

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

MINUTES OF MEETING

Date: Thursday, Friday and Saturday  
February 13, 14, 15, 1964

Place: PAVILION MEETING ROOM, Kona Hukilau Hotel  
Kailua, District of North Kona, Hawaii County  
  
AUDITORIUM, Hilo Electric Light Co., Ltd.  
1200 Kilauea Avenue, Hilo, Hawaii County

Present: Dorothy S. Ahrens Erling P. Wick  
William A. Beard Nobuki Kamida, Deputy Attorney General  
Yukio Kashiwa Robt E. Bekeart, Executive Secretary  
Jack K. Palk

By Invitation: Mary V. Savio representing the HONOLULU BOARD OF  
REALTORS and the HAWAII REAL ESTATE ASSOCIATION.

Norman Sakata, Investigator, West Hawaii and  
Francis Gota, Investigator, East Hawaii.

At the public meeting in Kailua, fifteen (15) licensees  
assembled with the Commission.

In the Hilo meeting, thirteen (13) licensees were present.  
Copies of the agenda were circulated to the audience.

Call to Order: The West Hawaii phase of the meeting was called to order by  
Acting Chairman Jack K. Palk at 2:10 P.M.

Minutes: UPON MOTION the minutes of the January 21, 1964 meeting were  
approved as circulated.

Motion carried unanimously.

Financial Report: The members noted the Financial Report for the REAL ESTATE  
COMMISSION for the month ending January 31, 1964 as received.

Business Out of Minutes: In moving into the agenda, the Acting Chairman commended the  
brokers and salesmen present for taking time from their  
business to attend this meeting of the Commission. He gave  
notice that although the members were conducting their regular  
monthly meeting, the audience was free to ask any questions or  
make comments on the business to be considered.

LICENSING (Sections 170-1 through 170-14)

Rules and Regulations - The Acting Chairman gave a brief  
resume of the Commission's activities in strengthening and  
improving the regulations. He reported that meetings had

been held with interested licensees in the counties of Maui and Kauai, as well as in the City and County of Honolulu. Mr. Palk noted that the proposed rules and regulations, distributed to all in attendance, were to be reviewed by the commissioners while assembled in the County of Hawaii. Every registrant present was advised that the Commission encourages comments and suggestions on these proposals, and those who would like to participate should forward their ideas, in writing, to Mr. Bekeart.

SUBDIVISIONS (Sections 170-30 through 170-38)

CROWN TERRACE SUBDIVISION - TRACT 1, UNIT 4B - The Commission accepted the registration of this project situate at Heeia, Kaneohe, City and County of Honolulu, Hawaii; 51 lots; Developer - Heeia Development Company (George M. Hasegawa); Selling Agent - George M. Hasegawa.

HAAHIONE VALLEY SUBDIVISION UNIT 1-F. The Commission accepted the registration of this project situate at Maunalua, City and County of Honolulu, Hawaii; 55 lots; Developer - Kaiser Hawaii-Kai Development Co.; Selling Brokers - K. Tim Yee, Frank Yamamoto.

KLAMATH FALLS FOREST ESTATES HIGHWAY 66 UNIT SUBDIVISION - The members studied the information submitted as part of the registration. The Executive Secretary reported that this project was substantially the same type of terrain as in earlier filings by the developer. The Commission accepted this project situate at Bonanza, County of Klamath, Oregon; 870 lots; Developer - Valiant Development Corp. and Outdoor Land Development Corp.; Selling Broker - James W. Peltier.

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

REGISTRATION NO. 28 - THE KULEANA - The Commission noted their field inspection of the Kailua site this day and the Executive Secretary reported that a Final Public Report on this horizontal property project had been published January 24, 1964.

REGISTRATION NO. 29 - SEASIDE TOWERS - The Executive Secretary stated that this was another conversion of a cooperative apartment project to the condominium concept. He said further that numerous conferences were held with counsel for the Developer as well as legal and financial authorities who had an interest in the changing of this development from one concept of ownership to another. A Final Public Report was issued January 29, 1964.

New  
Business:

LICENSING

NEW CORPORATIONS, PARTNERSHIPS and DBAs - UPON MOTION the Commission ruled that licenses tentatively authorized by the Executive Secretary for:

Corporation

GREAT HAWAIIAN REALTY, INC. - Francis C. Ako, RPB  
GEORGE M. HASEGAWA, INC. - George M. Hasegawa, RPB

be issued.

Motion passed unanimously.

SUBDIVISIONS

DESERT CARMEL SUBDIVISION - The Commission accepted the registration of this development situate at Casa Grande, County of Pinal, Arizona; 529 lots; Developer - Desert Carmel Development Corp.; Selling Broker - Yukio Kashiwa.

BAY VIEW SUBDIVISION - The Executive Secretary reported that he had been in contact with the Developer and it was believed that information necessary for this filing would be submitted by Mr. Kenneth Griffin at the County of Hawaii meeting.

UPON MOTION the Committee ruled that this matter would be carried over to the following day's meeting.

Motion passed unanimously.

CONDOMINIUMS

REGISTRATION NO. 30 - NANI KAILUA CONDOMINIUM - The Executive Secretary reported that the Developer had filed his Notice of Intention on this project shortly after the previous month's meeting. The project is situate at Kailua, North Kona, County of Hawaii, Hawaii; Number of Units - 39; developer - Nani Kailua Joint Venture; Selling Broker - Great Hawaiian Realty, Inc., National Securities & Investment, Inc., Manoa Realty, Inc., and Bonded Realty Company. A Final Public Report on the project had been issued February 7, 1964.

The Acting Chairman considered discussion from the floor on this registration. The Commission took note of the observations made and stated that the property was to be inspected by the members at the conclusion of today's meeting. The Acting Chairman directed the administrative officer to probe the question of the building resting on filled earth. The members were of the opinion that this was a problem of the Developer and his engineer, but if in the public interest additional information is available on this point a Supplemental Public Report might be issued.

REGISTRATION NO. 31 - MAKIKI TOWERS - Executive Secretary stated that Developer had filed his Notice of Intention on February 7, 1964. A Final Public Report on this project was issued February 13, 1964 with the Acting Chairman signing this document before departure for Kona. Copies of the report were distributed to the commissioners and licensees present were loaned copies for scanning.

The remainder of the Kona Hukilau public meeting was given over to various license law enforcement problems. There was a period for questions from the floor with the Commission or the Executive Secretary responding.

At 4:00 p.m., the Acting Chairman recessed the meeting to permit the commissioners, in company with Investigator Sakata and cooperating licensees, to inspect various condominium and subdivision projects which are under development in and nearby to Kailua town.

At 8:30 p.m., the Acting Chairman re-convened the meeting at Mr. Beard's residence at Holualoa Beach.

#### MISCELLANEOUS

October 15, 1963 Examination - The commissioners reconsidered the performance of applicants #5, #7 and #12 in the salesman examination and applicant #202 in the broker examination.

UPON MOTION the Commission, following a review of the respective test materials, ruled that salesman applicants #5, #7 and #12, upon reconsideration, be found qualified in the written examination and that the license be issued when all requirements have been fulfilled.

Motion passed unanimously.

Fee Structure Study - The Acting Chairman reported on the Wednesday, February 12, 1964 meeting called by the Director to review the fiscal position of the Department in its role to lend administrative support to various boards and commissions. Mr. Palk recapitulated the highlights of the previous evening's presentation and the commissioners discussed the present schedule of fees charged for licensing and condominium processing, and at the same time reviewed the proposed fee schedule in the Division's February 3, 1964 paper.

Rules and Regulations - The Acting Chairman moved into the February 11, 1964 draft of proposed rules and regulations. It was agreed that an intensive study should be made at this sitting and the members, plus Mr. Kamida, as counsel, proceeded to the review and discussion of the substantive rules relating to applications, examinations, conduct of practitioners and handling of clients' accounts.

Recessed:

At 11:45 p.m. the Acting Chairman recessed the meeting instructing the delegation that further consideration would be given to the proposed rules and regulations at the public meeting the following day in Hilo.

Mr. Palk instructed the party that preparations should be made to depart from Kona Hukilau Hotel at 8:00 a.m. the following morning for field inspection of West Hawaii, Hamakua Coast and City of Hilo developments.

FieldInspection:

At 8:30 a.m., Friday, February 14, 1964 the party departed Kailua enroute to the county seat at Hilo by way of Honokohau, Kamuela, Kawaihae then south to Hilo.

Projects inspected enroute were Huehue Ranch lands, Kona Ocean View Subdivision, Palani View Lots Subdivision and other North Kona district offerings.

In the District of South Kohala the commissioners viewed portions of Parker Ranch lands in process of development. By a new highway route out of Kawaihae the Commission's party inspected the Laurence Rockefeller Kaunaoa Bay resort, noting the creation of golf greens and fairways close to the newly completed State highway.

To the east of Kamuela the party diverted from the main route to inspect land offerings in the meadow area off the Kamuela to Honokaa road.

The Commission continued its travel down the coast of East Hawaii arriving at the Hilo Hukilau Hotel at 12:30 p.m.

Re-convened:

At 2:30 p.m., in the Auditorium of the Hilo Electric Light Co., Ltd. the Acting Chairman called the meeting to order from its previous recess in Kailua.

The Acting Chairman extended greetings similar to those he gave the Kailua assembly and noted that any comments that the licensees would care to offer on the business at hand would be sincerely considered by the Commission.

SUBDIVISIONS

BAYVIEW SUBDIVISION - situate at Kaumana, Hilo, County of Hawaii, Hawaii; 41 lots; Developer - Realty Investment Co., Ltd.; Selling Broker - Realty Investment Co., Ltd.

Mr. Kenneth Griffin, broker, speaking from the floor reported that in an earlier telephone chat with the Executive Secretary he was of the opinion that he would have all the documents and exhibits ready for the Commission's study. He

regretted that he was not prepared to bring in the additional information at this time but would follow through in correspondence.

The Acting Chairman reviewed some of the agenda items that the Commission considered at its meeting before the West Hawaii licensees. Copies of the Commission's agenda, along with copies of the proposed rules and regulations were distributed to the approximately thirteen licensees present.

Rules and Regulations - The Acting Chairman spoke to the Commission's project of updating its regulations in light of new developments in real estate as well as new enforcement problem the regulators face. He encouraged those who wanted to stay on to discuss the proposed rules and regulations do so, and if others had comments to offer to forward these in writing to the administrative officer.

The members continued their study of the proposed rules, taking up where they left off at the previous night's deliberations.

Recessed: At 4:30 p.m. the Acting Chairman called for a recess with the further instruction that the commissioners meet again at 8:00 p.m. to conclude deliberations on this project.

Reconvened: At 8:00 p.m. the Commission reassembled, with Deputy Attorney General Kamida and Mary V. Savio in attendance, to give further study to the regulations. With serious consideration the group went through PART I - GENERAL PROVISIONS, PART II - APPLICATIONS, PART III - VALIDATION REQUIREMENTS and PART IV - EXAMINATION. An introductory portion of the Rules of Practice and Procedures, in conformance to the Hawaii Administrative Procedures Act was also reviewed.

Adjournment: At 12:00 midnight the Acting Chairman adjourned the County of Hawaii meeting. He noted that, weather permitting the commissioners would inspect registered subdivisions in and around the City of Hilo, while the Executive Secretary would conduct a field inspection of the submarginal land offerings put on the market in 1958 from the District of Puna.

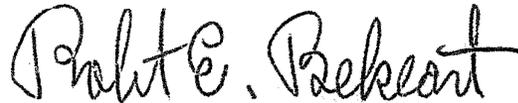
At 8:00 a.m. on Saturday, February 15, 1964 the Commission, noting the unfavorable weather conditions prevalent in the area agreed that there could be no inspection of Puna-Keaau area subdivisions. Commissioners Kashiwa and Wick were delegated to remain in Hilo and inspect those subdivisions in the Kaumana section of the city with particular attention to HILO PANORAMIC VIEW LOTS, HOOMALU STREET SUBDIVISION, KAUMANA-LANI SUBDIVISION, KAUMANA GARDENS and HILO COUNTRY CLUB ESTATES SUBDIVISION.

At 10:40 a.m. the Acting Chairman, Deputy Attorney General Kamida, Mrs. Savio and the Executive Secretary departed Hilo

for Honolulu. Mrs. Ahrens, on permission of the Acting Chairman, had departed for the County of Kauai the previous evening.

Date  
of Next  
Meeting:

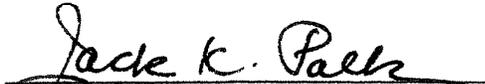
A meeting was tentatively set for Tuesday, March 10, 1964 in the City and County of Honolulu. The Executive Secretary was directed to establish whether there is a requirement for a public hearing notice should the Commission meet to adopt the proposed rules and regulations at its next meeting. He would then advise the commissioners on the procedures and the Acting Chairman would select the day of the public hearing--if it is necessary that one be held.



ROBT E. BEKEART  
Executive Secretary

APPROVED BY THE COMMISSION:

Date March 31, 1964

  
JACK K. PALK, Acting Chairman

REB/lo  
March 12, 1964