

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

MINUTES OF MEETING

Date: Friday, October 20, 1978

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

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

Yukio Higuchi, Executive Secretary

Joseph Choy, Director, S.B.M.P., U. of H.
Rodney Nishida, Attorney representing F-M Realty, Ltd.
William Fannemil, President, F-M Realty, Ltd.
John M. White, President, Hawaii Land Management
Charlotte Kobayashi, Applicant for broker examination
Lawrence Sheller, Applicant for broker examination
Joseph North, Applicant for broker examination

Call to Order: There being a quorum present, Chairman Ah Kau Young called the meeting to order at 9:10 a.m.

The Executive Secretary apprised that the agenda for today's meeting was duly processed on Monday, October 16, 1978, at the Lt. Governor's office in compliance with the Sunshine Law.

Minutes: Ralph Yagi moved and Tadayoshi Ishizu seconded to approve the September 29, 1978 minutes as circulated. Motion carried unanimously.

Committee Reports: Real Estate Education Advisory Council
Committee Chairperson Mary Savio had no news to report.

Laws and Rules Review Committee
Copies of final draft of the proposed changes to the educational and experience requirements for real estate licenses were distributed to the members.

Mary Savio moved and Toru Kawakami seconded to approve the final draft of the proposed amendments to the educational and experience requirements for real estate licenses. Motion carried unanimously.

Committee Chairman Edwin Shiroma announced that the next Laws and Rules Review Committee meeting will be held on November 16, 1978, at 9:00 a.m., at Mary Savio's office.

Time-Sharing Legislative Study Committee

Committee Chairperson Mary Savio reported that the Committee has had no meeting since the last Commission meeting, and the Committee is waiting for Hiroshi Sakai to provide a copy of the time-share code that the American Land Developers Association has prepared. She stated that the Committee meetings will be resumed as soon as we acquire a copy of the ALDA time-share code.

Recovery Fund Report

Executive Secretary read Mr. Ayabe's letter of September 27, 1978, requesting a discussion in response to our offer from Len Dillenbeck to return \$3,000 to the Real Estate Recovery Fund. The \$3,000 would be a partial refund of the \$20,000 the Commission paid out in a recovery claim against Len Dillenbeck.

Ralph Yagi moved and Tadayoshi Ishizu seconded to invite Michael Gibson, Attorney representing Len Dillenbeck, to appear at the November 17, 1978 Commission meeting to discuss Dillenbeck's offer. Motion carried unanimously.

Attorney General's Report

Executive Secretary reported that D.A.G. Randall Iwase will not be present to give his report because he was attending a law seminar.

Business Out of Minutes:

RE-77-118 Russell L. Jones, Patrick Haskins and Charles H. Bond Realty, Inc.

Earlier, the Commission had referred this matter to the Attorney General's office for a hearing, but the Attorney General's office returned the case with recommendation to dismiss the complaint as the respondents had agreed to make complainants whole. By letter dated September 25, complainants requested the Commission reopen the case because respondents have not made complainants whole as indicated earlier.

Mary Savio moved and John Urner seconded to refer the case back to D.A.G. Rick Trujubura for reconsideration. Motion carried unanimously.

Jon Miho's Petition for Declaratory Ruling regarding Telephone Solicitations

Executive Secretary distributed copies of correspondence received from the California Real Estate Department Legal Counsel and memorandum received from Randall Iwase on this matter.

Mary Savio moved and Toru Kawakami seconded that we permit telephone solicitations by non-licensees specifically subject to the guidelines presented by the A.G. and the addition of the Commission. Motion carried unanimously.

Chairman Ah Kau Young directed Executive Secretary to make a news release of the Commission's ruling.

Questionable Applications

Executive Secretary requested the addition of the applications of Hawaii Land Management, Inc.; Shiretoko Fudosan Kabushiki Kaisha, a division of Shiretoko Corporation; XCEL Realty, Inc.; Trans-Pacific Properties, Inc.; and Chinese Security Realty, Inc., to the agenda in compliance with the Sunshine Law.

Mary Savio moved and Tadayoshi Ishizu seconded to add the afore-mentioned applications to the agenda. Motion carried unanimously.

Hawaii Land Management, Inc.

Ralph Yagi moved and Mary Savio seconded to approve this application. Motion carried unanimously.

Shiretoko Fudosan Kabushiki Kaisha, a division of Shiretoko Corporation

Ralph Yagi moved and Mary Savio seconded to approve this application. Motion carried unanimously.

XCEL Realty, Inc.

Ralph Yagi moved and Mary Savio seconded to approve this application. Motion carried unanimously.

Trans-Pacific Properties, Inc.

Mary Savio moved and Ralph Yagi seconded to approve this application. Motion carried unanimously.

Chinese Security Realty, Inc.

Ralph Yagi moved and Mary Savio seconded to approve this application. Motion carried unanimously.

Investigations: None

New Business: LICENSING

CORPORATION

A Y Realty Inc. - 4747 Kilauea Ave., #212
Robert L. Effler, pb

The Blackburn Corporation - 1860 Ala Moana Blvd.
Mary L. Blackburn, pb

Blue Hawaii Realty, Inc. - 296 Alamaha St., Kahului
Patricia A. Rocco, pb

John Daughters & Associates, Inc. - 14 Maluniu Ave., Kailua
John R. S. Daughters, pb

F-M Realty, Ltd. - Alexander Young Bldg., #686
Jane S. Laverty, pb

Foresight Realty, Inc. - 1750 Kalakaua Ave., #4000
Mary Long, pb

Foxfire, Inc. - 262 Kameuhale Ave., Hilo
Norman D. Frane, pb

I/C Realty Incorporated - 1777 Ala Moana Blvd., #101
Frank J. Slago, Jr., pb

Lentz Realty, Inc. - 76-6246 Alii Dr., Kailua-Kona
Walter S. Lentz, pb

Sam Moore Realty, Inc. - P. O. Box 1357, Kailua-Kona
Samuel A. Moore, pb

Morris Enterprises, Inc. - 841 Bishop St., #400
Wilmer C. Morris, pb

Bob Myers Co., Ltd. - 444 Hobron Lane, #405
Robert S. Myers, pb

Pacific Building Corporation - 2121 Hawaii Bldg.,
Field A. Casey, pb 745 Fort St.

Pioneer Real Estate & Insurance Corp. - 900 Fort St., #1800
Robert S. Harrington, pb

Preferred Realty & Management, Inc. - 1010 Pacific Trade
Paul W. T. Fung, pb Center Mall

Tom Shinsato Realty, Inc. - 98-1247 Kaahumanu St., #308,
Thomas Y. Shinsato, pb Aiea

T I, Ltd. - 1993 S. Kihei Road, #204, Kihei
William G. Weimer, pb

West Oahu Realty, Inc. - 98-1247 Kaahumanu St., #312, Aiea
Walter T. Kunihiro, pb

Harry S. Yamamoto Realty, Inc. - 1405 N. King St., #203
Harry S. Yamamoto, pb

M. Yee Realty, Ltd. - 182 S. Hotel St., #507
Mung Yee, pb

Mary Savio moved and John Urner seconded to approve all
above-listed corporation applications. Motion carried
unanimously.

BRANCH OFFICE

Marcus & Associates, Inc. - 126 Queen St., #309
Jack L. Ayers, bic

Realty Specialists Corporation - 35 Kainehe St., #102, Kailua
Geri R. Keylock, bic

Sleeping Giant Realty, Inc. - Princeville Bldg. C, Ste. A,
William H. Ramsell, bic Hanalei

Kenneth M. Young dba Kenny Young Realtor - 75-6082 Alii Dr.,
William W. Girton, bic Kailua-Kona

Mary Savio moved and John Urner seconded to approve all
above-listed branch office applications. Motion carried
unanimously.

TRADE NAMES

Mr. D's Realty - 4614 Kilauea Ave.
Duane M. Murray, dba

R. W. Gibson - 1280 S. Kihei Rd., #303 Mezz, Kihei
Robert W. Gibson, dba

Lighthouse Realty - 1109 Bethel St., #208
Antonio R. Bacungan, dba

Mel Lum - 455 Alexander Young Bldg.
Melvin J. Lum, dba

Midpac International Realty - 735 Bishop St., #769 B
Edwin D. Yost, dba

Rubio Realty - 94-750 Hikimoe St., Waipahu
Daniel B. Rubio, dba

Mary Savio moved and Ralph Yagi seconded to approve
all above-listed trade names. Motion carried unanimously.

CORPORATE NAME CHANGE

International Realty & Holding Company Inc. - 10 Marin St.
(formerly Right Way Realty, Inc.)

Mary Savio moved and John Urner seconded to approve
this name change. Motion carried unanimously.

REINSTATEMENT OF LICENSE

Barney B. Menor

Mary Savio moved and John Urner seconded to approve
this application for reinstatement of suspended license.
Motion carried unanimously.

Miscellaneous: Questionable Applications

Executive
Session

Ralph Yagi moved and Mary Savio seconded to go into
executive session at 11:15 a.m., to discuss the applications
of Theodore K. Blake and Colin H. Hara. Motion carried
unanimously.

Out of
Executive
Session

At 11:25 a.m.. Ralph Yagi moved and Mary Savio seconded
to go out of executive session. Motion carried unanimously.

Theodore K. Blake (salesman)

Toru Kawakami moved and Tadayoshi Ishizu seconded to
defer action on Blake's application and invite him to
an informal conference at the November meeting. Motion
carried unanimously.

Colin H. Hara (salesman)

Edwin Shiroma moved and John Urner seconded to defer
action on Hara's application and invite him to an
informal conference at the November meeting. Motion
carried unanimously.

Audience with Charlotte Kobayashi, Joseph North, Jr., and Lawrence Sheller

The Executive Secretary requested that the Commission add to the agenda and hear Charlotte Kobayashi, Joseph North, Jr., and Lawrence Sheller, whose applications for the November 25, 1978 broker examination have been denied due to failure to submit complete documentation of experience.

Mary Savio moved and Toru Kawakami seconded to add to the agenda by granting audience to the above-mentioned persons. Motion carried unanimously.

Charlotte Kobayashi, Joseph North, Jr., and Lawrence Sheller were given an opportunity to present their own case, and after a question and answer period, Chairman Ah Kau Young advised that they would be notified of the Commission's decision in a week. If they wish, they could call the Executive Secretary on Monday, October 23, 1978 for a verbal answer.

After further discussion on this matter, Ralph Yagi moved and Edwin Shiroma seconded to deny their request for reconsideration of their denied applications. Motion carried unanimously.

Correspondence: James Byrer's letter re: Taking of Advance Deposits

After studying the material submitted by Byrer, the Commission was of the opinion that there was no prohibition for taking advance deposits in the existing law or rules, provided, that at the time the deposit is taken, it not be taken for a unit in a condominium project which has not received a Commission's public report, and further, that all client's monies are placed in a clients' trust account.

Ralph Yagi moved and Edwin Shiroma seconded to have the Executive Secretary respond to Byrer and express the Commission's opinion. Motion carried unanimously.

Announcement: None

Date of Next Meeting: Friday, November 17, 1978, at 9:00 a.m.

Adjournment: There being no further business, the meeting was adjourned at 2:10 p.m.

Taken and recorded by:



YURIKO HIGUCHI
Executive Secretary