

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

MINUTES OF MEETING

Date: Tuesday, April 28, 1964

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

Present: Mrs. Dorothy S. Ahrens Mr. Jack K. Palk
Mr. William A. Beard Mr. Robt E. Bekeart, Executive Secretary
Mr. Yukio Kashiwa

Present by invitation:

Mrs. Mary V. Savio, representing Honolulu Board of Realtors
Mr. Wesley F. Charlton, representing Hawaii Real Estate Assn.

Absent: The Acting Chairman noted for the record that Mr. Douglas R. Sodatani, member, was excused.

Call to Order: There being a quorum, the Acting Chairman, Mr. Jack K. Palk, called the meeting to order at 10:05 a.m.

Minutes: UPON MOTION, the minutes of the March 31, 1964 meeting in the City and County of Honolulu were approved.

Motion carried unanimously.

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

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

The Executive Secretary reported that the Rules and Regulations adopted on the date of the March 31, 1964 public hearing were now being processed by departmental personnel for signature by the Acting Chairman and forwarding through the required channeling of the Department Head, the Deputy Attorney General and to the Governor for approval.

It was noted that the April 16, 1964 memorandum of the Executive Secretary to the Commission members reported on the specific results of the final writing conference of April 6, 1964 in which the Acting Chairman, Jack K. Palk, the Deputy Attorney General, Roy Y. Takeyama, and the Executive Secretary, Robt E. Bekeart, participated.

In reviewing the distribution of the final product, the members considered Mr. Okaji's inquiry on what circulation should be established once the Governor approves the regulations. The question of cost in forwarding a copy of the rules and regulations to each licensee was considered.

UPON MOTION, the Commission ruled that if the expense of reproducing and mailing can be borne by the Division, the regulations are to be distributed to all licensees. Further, that the Acting Chairman will transmit the regulations with a letter over his signature.

Motion carried unanimously.

MARCH 24, 1964 EXAMINATIONS

UPON MOTION, the Commission ruled that the following applicants for real estate broker license were found qualified in the March 24, 1964 written examination:

<u>Name</u>	<u>ID No.</u>
1. Ackley, Mrs. Barbara R.	12
2. Bruey, Joseph A.	33
3. Cowell, Don R.	18
4. Davis, Patricia B.	15
5. Dowling, Joseph B.	35
6. Flinn, Marion Elizabeth	47
7. Ignacio, June T.	29
8. Lizama, Charles L., Jr.	20
9. Medeiros, Ernest	28
10. Parker, Raechel R.	48
11. Sakata, Raymond T.	21
12. Terada, Clifford H.	25
13. Togawa, Toshio	46
14. Ujimori, Stanley T.	30
15. Willers, Dorothy B.	49
16. Wong, Gordon M. K.	11

Motion carried unanimously.

UPON MOTION, the Commission ruled that the following applicants for real estate salesman license were found qualified in the March 24, 1964 written examination:

<u>Name</u>	<u>ID No.</u>	<u>Name</u>	<u>ID No.</u>
1. Acohido, Donald B.	245	38. Libre, Fely	222
2. Ackerman, Stephen H.	164	39. Littlefield, Maxine E.	112
3. Agmata, Rody D.	244	40. Liu, Lawrence	354
4. Anderson, Alvan J.	180	41. Lochmiller, Walter	252
5. Askins, Samuel M.	242	42. Lung, Sunny (Sun)	163
6. Barradale, George R.	185	43. MacCosham, Esther E.	310
7. Bradley, Raymond M.	172	44. Matsumoto, Hisashi	305
8. Bundy, Gwendolyn F.	228	45. Najita, Tadashi	324
9. Cabanas, Saturnino	111	46. Neptune, Esther	213
10. Catto, Wilbert S.	223	47. Ng, Henry C. H.	274
11. Chun, Gilbert H.	176	48. Niles, Dale	325
12. Chun, Kan Chee	237	49. Ohama, Eiko	206
13. Chun, Violet S.	220	50. Pang, Norman H. C.	282
14. Clowe, C. E.	192	51. Penovaroff, Alex	103
15. Conboy, Charles E.	170	52. Phillips, Grace H.	333
16. Damron, Gloria	255	53. Pink, Heinz-Guenther G.	286
17. Dietz, Helen D.	162	54. Plimier, David T.	352
18. Duponte, Dorothy W.	118	55. Plunkett, Abraham K.	292
19. Elsner, Richard B.	148	56. Pulliam, Harold K.	326
20. Foster, Vernon L.	155	57. Radley, Barbara M.	331
21. Funk, Lowell D.	256	58. St. George, Arpad J.	318
22. George, Flave J.	240	59. Shelton, Samuel L.	134
23. Goo, Tin Chong	216	60. Shelton, William T.	251
24. Hashimoto, Robert T.	154	61. Simmons, Dudley	258
25. Hansen, Claribelle B.	161	62. Steichen, Richard L.	273
26. Hedemann, Eleanor	243	63. Stevenson, Marjorie A.	263
27. Hong, George	102	64. Thomas, Robert D.	350
28. Husic, Mrs. Janyth	201	65. Traut, John H.	288
29. Ichinose, Eugene Takeo	168	66. Tsuchida, Kenneth K.	142
30. Iwatani, James H.	232	67. Von Friesen, Monica	312
31. Johnson, Marion	238	68. Warren, Roy Douglas	315
32. Kangas, Leslie E.	153	69. Winnagle, Homer Lee	138
33. Kawasaki, Robert	195	70. Yagi, Seisuki R.	349
34. Knox, Charlotte M.	239	71. Yano, William H.	362
35. Lau, Clarence L. K.	248	72. Yuh, Howard H. C.	339
36. Leavitt, Henry S.	167	73. Yuzon, Moeses L.	275
37. Lee, John K.	230		

Motion carried unanimously.

UPON MOTION, the Commission ruled that the above applicants be issued the respective real estate broker or real estate salesman license when they have met the requirements of Chapter 170, RLH 1955, as amended.

Motion carried unanimously.

The Commission reviewed the procedure formerly followed of permitting unsuccessful applicants to review their performance. Discussion centered on the change in policy which now does not allow the applicants to study their test booklets. The Executive Secretary noted that in discussing the proposed rules and regulations at the meeting in the County of Hawaii the commissioners approved the recommendation that the practice of reviewing examination papers be stopped and in place of this service all unsuccessful candidates be notified of the points they attained in each section of the test.

UPON MOTION, the Commission ruled to reaffirm the policy of February 14, 1964 at the County of Hawaii meeting that candidates would no longer be permitted to review their examination performance. Further, that a letter would be sent each unsuccessful applicant advising him on the results he attained in each section of the test.

Motion carried unanimously.

Letters of appeal were received from broker applicants, Mario S. Giovannetone, Roswell E. Howe, and Toko Umemoto, on their notice that they had failed to qualify in the March 24, 1964 examination.

UPON MOTION, the Commission ruled that the three broker candidates, Mr. Giovannetone, Mr. Howe and Mr. Umemoto, be informed that their performance had been reviewed by the members and that the earlier decision that they did not qualify in the written examination is reaffirmed.

Motion carried unanimously.

SUBDIVISIONS (Section 170-30 through 170-38)

The Executive Secretary reported that there were no subdivision transactions carried over from the previous meeting.

EDEN ROC ESTATES SUBDIVISION-On the oral request of Developer's counsel, Mr. Luman N. Nevels of the firm of Nevels & Chang, the members permitted an adjustment in the proceedings in order to hear Mr. Nevel's presentation on behalf of his client, Hawaii Mountain View Development, which is a subsidiary of Deak & Company (Hawaii).

In anticipation of Mr. Nevels' presentation, the Executive Secretary briefed the Commission on the position of the Planning and Traffic Commission, County of Hawaii, at its meeting of April 20, 1964 where this offering was discussed. From this municipal agency, the Executive Secretary had received a request that the Commission comment on and make recommendations regarding the Developer's "paste-up" promotional layout and implementing "copy."

In reviewing the proposed advertising material with Mr. Nevels, the Commission made observations that might be considered by the Developer. It was suggested that (1) there might be more pictures to graphically show the actual land that was being offered for sale, (2) the image of the County of Hawaii as an island of many attractions and attributes could be emphasized even though this might be at the sacrifice of promoting the broad image of the State of Hawaii, and (3) where illustrations show scenic spots or landmarks of interest that are not in the County of Hawaii the supporting copy should disclose where it is actually located and at what distance from the property in question it lies.

Hearing the commissioners' observations through, Mr. Nevels withdrew to telephone his client on the possibility of having some of the promotional material revamped along the lines of the previous discussion. Mr. Nevels returned and reported that his client was agreeable to the suggestions offered. The promotional material was left with the Commission for additional examination. It was agreed that the Acting Chairman will review the "copy" and instruct the Executive Secretary on the letter that will be prepared in response to the Hawaii Planning and Traffic Commission's request.

The Commission was in full accord that it could not hold itself out as having technical competence in advertising and promotional work, but that there was an area in which they could function and that appears to be in furtherance of the practice of requiring a complete and accurate disclosure of all the facts.

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

The Executive Secretary reported that there were no condominium transactions carried over from the previous meeting.

New Business:

LICENSING

NEW CORPORATIONS, PARTNERSHIPS AND DBAs

UPON MOTION, the Commission ruled that the license tentatively authorized by the Executive Secretary for:

Partnership

Kona Realty Company - Sumio Nakashima, RPB be issued.

Motion carried unanimously.

There were no corporations or dba transactions.

SUBDIVISIONS

UPON MOTION, the Commission accepted the registration on the following projects:

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EWALANI HOMES, UNIT II SUBDIVISION

Ewa, City and County of Honolulu, Hawaii; 59 lots; developer-Globe Realty Corporation; selling broker-Globe Realty Corporation.

HALAWA VALLEY ESTATES UNIT I SUBDIVISION

Moanalua, City and County of Honolulu, Hawaii; 261 lots; developer-Jack H. Ujimori; selling broker-Jack H. Ujimori.

MOANALUA VALLEY UNIT "A" SUBDIVISION

Moanalua, City and County of Honolulu, Hawaii; 280 lots; developer-International Development Company; selling broker-Loyalty Enterprises, Ltd.

MOANALUA VALLEY UNIT "B" SUBDIVISION

Moanalua, City and County of Honolulu, Hawaii; developer-International Development Company; selling broker-Loyalty Enterprises, Ltd.

HANAIEI COMMUNITY SUBDIVISION

Hanaie, County of Kauai, Hawaii; 27 lots; developer-Hanaie Development Company, Inc. and Harold Hisashi Ohama; selling broker-K & H, Incorporated.

Motion carried unanimously.

RECORD OF SURVEY NO. 10140 - Santa Barbara County, California; 4 miles NE of Lompoc; 62 parcels (20 acres each); developer-Santa Barbara Land and Building Company (Hermin Rubins); merchandiser-The Antell Company; selling broker-Lin San Lai.

UPON MOTION, the Commission ruled to defer action on this registration pending the receipt of more detailed answers to questions asked in the Subdivision Registration Statement.

Motion carried unanimously.

The Commission was of the opinion that if it is to carry out the objectives of the subdivision law, the Developer must submit complete and accurate information and data on all projects that are registered. The consideration must be given, the members agreed, to the general public who have a right to come to the Commission to gain information on such offerings as this project.

CONDOMINIUMS

The Executive Secretary reported that the Developer of REGISTRATION No. 17 - THE GOVERNOR CLEGHORN had submitted a request for an amended public report as material changes had been made in the project.

WAIPIO GARDENS APARTMENTS - Waipio, City and County of Honolulu, Hawaii; 68 units; developer-Maunahale Development Corporation (Mun On Chun); selling broker-Finance Realty Company, Limited, was presented to the agenda for information. Public report is being processed.

NAOE APARTMENTS - 1584 Thurston Avenue, Makiki, City and County of Honolulu, Hawaii; 19 units; developer-Kiseko Dewa Kawamura; selling broker- K & H, Incorporated, was presented for information. Public report is being processed.

MISCELLANEOUS

REAL PROPERTY LOAN BROKER OPERATIONS

The commissioners, having had an opportunity to study the letter of Larry Medeiros of March 31, 1964, directed that an investigation be undertaken to learn how these operations are presently being conducted and that such an examination of the procedures may permit the Commission to seek legislative enactments which would bring violations under control. The Executive Secretary was instructed to start assembling information on practices such as those described in Mr. Medeiros' letter and also to review how other NALLO jurisdictions have regulated these operators.

BIG ISLAND SUBDIVISION NEWS ARTICLES

Upon the recommendation of the Executive Secretary, the Commission approved the idea of writing a letter to the publisher of the Honolulu Star-Bulletin commending reporter Jack Bryan for an interesting and informative series of articles on the County of Hawaii problem.

The Executive Secretary stated that it was noteworthy that this was a presentation which dealt objectively with the problem of premature subdivisions and represented the subdivider's position in a favorable light.

COMMISSION POLICY STATEMENT

It was agreed that the Executive Secretary will prepare in draft informational material and forms for Commission's applications. The preparation of subdivision registration statements and condominium questionnaires now under revision will be submitted for acceptance by the Acting Chairman. Mr. Palk noted that he will work with the Executive Secretary on the drafting of the above material.

Date of

Next Meeting: Tuesday, May 19, 1964 at 10:00 a.m.

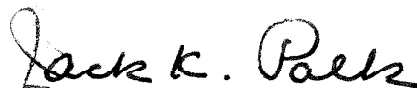
Adjournment: There being no further business to transact, the Acting Chairman declared the meeting adjourned at 12:00 noon.



ROBT E. BEKEART
Executive Secretary

APPROVED BY THE COMMISSION:

Date May 19, 1964



JACK K. PALK, Acting Chairman

REB: km
May 15, 1964