

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

MINUTES OF MEETING

Date: Friday, May 25, 1979

Place: Board Room, 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  
  
Yukio Higuchi, Executive Secretary  
Saeko Whang, Secretary  
  
Sheila Lau, Education Officer, Honolulu Board of Realtors  
Henry L. L. Wong, Applicant for Real Estate Salesman's License

Absent: Ralph Yagi, Member - Excused

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

The Executive Secretary apprised that the agenda for today's meeting was duly processed on Tuesday, May 22, 1979, at the Lt. Governor's office in compliance with the Sunshine Law.

Minutes: Moved by Edwin Shiroma and seconded by Toru Kawakami to approve the April 27, 1979 minutes as circulated. Motion carried unanimously.

Committee Reports: Real Estate Education Advisory Council

Application for Instructor's Certificate of Joseph M. Malloy (Salesman - math)

Mary Savio moved and Edwin Shiroma seconded to approve Joseph Malloy's application for certification as a real estate salesman instructor for math course only. Motion carried unanimously.

Recertification of Real Estate Course Offered at Hawaii Pacific College

Education Chairperson Mary Savio moved and Toru Kawakami seconded to recommend Hawaii Pacific College to make

application for accreditation as a private school and Commission will waive DOE licensure requirement since as a professional private school, they are already licensed by DOE. Motion carried unanimously.

#### Real Estate Book Donation

After a lengthy discussion, Mary Savio moved and Edwin Shiroma seconded to suspend the real estate book donation for this fiscal year and explore the possibility of an alternate that will benefit the public such as printing consumer education type of material for disbursement to the general public. Motion carried unanimously.

#### Real Estate Commission's News Bulletin

Executive Secretary gave a status report regarding the Real Estate Commission's news bulletin. Originally Commission received 2 bids to publish the Real Estate Commission's news bulletin but one withdrew its bid. Therefore, the Executive Secretary is presently working out the details with Crossroads Press and, in all probability, the first issue will be published by the end of the year.

#### Laws and Rules Review Committee

##### Proposed Amendments to Broker Education and Experience Requirements

Executive Secretary reported that the public hearing notices for the neighbor islands appeared in each respective island newspapers. Oahu's public hearing notice should be appearing sometime this week.

#### Attorney General's Report

There was nothing to report at this time.

#### Business Out of Minutes:

##### Questionable Applications

##### Susan A. Wilson, Application for Issuance of Real Estate Broker License

No action is necessary inasmuch as Susan Wilson took the April 1979 real estate broker examination and passed it.

##### Aida C. Rufo, Application for Issuance of Real Estate Salesman License

Aida Rufo's application for real estate license was denied at the previous meeting and she is requesting for reconsideration.

Following discussion, Toru Kawakami moved and Tadayoshi Ishizu seconded to reaffirm its earlier decision to deny Aida Rufo's application for real estate salesman license. Motion carried unanimously.

Henry L. L. Wong, Application for Restoration of Real Estate Salesman License

Henry Wong's application for restoration of real estate license had been denied at the March 30, 1979 meeting. Wong, in lieu of the informal conference, had waived his rights to a formal hearing and appeared today to discuss this matter.

After the question and answer period, Wong was advised that the matter will be taken under advisement and he will be notified by letter.

Mary Savio moved and Tadayoshi Ishizu seconded to approve Henry Wong's application for restoration of real estate salesman's license. Motion carried unanimously.

The Mark-Paul Corporation

This matter had been deferred at the January meeting inasmuch as the President of the corporation was at the time only a real estate salesman but he has since taken the April broker examination, passed it and has filed for license.

Mary Savio moved and Toru Kawakami seconded to approve the Mark-Paul Corporation matter. Motion carried unanimously.

Egan Stanley Corp. dba ESC Properties

This matter was deferred from the April meeting and Commission had suggested a name change to conform with Commission's rules.

Mary Savio moved and Tadayoshi Ishizu seconded to approve the above name. Motion carried unanimously.

CON-77-19 Sugar Beach Development Co.

After discussion, Mary Savio moved and Tadayoshi Ishizu seconded that if the Leckwolds are willing to submit further written evidence, the Commission will review any material they wish to submit. Commission's primary concern is to get something in writing that would substantiate their accusations. It was also moved and seconded that we keep the files open and write to the Leckwolds because we cannot rely on verbal words from one person alleging against another denying. Motion carried unanimously.

CON-78-5 Menehune Shores Hui

Executive Secretary reported that at Commission's direction he had written to Walter Witte regarding the damaged floor covering. Witte replied that the complainant had a private contract with the floor covering supplier and that Menehune Shores Hui was not a party to this matter.

Based on this information, Mary Savio moved and Tadayoshi Ishizu seconded to dismiss complaint. Motion carried unanimously.

RE-78-21 Blue Water Properties, Inc.  
RE-78-148 Sleeping Giant

At Executive Secretary's request, Mary Savio moved and Toru Kawakami seconded to add the above-captioned matters to the agenda in compliance with the Sunshine Law. Motion carried unanimously.

(Blue Water Properties)

At the March meeting, Commission had decided to hold a formal hearing on this matter; however, Executive Secretary feels and Licensing Administrator agreed that the Commissioners may have over reacted to the Ethics Commission's report. This matter was brought up for reconsideration.

After discussion, Mary Savio moved and John Urner seconded to dismiss complaint with a strong letter of warning. Motion carried unanimously.

(Sleeping Giant)

Executive Secretary brought up this matter to reconsider Commission's previous action of March 30, 1979. Sleeping Giant has ceased its advertising.

After considerable discussion, Mary Savio moved and Edwin Shiroma seconded to refer this matter to the Attorney General pursuant to Section 514A-49(b). Toru Kawakami abstained from voting due to possible conflict of interest. Motion carried.

Investigations: RE-78-111 Barbara Schaffer

Following discussion, Mary Savio moved and Edwin Shiroma seconded that Commission should check up on the following points:

1. Whether or not Barbara Schaffer is licensed at this point. Information received indicates that Schaffer recently passed the real estate salesman examination;
2. Check to see if she is still handling Kamaole rentals;

3. If licensed, with whom licensed; and
4. If licensed and handling rentals, go to the broker and get a copy of the management agreement with Kamaole.

Based on the above facts, the Commission will pursue the matter. Motion carried unanimously.

RE-78-156 Meyers Realty

After discussion, Edwin Shiroma moved and Mary Savio seconded to accept the recommendation of the Complaint Review Committee for dismissal of complaint on the basis that Complainant accepted the property "as is" and there appears to be insufficient evidence to substantiate the allegation that Respondent had made representation that the roof was recently repaired and in good condition. Motion carried unanimously.

RE-79-12 Blue Water Properties, Inc., Tom Street, Charles McCarty, Clive Bell

After a lengthy discussion, Edwin Shiroma moved and Tadayoshi Ishizu seconded to accept the Complaint Review Committee's recommendation to request further investigation be conducted to acquire a copy of the DROA or sales contracts between Goldwasser (seller) and McCarty (buyer), and if possible a copy of the proposed Agreement of Sale between Goldwasser and McCarty from Escrow. Also want to know when Dilsavers first contacted McCarty or Blue Water Properties to purchase any real property and Commission to reconsider the matter after further investigation. Motion carried unanimously.

RE-79-14 Hawaiian Properties, Ltd.

Following discussion, Mary Savio moved and John Urner seconded to accept the Complaint Review Committee's recommendation to dismiss complaint on basis that the records of Respondent indicates that proceeds from rental was forwarded to Wendell Martin, a co-owner of the unit. Further, that monthly accounting was forwarded to Martin with remittance of rental proceeds. Accounting requested by O'Mara should be acquired through Martin. Motion carried unanimously.

RE-79-40 Rosemary Dixon of Surfside Realty, Inc.

After discussion, Mary Savio moved and Tadayoshi Ishizu seconded to accept the recommendation of the Complaint Review Committee to defer this matter until Paul Mancini, the Maui County Corporation Counsel, decides what to do with this matter. Motion carried unanimously.

RE-79-55 Broker Associates Realty, Inc.

After a brief discussion, Edwin Shiroma moved and Tadayoshi Ishizu seconded to dismiss complaint with a letter of warning. Motion carried unanimously.

COM-78-9 Waikiki Hobron Associates

Following discussion, Mary Savio moved and Tadayoshi Ishizu seconded to proceed with the Complaint Review Committee's recommendation to refer the matter to the Attorney General with request to proceed with a penalty action as prescribed under Section 514A-49(b), H.R.S. and possible violations. Motion carried unanimously.

New Business:

LICENSING

Corporation

Akamai Realty, Inc. - 45-955 Kam Hwy, Ste 204A, Kaneohe  
Patricia A. Smith, pb

Arata, Inc. - 4614 Kilauea Ave., #112, Honolulu  
Margaret Arata, pb

BCG Corporation - 1750 Kalakaua Ave., #1107, Honolulu  
Robert D. Gaddis, pb

Burma Realty, Inc. - Century Center, Ste 3804, 1750 Kalakaua Ave.  
Arthur K. Lam, pb Honolulu

CJMD Realty, Inc. - 1136 Union Mall, Ste 810E, Honolulu  
Clifford P. S. Shin, pb

Davis Hawaiian Realty, Inc. - P.O. Box 52, Kaunakakai  
Harriette M. Davis, pb

HiAlta Investments, Ltd. - 1993 So. Kihei Rd., #210, Kihei  
Werner L. Gebauer, pb

Inglott Real Estate Co., Inc. - 2111 Main St., Wailuku,  
Irene W. Inglott, pb

Gregg Kashiwa, Inc. - 190 So. King St., #2620, Honolulu  
Gregg Kashiwa, pb

Kaye & Co., Inc. - 4747 Kilauea Ave., #208, Honolulu  
Adrienne Kaye, pb

Landcor Realty, Inc. - 1600 Kapiolani Blvd., #1323, Honolulu  
Eric Watanabe, pb

Yael Mesa, Inc. - 602 Kailua Rd, #202, Kailua  
Yoshie Bell, pb

Suzy Ohira Realty, Inc. - 75-5744 Alii Dr., Ste 217, Kailua-Kona  
Susan S. Ohira, pb

Pacific International Associates, Inc. - 1314 S. King St., #952  
Fred C. K. Young, pb Honolulu

Paradise Living, Inc. - 2828 Paa St., #2035 & 2046, Honolulu  
Alice A. Aiu, pb

RE: Real Properties Corp. dba A Million Or More - 4747 Kilauea  
Sheri-Ann E. Min, pb #107, Honolulu

Silva Associates Hawaii, Inc. - 98-1238 Kaahumanu St., #402  
Gail Silva, pb Pearl City

Spectrum Investments, Inc. - 900 Fort St., #1620, Honolulu  
David R. Sato, pb

James M. Tateishi, Inc. - 1441 Kapiolani Blvd., #917, Honolulu  
James M. Tateishi, pb

Mary Savio moved and Edwin Shiroma seconded to approve the  
above corporations. Motion carried unanimously.

#### Partnership

Arata & Ackerson - 4614 Kilauea Ave., #112, Honolulu  
D. Diane Ackerson, pb

After considerable discussion, Edwin Shiroma moved and Toru Kawakami seconded to request an opinion from the Attorney General on this matter. The Commission would want to know if it is allowable and proper to have 2 licensed corporations join in a partnership without also involving the principal broker that makes the corporate license possible. Motion carried unanimously.

On another motion, Edwin Shiroma moved and Toru Kawakami seconded to defer action on this partnership application until we receive Attorney General's opinion. Motion carried unanimously.

#### Branch Office

Margaret Lockridge, Inc. - Grovesnor Ctr, 733 Queet St., Hon.  
L. F. Price, bic

Luko Realty, Ltd. - 850 West Hind Dr., #201, Honolulu  
John H. Peterson, bic

Luko Realty, Ltd. - Kailua Village Ctr. 75-5744 Alii Dr., #2206  
Barbra English, bic Kailua-Kona

Waterfront Properties, Inc. - 1750 Kalakaua Ave., #114, Hon.  
Virginia J. Sinsabaugh, bic

Tadayoshi Ishizu moved and John Urner seconded to approve the above listed branch office applications. Motion carried unanimously.

Tradenname

Alita K. Realty - 1909 Ala Wai Blvd, #1007, Honolulu  
Alita B. Kurshals, dba

AMPAC Realty (American Pacific Realty) - P.O.Box 15078 Mdse Mart  
Thomas A. C. Chingon, dba Bldg, #204, Hon.

Alvin K. H. Chee & Associates - 1000 Bishop St., #301A, Hon.  
Alvin K. H. Chee, dba

Commercial Specialists - 1166 Ft. St. Mall, #203A, Honolulu  
Lynda D. Artley, dba

Hart Realty and Associates - 75-5665 Kuakini Hwy, Kailua-Kona  
Dorothy D. Hart, dba

Paul Kadooka Realty - 1149 Bethel St., #416, Honolulu  
Paul H. Kadooka, dba

J. Patrick Knack - 700 Bishop St., #301, Honolulu  
Jerald P. Knack, dba

Magic Isle Realty - 1997 Main St., Wailuku  
Josephine Daue, dba

B J Okuhara Realty - 2270 Kalakaua Ave., #205, Honolulu  
Bert J. Okuhara, dba

Select Properties - 510 Piikoi St., #208, Honolulu  
Norman K. T. Chang, dba

Diamond Head Realty - 111 Bishop St., #507, Honolulu  
Francis Goffredo, dba

Mary Savio moved and Tadayoshi Ishizu seconded to approve the above applications for tradenames. Motion carried unanimously.

Restoration of forfeited License (past 2 years)

Jeanne Halpain

Following discussion, Mary Savio moved and Edwin Shiroma seconded to defer action on her application and invite her



to appear at the next meeting to present evidence that she has been licensed as an active salesman in California. Motion carried unanimously.

Godfrey S. W. Lee

Edwin Shiroma moved and Tadayoshi Ishizu seconded to deny Godfrey Lee's application for restoration of forfeited license. Motion carried unanimously.

Pauline A. Minn (Brooks)

Mary Savio moved and Tadayoshi Ishizu seconded to defer action to request Pauline Minn to appear before the Commission at the next meeting to answer questions relative to her real estate activities at BA&M Corporation. Motion carried unanimously.

Thomas M. Sexton, Jr.

Edwin Shiroma moved and Tadayoshi Ishizu seconded for denial of Thomas Sexton's application of forfeited license. Motion carried unanimously.

Application for license (past 1 year)

Mariacruz Beresford

Mary Savio moved and Edwin Shiroma moved to deny Mariacruz Beresford's application for license. Motion carried unanimously.

Margaret L. Brown

Edwin Shiroma moved and Tadayoshi Ishizu seconded to deny Margaret Brown's application for license. Motion carried unanimously.

Colleen M. Itano

Tadayoshi Ishizu moved and Edwin Shiroma seconded to deny Colleen Itano's application for license. Motion carried unanimously.

William L. Ling

Edwin Shiroma moved and Tadayoshi Ishizu seconded to deny William Ling's application for license. Motion carried unanimously.

Phillip S. Robison

John Urner moved and Edwin Shiroma seconded to deny Phillip Robison's application for license. Motion carried unanimously.

Questionable Application

Theo Mark DiTullio

Following discussion, Mary Savio moved and Tadayoshi Ishizu seconded to approve the application of Theo Mark DiTullio. Motion carried unanimously.

Miscellaneous: Request for Consent to Use Name "Pyramid Realty and Investment Corp."

Alfred Hee made an inquiry whether the use of name Pyramid Realty and Investment Corp. is acceptable.

Edwin Shiroma moved and Mary Savio seconded to give an indication to approve subject to acceptance of name by the Business Registration Division. Motion carried unanimously.

Katherine L. Hawkins' Result of April 7, 1979 Real Estate Salesman Examination

Executive Secretary reported that information was received from E.T.S. of an impropriety of examination by a salesman candidate. In the meantime Licensing Administrator Dick Okaji had been contacted by Hawkins on this matter and requested the Commission place the matter on the agenda for Commission's consideration.

Commissioner Edwin Shiroma explained to others how E.T.S. derived its findings by using statistical methods.

After deliberation, Edwin Shiroma moved and Mary Savio seconded for probable cause to deny Hawkins's score and offer her to retake the examination or, if not, Hawkins can request for a formal hearing. Motion carried unanimously.

Willis Choy's Request for Waiver of 2 Years' Experience

Executive Secretary read communication received from Willis Choy requesting waiver of experience to take the August 1979 broker's examination.

After discussion, Mary Savio moved and Edwin Shiroma seconded to give Choy 1 year waiver for his experience as Planner. Motion carried unanimously.

Results of April 7, 1979 Examination

Tadayoshi Ishizu moved and John Urner seconded to accept the results of April 7, 1979 examination and make it a part of the minutes. Motion carried unanimously.

Stan Tobias, Broker

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

Executive Secretary circulated a newspaper article on Bobby Reiger case regarding the posting of bonds where Stan Tobias was involved as the broker and notary.

After discussion, Mary Savio moved and Edwin Shiroma seconded that this matter of Stan Tobias perjury case and his dealings with Helga L. Dalgamouni be referred to the Investigation Division for possible violation of Section 467-8, H.R.S. Motion carried unanimously.

Representative to the June 1979 Western District Meeting

Executive Secretary entertained a motion to add this item to the agenda. It was moved by Mary Savio and seconded by Tadayoshi Ishizu to place this matter on the agenda in compliance with the Sunshine Law. Motion carried unanimously.

Ralph Yagi has informed the Executive Secretary that he is unable to attend this Western District Meeting. Therefore, Edwin Shiroma was selected as an alternate by consensus of the members.

Announcement: New Appointments to Real Estate Commission

Executive Secretary announced that he received official notice from the Governor's office that the following were appointed to the Commission:

G. A. "Red" Morris, term expires December 1, 1982  
Francis N. Kauhane, Jr., term expires December 1, 1980  
Gregg T. Yamanaka, term expires December 1, 1981

June Meeting

Chairman Young announced that he will be away on a trip from June 14 to July 15, 1979; therefore, he will appoint Mary Savio as Acting Chairman for the June 22, 1979 meeting but in the event she is replaced, he appoints Edwin Shiroma as the Acting Chairman.

Date of Next Meeting:

Friday, June 22, 1979

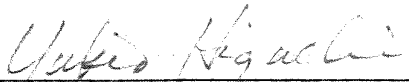
Adjournment:

There being no other business to transact, the meeting was adjourned at 3:15 p.m.

Taken and recorded by:

  
Saeko Whang, Secretary

Approved by:

  
YUKIO HIGUCHI, Executive Secretary