

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

MINUTES OF MEETING

Date: Tuesday, October 22, 1963

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

Present: William A. Beard Erling P. Wick
Yukio Kashiwa Roy Y. Takeyama, Deputy Attorney General
Jack K. Palk Robt E. Bekeart, Executive Secretary

Present by Invitation: (Mrs.) Mary V. Savio, President, REAL ESTATE ASSOCIATION OF HAWAII.

Absent: Dorothy S. Ahrens

Vacancies: Mr. Palk asked the Commission's administrative officer if there was any change to report in the filling of two vacancies on the Commission for the City and County of Honolulu. Mr. Bekeart stated that he had received no information on bringing the Board up to its full statutory membership.

Call to Order: There being a quorum the meeting was called to order by the Acting Chairman, Mr. Palk, at 10:10 A.M.

Minutes: The minutes of the previous meeting were corrected as follows:

Under New Business, the new entity, Tadashi Hanzawa dba GRAND VIEW REAL ESTATE, having been tentatively authorized to do business by the Executive Secretary, was approved for licensing by the Commission.

UPON MOTION the Commission approved the minutes of the September 24, 1963 meeting with the above correction.

Motion passed unanimously.

Financial Report: The commissioners accepted the administrative officer's report that there was no Financial Report prepared for today's agenda. Said statement will be distributed to the membership when received.

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

The matter of EDWARD F. PEINE vs. PATRICK M. MURPHY was deferred to the end of the agenda.

SUBDIVISIONS (Sections 170-30 through 170-38)

The administrative officer reported that there were no subdivision registration statements for the Commission to act on.

Minutes of the Meeting of October 22, 1963

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

REGISTRATION NO. 20 - WAIKIKI PARKWAY APARTMENTS - The Executive Secretary reported that a Final Public Report on this project was published October 11, 1963.

REGISTRATION NO. 21 - LAULIMA - The Executive Secretary reported that a Preliminary Public Report on this project was published October 4, 1963.

REGISTRATION NO. 22 - ILIKAI APARTMENT BUILDING - The Executive Secretary reported there was more than the average amount of time to be spent in the examination of this project and the working up of a public report. Conferences and discussions with the Developer have been carried on.

RULES AND REGULATIONS PROJECT

The chair directed that this matter be deferred to the bottom of the agenda.

New
Business:

LICENSING (Sections 170-1 through 170-14)

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

Corporations

Victoria Ward, Ltd. - Edward C. Hustace, Principal Broker

DBA

Crown Realty Co. - (Edmund Y. Kawakone dba)

NOTE: Edmund Y. Kawakone requested change from dba Pacific Realty Co.,

be issued.

SUBDIVISIONS (Sections 170-1 through 170-38)

PIKOILOA TRACT - UNIT 9 - The Commission accepted the registration on this project situate at Kaneohe, Koolaupoko, City and County of Honolulu, Hawaii; 113 lots; Developer - Centex-Trousdale, Thomas R. d'Arcambal, Assistant Vice-President; Selling broker - HAWAIIAN HOUSING CORPORATION, LTD.

MAKAKILO CITY - UNIT IV - The Commission accepted the registration on this project situate at Makakilo, Ewa, City and County of Honolulu, Hawaii; 84 lots; Developer - FINANCE REALTY CO., LTD.; Selling Broker - FINANCE REALTY COMPANY, LTD., staff.

KLAMATH FOREST ESTATES - The Commission directed the Executive Secretary to write the Oregon Real Estate Commissioner for information on the status of this project. Cross inquiries are also to be made with the California Real Estate Commissioner and NALLO Rackets Committee. The property in question is twenty-six miles north of the town of Bly, in the unincorporated territory of Klamath County, Oregon; 1550 lots; Developer - CARSEL DEVELOPMENT COMPANY AND EDSEL DEVELOPMENT COMPANY dba KLAMATH FALLS FOREST ESTATES; Selling agent (out-of-state) - John P. Mills, 1463 North Vine Street, Hollywood, California, and Albert Bruegger, 3431 Adams, San Diego, California.

The Commission ruled that this application for registration will be set aside pending verification of information submitted in the filing.

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

REGISTRATION NO. 23 - INTERNATIONAL COLONY CLUB #1 - The Executive Secretary reported that a Preliminary Public Report on this project was published October 11, 1963. The development is located at Kaanapali, County of Maui, Hawaii; 22 separate cottages; Developer - International Colony Club, Inc., a foreign corporation, qualified to do business in Hawaii; Selling broker or agent - not designated.

REGISTRATION NO. 24 - PRINCE KUHIO - Notice of intention on this project has been received. Development is located at Koloa, County of Kauai, Hawaii; 23 units; Developer - Kauai Securities, Ltd.; Selling broker or agent - owner is designated.

MISCELLANEOUS

October 15, 1963 Examinations - The Executive Secretary reported on the administration of the real estate salesman and real estate broker examinations throughout the state. The statistics for the third examination of 1963 are as follows:

	<u>Honolulu</u>	<u>Hawaii</u>	<u>Kauai</u>	<u>Maui</u>	<u>Total</u>
Broker Applicants	37	3	2	1	43
Salesman Applicants	147	13	2	0	162

The members discussed the practice of having personnel from the Investigation Branch of the Professional & Vocational Licensing Division proctor the examinations. The commissioners' concern was on the manner of handling examination materials, the degree of control the Commission must exercise over the proctors, the policy of establishing where the responsibility rests for conducting the examinations and the general administration of the tests.

The Commission, under the authority of Section 170-7, subparagraph (f), R.L.H., approved waivers for the following to sit for the brokers examination:

E. A. Kurosumi	John F. Nash
R. A. Love	Connie R. Showkeir

The members directed that hereafter they will consider all matters pertaining to application for examination at a meeting to be conducted one week in advance of the actual date the test is to be administered. Applications and information relative to such processing must be received, in complete entry form, prior to the date of such meeting. Any application received at a date later than this meeting at which such matters are to be considered will be set aside for the next examination. The Commission directs the Executive Secretary to establish this procedure.

35TH ANNUAL NALLO CONFERENCE - Mr. Beard represented the Commission at the annual meeting of THE NATIONAL ASSOCIATION OF LICENSE LAW OFFICIALS, Memphis, Tennessee, September 16-20, 1963.

A copy of Mr. Beard's report of October 15, 1963 to the Governor is attached as an exhibit to these minutes.

UPON MOTION, the Commission commended Mr. Beard for an informative, concise report and accepted same as a part of these proceedings.

Motion passed unanimously.

Recess: The Commission recessed for the noon meal at 12:10 P.M.

Reconvene: The Acting Chairman reconvened the meeting at 1:50 P.M.

New Business: County of Kauai Monthly Meeting - The members heard the Executive Secretary's report on preliminary planning with Mrs. Ahrens as she checked in our office before her departure for Orient. It was noted that tentative reservations had been made for accommodations at the KAUAI SURF HOTEL, and that the COCO PALMS HOTEL might be considered as an alternate site with the meeting staged at Mrs. Ahrens' residence, which is handy to the Wailua area. After further discussion, the members suggested that the meeting be held at the COCO PALMS HOTEL on Friday, November 22, 1963 - convening at 1:00 P.M. and recessing at 5:00 P.M., with unfinished business to be handled Saturday morning before adjournment. Field trips and inspections are to be made of subdivisions and condominium sites plus any other items of interest that Mrs. Ahrens may recommend. A discussion of the program and the pairing for accommodations concluded the discussion.

Business Out of Minutes: (continued) EDWARD F. PEINE vs. PATRICK M. MURPHY - As agreed at the previous meeting, each member reviewed Mr. Palk's draft of the Commission's action in this matter. The Acting Chairman reported that he had received communications from the membership, including Mrs. Ahrens

before her departure out-of-state, and it was his opinion that the decision should be reviewed as part of these proceedings. Following a discussion of the case, the unusual and prolonged period of the hearing, the Commission concluded their study of alternatives.

UPON MOTION the Commission directed that their action in this matter be recorded as follows:

Upon the deliberation of this matter and based on the findings of acts of misconduct committed by Respondent, Patrick M. Murphy, THE REAL ESTATE COMMISSION, STATE OF HAWAII, has found the Respondent in violation of Section 170-12 (b), (h), and (i), Revised Laws of Hawaii 1955, as amended, and hereby revokes Real Estate Broker License No. 4144, effective October 25, 1963.

The motion passed unanimously.

The Acting Chairman directed the administrative officer to confer with Deputy Attorney Kenneth Saruwatari on the preparation of the official Charges, Findings of Fact and Conclusions of Law, and Decision. The Executive Secretary was instructed to circulate the final official papers to the commissioners for their signature after Mr. Saruwatari has had an opportunity to review and comment.

RULES AND REGULATIONS PROJECT - The members spent the balance of the meeting discussing the August 20, 1963 edition of the proposed changes to the rules and regulations. It was agreed that the Executive Secretary would make final corrections to the proposed regulations, confer with the Deputy Attorney General, Roy Y. Takeyama, on the project and present the rules for adoption at the meeting to be held in the County of Kauai.

Date of
Next
Meeting:

Friday, November 22, 1963 at the COCO PALMS HOTEL, County of Kauai.

Adjournment: There being no further business, the meeting adjourned at 3:30 P.M.



Robt E. Bekeart, Executive Secretary

APPROVED BY THE COMMISSION:

Date Nov 27, 1963



Jack K. Palk, Acting Chairman

REB/lo
November 20, 1963