

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

MINUTES OF MEETING

Date: Tuesday, September 24, 1963

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

Present: Dorothy S. Ahrens Erling P. Wick
Yukio Kashiwa Robt E. Bekeart, Executive Secretary
Jack K. Palk

William A. Beard, excused, attending 35TH ANNUAL CONFERENCE, NATIONAL ASSOCIATION OF LICENSE LAW OFFICIALS, Memphis, Tennessee.

Present by Invitation: Mr. Mason Hironaka, First Vice-President, HONOLULU BOARD OF REALTORS.

The commissioners directed the Executive Secretary to report on whether there was any change in the filling of two vacancies on the Commission for the City and County of Honolulu. Mr. Bekeart advised the members that there has been no information given him on bringing the Commission up to its full legal membership.

Call to Order: There being a quorum the meeting was called to order by the Acting Chairman, Mr. Palk, at 2:10 P.M. The Chairman announced that this was a continuation of the recessed public hearing of August 20, 1963 when the Commission met to hear proposed changes to the rules and regulations.

The Acting Chairman stated that as there were additional improvements to be made in the content and format of the drafted rules and regulations, this hearing would be recessed and was to be reconvened at the next monthly meeting of the Commission. Mr. Palk further reported that unless there were substantial reasons for not doing so, the public hearing on proposed changes should be concluded with the October meeting. He noted that there would be no change in the substantive regulations that the members had reviewed during the past three months.

The Acting Chairman directed that the Commission would then move ahead to the normal business agenda.

Minutes: UPON MOTION, The Commission approved the minutes of Tuesday, August 20, 1963.

Financial Report: The members reviewed the Financial Report for the REAL ESTATE COMMISSION for the period ending August 31, 1963 and noted same as received.

Business Out of Minutes: LICENSING (Sections 170-1 through 170-14)

In the matter of VIOLET C. KING's request to have her status before the Commission reviewed, the members discussed the specific points in this problem. As noted in the minutes of the previous meeting, the Commission

granted Mrs. Violet C. King the right to appear before the assembled commissioners. At the August 20, 1963 meeting, the Acting Chairman read into the record Mrs. King's August 9, 1963 letter and after hearing Mrs. King through, the Commission excused her and in its own deliberations agreed that Mr. Palk would confer with representatives of the Department of the Attorney General to see what avenue could be explored in restoring Mrs. King to the practice of a licensed real estate broker. The Acting Chairman noted that he had reviewed this matter with the Commission's legal counsel and later he had conferred with Mr. Robert Won Bae Chang, attorney for Mrs. King. Under the date August 20, 1963, Mr. Palk had prepared a memorandum on this matter for the members of the Commission and in this statement he asked the commissioners to specifically consider his fifth suggestion which calls for the reissuance of Mrs. King's broker's license subject to the condition that for a period of two (2) years all of her transactions will be reviewed by Attorney Robert W. B. Chang prior to consummation. Mr. Palk emphasized that because of the supervision under Mr. Chang as discussed with the attorney, Mrs. King will be aided in establishing herself in the business community.

As stated in the memorandum Mr. Palk, if the members so agreed, was to meet with Mr. Chang and Mrs. King and advise them of the Commission's decision. Subsequently, on September 6, 1963, with the approval of the Commission members, Mr. Palk, as Acting Chairman met with Mr. Robert W. B. Chang and the attached agreement was executed. The Executive Secretary was presented when the Commission's decision was discussed with Mr. Chang and he signed Mr. Palk's letter.

Mr. Wick moved and Mr. Kashiwa seconded the motion to ratify the Acting Chairman's September 6, 1963 agreement with Mr. Robert W. B. Chang, attorney, sponsor of Mrs. Violet C. King.

UPON MOTION, the Commission directed the Executive Secretary to record the case in its entirety.

The motion to ratify Mr. Palk's action and to record the case passed unanimously.

EDWARD H. PEINE vs. PATRICK M. MURPHY - Mr. Palk noted that his draft of the Commission's decision in this case had been distributed to each member of the Commission and the Executive Secretary. The Acting Chairman stated that it would be desirable for each member to study the draft carefully, make such changes, additions or corrections as were found necessary or helpful to improve the paper and under separate mailing advise Mr. Palk of their decision when the draft is returned to his place of business. It was agreed that each member would study the draft and report his findings to Mr. Palk at the earliest possible date. As Mrs. Ahrens was departing the State on October 7, it was suggested that all drafts could be returned in time to permit the Acting Chairman to prepare a final edition for all members to sign.

SUBDIVISIONS (Sections 170-30 through 170-38)

There was no subdivisions carried over from the previous month's meeting.

CONDOMINIUMS (Sections 170A-1 through 170A-33)

REGISTRATION NO. 16 - POKAI BAY BEACH CABANAS - The Executive Secretary reported that a Final Public Report on this project had been issued September 5, 1963.

REGISTRATION NO. 18 - THE MARQUESAN - The Executive Secretary reported that a Preliminary Public Report had been issued on this project September 16, 1963.

REGISTRATION NO. 19 - ODE HACIENDA - The Executive Secretary reported that a Final Public Report had been issued on this project September 19, 1963.

New Business:

LICENSING (Sections 170-1 through 170-14)

and
New Corporations, Partnerships/DBA's - UPON MOTION, the Commission ruled that those licenses tentatively authorized by the Executive Secretary for:

Corporations

- Hawaiian Properties, Ltd. - Ricky Yamaguchi, Principal Broker
- Oceanside Properties, Inc. - Hal J. Hansen, Principal Broker
- Shimizu Associates, Inc. - Mitsuo Shimizu, Principal Broker

DBA's

- The Land Mart - (Jack Chaffee dba)
- Pacific Realty - (Edmund Kawakone dba)

Branch Office

The Land Mart, Br. - 70 S. Kukui Street - Richard T. Kong BIC
be issued.

SUBDIVISIONS (Sections 170-30 through 170-38)

LAST CHANCE RANCH - UNIT #1 - Elko, County of Elko, Nevada; 337 parcels; developer - LAST CHANCE RANCH, INC., Richard Mednick, Secretary.

LAST CHANCE RANCH - UNIT #2 - Elko, County of Elko, Nevada; 283 lots; developer - LAST CHANCE RANCH, INC., Richard Mednick, Secretary.

LAST CHANCE RANCH - UNIT #3 - Elko, County of Elko, Nevada; 550 lots; developer - LAST CHANCE RANCH, INC., Richard Mednick, Secretary.

Before moving the acceptance of the three above registrations, it was agreed that the Executive Secretary would make inquiry of the Nevada Real Estate Commission on these offerings and the status of the developer before that licensing authority.

The Commission accepted the registration on the following:

PUULOA 1 SUBDIVISION - Keahou 1 & 2, North Kona, County of Hawaii, Hawaii; 29 lots; developer - Bernice P. Bishop Estate, Lawrence Cunha, Jr., Manager, Technical Services Department.

CONDOMINIUMS (Sections 170A-1 through 170A-33)

REGISTRATION NO. 9 - KAUAIAN HYATT HOUSE - The Executive Secretary reported that the Preliminary Report on this project had been amended with a Supplementary Public Report on September 13, 1963.

REGISTRATION NO. 20 - WAIKIKI PARKWAY APARTMENTS - Final Public Report is in the process of being published.

REGISTRATION NO. 21 - LAULIMA - Registration has been received on this project at Spreckels Street and Wilder Avenue. Public report is to be issued shortly.

REGISTRATION NO. 22 - ILIKAI APARTMENT BUILDING - Registration has been received.

MISCELLANEOUS

The members noted that the HONOLULU BOARD OF REALTORS' EIGHTH ANNUAL EDUCATIONAL CONFERENCE is to be held October 16, 17, and 18. The matter of holding the October meeting of the Commission on Friday the 18th to coincide with this Board event was discussed.

OCTOBER 15, 1963 EXAMINATIONS - The Executive Secretary reported the following statistics:

	<u>Mol.</u>	<u>Oahu</u>	<u>Hawaii</u>	<u>Kauai</u>	<u>Maui</u>	<u>Total</u>
Broker Applications	1	45	1	2	1	50
Salesman Applications	0	175	14	2	1	192

Date of Next Meeting:

The 18th of October, 1963 at 3:00 P.M. was established as the next meeting.

The Executive Secretary reported that there was money budgeted for the Commission to conduct two of this fiscal year's meetings on another island than Oahu.

The members agreed that the November meeting would be held in the County of Kauai. Friday, November 22, 1963 was established as the date of the meeting in Lihue. Mrs. Ahrens will check on appropriate accommodations and advise the Executive Secretary of her suggestions.

Adjournment:

There being no further business, the meeting adjourned at 4:00 P.M.

APPROVED BY THE COMMISSION:

Date 10/22/63

Robt E. Bekeart
Robt E. Bekeart, Executive Secretary

Jack K. Palk
Jack K. Palk, Acting Chairman

EXHIBIT "A"

REAL ESTATE COMMISSION

September 6, 1963

Mr. Robert W. B. Chang
Attorney at Law
Suite 318, First National Bank Bldg.
Honolulu 13, Hawaii

Dear Mr. Chang:

This is in regard to the application of your client, Mrs. Violet C. King, for reinstatement of her real estate broker's license which was revoked by the Real Estate Commission on June 15, 1960.

Upon review of Mrs. King's file, including her communications with the Attorney General's office and other personnel of the State Administration, and her discussions with several of the commission members from time to time, it is the Commission's decision that Mrs. King's license should not be reinstated except under condition of the supervision by an employing broker for a period of time sufficient to ascertain her ability to provide complete responsibility in her real estate services to the public. However, in view of your real interest in wanting to assist Mrs. King in re-establishing herself in the real estate field, the Commission will substitute your supervision for that of an employing broker and accordingly will reissue Mrs. King's license subject to and upon the following conditions:

1) That for a period of two (2) years next following the date of this letter Mrs. King will be required to submit all listing agreements, sales contracts, deeds, leases, and other documents for your review prior to final execution or consummation, and otherwise to follow your advice and instructions with respect to proper guidance in the conduct of her real estate activities;

2) That if during said two (2) year period Mrs. King shall fail to comply with condition (1) above, or violate any other law, rule or regulation under Chapter 170 of the Revised Laws of Hawaii 1955, as amended, the Commission reserves its authority to revoke Mrs. King's license after proper notice and hearing;

3) That Mrs. King will be required to fill and submit the standard application form for a real estate broker's license;

Mr. Robert W. B. Chang
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4) Nothing herein shall preclude a reasonable fee arrangement between you and Mrs. King for your service in connection with conditions (1) and (2).

We ask that you and Mrs. King acknowledge your acceptance of the reissuance of her broker's license upon the conditions set forth above by signing in the space provided below and on the attached two (2) copies of this letter and return one (1) copy for the Commission files; whereupon Mr. Robt. E. Bekeart, the Commission's Executive Secretary, will proceed with the normal processing of Mrs. King's application and reissuance of her license.

Very truly yours,

Jack K. Palk, Acting Chairman
REAL ESTATE COMMISSION
State of Hawaii

Accepted this _____ day
of _____, 1963

Violet C. King

Robert W. B. Chang