconded to approve reinstatement of Laura Light's suspended license. Motion carried unanimously.

Miscellaneous: Results of April 23, 1978 Examination

Ralph Yagi moved and Tadayoshi Ishizu seconded to accept the list of successful candidates of the April 23, 1978 examination and make it part of the minutes. Motion carried unanimously.

Report on E.T.S. Meeting - April 9-11, 1978

The Executive Secretary reported on the E.T.S. meeting he and Mary Savio attended last month and highlighted on some of the subjects discussed. He stated that he foresees big administrative problems. Copies of the report were distributed.

Executive Secretary announced that the next NARELLO meeting will be held October 29, 1978 in New Orleans. He advised the members of the Commission to seriously consider a replacement for Mary Savio as educational chairman inasmuch as her term will expire at the end of the year.

Correspondence: Charles Hamane - broker's exam

At the request of Executive Secretary, Mary Savio moved and Ralph Yagi seconded to add this matter to the agenda in compliance with the Sunshine Law. Motion carried unanimously.

Executive Secretary read a letter from Hamane requesting waiver of the 2-year experience based on his overall experience in all phases of real estate development.

After discussion, Mary Savio moved and Ralph Yagi seconded to approve to waive the 2-year experience requirement. Motion carried.

Denial of Roy E. Lovett, Jr's Restoration of forfeited real estate salesman's license

It was moved by Mary Savio and seconded by Ralph Yagi to add this matter to the agenda in compliance with the Sunshine Law. Motion carried unanimously.

Following discussion, Mary Savio moved and Tadayoshi Ishizu seconded to invite Roy Lovett in for an audience with the Commission to discuss the matter. Motion carried unanimously.

Letter from Thomas Thompson re: Late Filing of Application

Thomas Thompson letter requesting consideration to waive the 1-year limitation for licensure was circulated.

After discussion, Ralph Yagi moved and Mary Savio seconded to deny his request based on Commission's Rule 3.1(f). Motion carried unanimously.

Letter from Michael Hartley re: Eligibility for Real Estate license

In Michael Hartley's letter of May 16, 1978, he inquires whether or not the Commission is opposed to granting of real estate license to a person convicted of a felony.

Following discussion, Mary Savio moved and Ralph Yagi seconded that should Hartley pass the E.T.S. examination, the felony conviction will not be held against him. Motion carried unanimously.

Announcement: Chairman Ah Kau Young announced that he will be away on a trip and, therefore, requested Mary Savio to chair the June meeting.

It was requested that Chairman Young check with the Director the reason why the Educational Officer's position has been delayed.

Date of Next Meeting:

Friday, June 30, 1978, at 9:00 a.m.

Adjournment:


There being no other business to transact, Chair declared the meeting adjourned at 1:25 p.m.

Taken and recorded by:



Saeko Whang, Secretary

Approved by:



YUKIO HIGUCHI, Executive Secretary