

REAL ESTATE COMMISSION
Professional & Vocational Licensing Division
Department of Treasury & Regulation
State of Hawaii

MINUTES OF MEETING

Date: Tuesday, November 20, 1962

Place: Conference Room No. 1, 313 So. Beretania St., Honolulu 13, Hawaii

Present: Theodore R. James Jack K. Palk
Dorothy S. Ahrens Erling P. Wick
William A. Beard Robt E. Bekeart, Executive Secretary
Yukio Kashiwa

Absent: Hirotoshi Yamamoto

Call to Order: The meeting was called to order by the Chairman, Mr. James at 9:45 a.m.

Minutes: UPON MOTION the Commission approved the minutes of the September 18, 1962 meeting.

Motion passed unanimously.

Financial Report: Commission reviewed the Financial Report for the month of October ending October 31, 1962. It was noted as received.

Business Out of Minutes: New Corporations, Partnerships and DBA Licenses

UPON MOTION the Commission rules that those licenses tentatively authorized by the Executive Secretary for:

CITADEL, INC., John A. Ferreiro, Principal Broker
PATTERSON & CO., Charles A. Patterson, dba
N.C. REALTY Nelson K. J. Chang, dba
WILLIAMS REAL ESTATE . . Cyril D. Williams, dba

Motion passed unanimously.

Subdivision Registrations

- a. LEHIGH ACRES SUBDIVISION, Fort Meyers, Florida, approximately 120,000 lots. Broker: FELZER AND BEAMER, Realtors.
- b. ORCHID ISLE ESTATE SUBDIVISION - UNIT 2, Mountain View, Hawaii, 330 lots. Broker: Thomas K. Beveridge dba INTER ISLAND REALTY.

- c. ORCHID ISLE ESTATES SUBDIVISION - UNIT 4, Mountain View, Hawaii, 76 lots, Broker: Thomas K. Beveridge, dba INTER ISLAND REALTY
- d. ORCHID ISLE ESTATES SUBDIVISION - UNIT 1, Mountain View, Hawaii, 321 lots, Broker: Thomas K. Beveridge dba INTER ISLAND REALTY
- e. ORCHID ISLE ESTATES SUBDIVISION - UNIT 3, Mountain View, Hawaii, 178 lots, Broker: Thomas K. Beveridge dba INTER ISLAND REALTY
- f. ISENBERG HOMES SUBDIVISION - UNIT 1, Lihue, Kauai, 33 lots Selling by: The Lihue Plantation Co., Ltd.
- g. LIHUE INDUSTRIAL PARK SUBDIVISION - UNIT 1, Lihue, Kauai, 30 lots, Selling by: The Lihue Plantation Co., Ltd.
- h. HALEKOU VIEW LOTS SUBDIVISION, Kaneohe, Oahu, 97 lots, Selling by: Available to all brokers
- i. SUN GOLD SUBDIVISION - UNIT 2, Borrego Springs, California, 123 lots, Broker: Ron Burla dba RON BURLA & ASSOCIATES
- j. SALTON CITY SUBDIVISION - TRACT 679, Indio, California, 358 lots, Broker: Yoon Cho H. Chung
- k. SALTON CITY SUBDIVISION - TRACT 699, Indio, California, 242 lots, Broker: Yoon Cho H. Chung
- l. SALTON CITY SUBDIVISION - TRACT 562, Indio, California, 219 lots, Broker: Yoon Cho H. Chung
- m. SALTON CITY SUBDIVISION - TRACT 544, Indio, California, 263 lots, Broker: Yoon Cho H. Chung
- n. SALTON CITY SUBDIVISION - TRACT 573, Indio, California, 377 lots, Broker: Yoon Cho H. Chung
- o. SALTON CITY SUBDIVISION - TRACT 595, Indio, California, 186 lots, Broker: Yoon Cho H. Chung
- p. KAUNALA ACRES SUBDIVISION - UNIT II, Kahuku, Oahu, 51 lots, Broker: Agnes S. Cordeiro
- q. VISTA VALLEY ESTATES SUBDIVISION No. 1 & 2, Duchesne, Arizona, Unit 1-119 lots, Unit 2-266 lots, Selling by: Owner Developers
- r. HARBOR HEIGHTS SUBDIVISION, (formerly: ENCHANTED HILL ESTATES - UNIT 3) Aiea, Oahu, 131 lots, Broker: Pao Realty Co.

The Executive Secretary reported that VISTA VALLEY ESTATES SUB-DIVISION No. 1 & 2 (Item "q." above) is to be sold by the owner developers acting as principal. This matter is under review for discussion with Department of the Attorney General.

The Commission noted that the trade name of HARBOR HEIGHTS SUBDIVISION (Item "r." above) was similar to that of a development in the Aliamanu area merchandised by A. D. CASTRO & CO., LTD. approximately five years ago.

UPON MOTION the Commission accepted the registrations of the eighteen subdivisions above in accordance with Section 170-32, REVISED LAWS OF HAWAII, 1955, AMENDED.

Motion passed unanimously.

Condominium Registrations

- a. THE KIHEI SANDS, Kihei, Maui, 78 one bedroom apartments.
Developer: Walter Mitsu Harada

Executive Secretary, having made an on site inspection of the land May 26, 1962 is assembling information on project and Preliminary Public Report to issue. (REGISTRATION NO. 8).

- b. THE KAUAIAN, Koloa, Kauai, 65 units. Developer: KAUAIAN DEVELOPMENT CO., Milo Marchetti, Jr., authorized officer or agent.

Executive Secretary is reviewing file in preparation to issue public report (REGISTRATION NO. 9).

- c. HAWAII-KAI CONDOMINIUM PROJECT LOT NO. 1 - KAALAKEI VALLEY - UNIT 1-D, Maunaloa Bay, Oahu, 14 units. Developer: KAISER HAWAII-KAI DEVELOPMENT CO.

Executive Secretary preparing to issue Preliminary Public Report on this twin homes project. (REGISTRATION NO. 10).

UPON MOTION the Commission accepted the three condominium registrations above in compliance with Section 170A-21.- REVISED LAWS OF HAWAII, 1955, AMENDED.

Motion passed unanimously.

Reciprocity

The Executive Secretary reported on the progress of Mr. Ed Bolles' Honolulu Board of Realtors sub-committee study of amending the licensing statute in order to permit some flexibility for our brokers to split fees and commissions with licensed brokers in other states.

UPON MOTION the Commission accepted the report and directed the Executive Secretary to continue to sit with the sub-committee in an advisory capacity.

Motion passed unanimously.

Under discussion the Commission recommended that this subject be made a part of the 1963 LEGISLATIVE PROGRAM.

1962 DIRECTORY of Licensed Brokers and Salesmen

Note was made of a typographical error on the inside cover of the November publication where Mr. Beard's name was incorrectly spelled.

UPON MOTION the Commission accepted the Executive Secretary's report on the publication and distribution.

Motion passed unanimously.

1963-64 REAL ESTATE COMMISSION Budget

The Executive Secretary was to submit a skeletal 1963-64 Budget which would include expansion in the Commission's program. It was agreed that Mr. James, Mr. Palk and Mr. Kashiwa would make themselves available to confer with budget authorities on this project.

NATIONAL CONFERENCE ON INTERSTATE LAND SALES

Mr. Palk gave an oral summary of his participation in the October 1-2, 1962 proceedings at the Fairmont Hotel, San Francisco meeting.

The Commission, UPON MOTION, accepted Mr. Palk's October 12, 1962 report to Governor Quinn.

Motion passed unanimously.

Enforcement:

VANATTA REALTY CO. (Waikiki Cabanas) is again an active file as attorneys for parties in the cooperative apartment project are assembling information and exhibits for possible litigation.

MARK TWAIN ESTATES SUBDIVISION, Kau District, Island and County of Hawaii. Mr. Beard reported on his conference with the subdivider's attorney, Mr. James Case, CARLSMITH-CARLSMITH, WICHMAN AND CASE.

The Executive Secretary presented two documents recently delivered to the Commission. The members scanned the AGREEMENT OF SALE.

At Mr. Palk's suggestion the Commission reviewed certain parts of the ESCROW AGREEMENT. It was the opinion of the Commission that this document could be improved in such areas as: - Does purchaser pay directly to the depository - BANK OF HAWAII? Should not the recitation of how monies are to be received, held or transferred be stated uniformly in Escrow "A" Funds, Escrow "B" and Escrow "C". The members were of the opinion that the agreement or some amendatory and clarifying language could show the flow of funds from one escrow fund to another until termination.

UPON MOTION the Commission ruled that continued liasion and cooperation with the subdivider's attorneys is essential. It was agreed that Mr. Beard would take this matter back to the Hilo firm of attorneys while the Executive Secretary would present the agreement to the Department of the Attorney General for review.

Motion passed unanimously.

GREAT SOUTHWESTERN LAND COMPANY

The Executive Secretary reported on the cooperative project with the Postal Inspector, Phoenix, Arizona, to determine the approximate number of Hawaii residents purchasing Taos County lots as a result of the Fiftieth State Fair free lot scheme.

Other Business:

Third Examination of 1962

The Executive Secretary reported that the Examination Branch is presently working on the list of those candidates who qualified in the October 27, 1962 salesman test and the November 3, 1962 broker test. When this report is complete, within the next day or two, it will be routed to Commission members with a pink memorandum of transmittal.

E. Butler Smith - a licenses salesman is interested in making application the real estate broker examination.

The Commission heard Mr. Wick's review of this matter and in view of the uniqueness of the situation, the licensee having an extreme visual handicap, it was suggested by Mr. Palk that the applicant submit the required application and in a letter of transmittal set down for the Commission's consideration how he intends to operate if found qualified.

The Executive Secretary will research the legal aspects of this matter and establish the procedures under which the examination is to be administered. The question of precedent is to be reviewed and considered on the merits of the application to be submitted.

Motion passed unanimously.

Application Renewals for 1963

The Executive Secretary presented the renewal application form for the Commission's scanning. He announced that the forms are to be mailed out to all licensees shortly after first of December. He further noted that there could be a slight delay if the incoming Administration does not notify the Commission on the continued responsibilities and duties of the Chairman, Mr. James.

34TH ANNUAL NALLO CONFERENCE

The Executive Secretary brought the Commission up to date on all conference financial matters and the general closing out of this project.

UPON MOTION the Commission ruled to declare the annual meeting of the NATIONAL ASSOCIATION OF LICENSE LAW OFFICIALS a success and close the file.

Motion passed unanimously.

Shifting to Governor-Elect Burns Administration

The members discussed the submitting of courtesy resignations to the incoming Governor. It was agreed that each member would review this problem and submit an appropriate letter emphasizing to Governor-Elect Burns the desire to continue serving in order to see attainment of Commission's long range goals.

Date of Next Meeting

Date of the next meeting was set for 9:30 a.m., Tuesday, December 18, 1962 in Conference Room No. 1.

Adjournment: There being no further business to transact the meeting adjourned at 11:00 a.m.

Theodore R. James
Chairman