

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

MINUTES OF MEETING

Date: Monday, June 22, 1964

Place: Conference Room No. 1, 313 So. Beretania Street, City and County of Honolulu, Hawaii

Present: Mrs. Dorothy S. Ahrens Mr. Douglas R. Sodetani
Mr. William A. Beard Mr. George P. Siu, Deputy Attorney General
Mr. Yukio Kashiwa Mr. Robt E. Bekeart, Executive Secretary
Mr. Jack K. Palk

Present by invitation:

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

Absent: None

Vacancies: Mr. Palk asked the Executive Secretary if there was any report on the filling of two (2) vacancies on the Commission for the City and County of Honolulu. Mr. Bekeart stated that he had received no information on bringing the Commission up to its full statutory membership.

Call to Order: There being a quorum the Acting Chairman, Mr. Palk, called the meeting to order at 10:30 a.m.

Minutes: UPON MOTION, the minutes of the May 19, 1964 meeting in the City and County of Honolulu, Hawaii were approved.

Financial Report: The Commission noted the Financial Report for the Real Estate Commission ending May 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 by the Commission at the March 31, 1964 Public Hearing were approved as to form by the Attorney General's Office on June 1, 1964. On June 15, 1964 the Licensing Administrator, Mr. Okaji transmitted the Rules and Regulations to the Acting Director, Mr. Tokunaga, for review and approval.

SUBDIVISIONS (Sections 170-30 through 170-38)

EDEN ROC ESTATES SUBDIVISION - An excerpt from the Subdivision Committee minutes of the Hawaii Planning and Traffic Commission under date

April 10, 1964 has been made available to the members of this Commission. The Executive Secretary reported that with the assistance of the Acting Chairman, Mr. Palk, an appropriate letter was prepared and forwarded to the County of Hawaii authorities. There is nothing further to report on this matter.

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

REGISTRATION NO. 25 - TANTALUS VISTA APARTMENTS - The Commission noted the fifteen (15) revisions and additions of a minor nature submitted to under the Developer's June 4, 1964 communication.

REGISTRATION NO. 31 - MAKIKI TOWERS - The Commission noted the amendments to documents on file as submitted by Developer's attorney on June 15, 1964.

REGISTRATION NO. 33 - NAOE APARTMENTS - The Declaration, along with counsel's Amendments to Declaration of Covenants, Conditions and Restrictions and By-Laws and the Amendment to Apartment Deed were noted as received by the Commission.

REGISTRATION NO. 34 - HAWAII KAI CONDOMINIUM PROJECT - The Executive Secretary stated that a Final Public Report has been issued on this project June 4, 1964.

REGISTRATION NO. 35 - DIAMOND HEAD GARDENS - The Executive Secretary noted that a Preliminary Public Report had been issued on this project June 4, 1964.

New
Business:

LICENSING

NEW CORPORATIONS, PARTNERSHIPS AND DBAs

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

Corporations

Kuroman Realty, Inc., - Evelyn Y. Kurosumi, RPB
John Child & Co., Inc., - John F. Child, Jr., RPB

Branch Offices

K & H, Inc., Branch Office - Suite 919, 1441 Kapiolani Blvd.,
Mike Shimabukuro, BIC
Clark-Simpson Realty, Inc., Branch Office - 767 Kailua Rd., Kailua,
Joseph T. K. Chong, BIC

be issued.

There were no Partnership or DBA transactions.

JUNE 23, 1964 EXAMINATIONS - The Executive Secretary reported the following application statistics:

	Salesman Applications Filed	Broker Applications Filed
City and County of Honolulu	306	49
County of Hawaii (Hilo)	18	2
County of Hawaii (Kailua-Kona)	1	0
County of Maui (Maui)	4	0
County of Maui (Molokai)	0	1
County of Kauai	<u>1</u>	<u>1</u>
TOTAL	330	53

SUBDIVISIONS

UPON MOTION, the Commission accepted as completed the registrations on the following projects:

MAHINUI SUBDIVISION - Kaneohe, City & County of Honolulu, Hawaii, 62 residential lots; developer - Mahinui Developments (Joint Venture); selling broker - Herbert K. Horita Realty, Inc.

LUNALILO PARK UNIT II A SUBDIVISION - Maunaloa, City and County of Honolulu, Hawaii, 51 lots; developer - Kaiser Hawaii-Kai Development Co., selling broker - Kaiser Hawaii-Kai Development Co. and Kaiser Realty (Frank Yamamoto, RPB).

LUNALILO PARK UNIT II B SUBDIVISION - Maunaloa, City and County of Honolulu, Hawaii, 51 lots; developer - Kaiser Hawaii-Kai Development Co., selling broker - Kaiser Hawaii-Kai Development Co. and Kaiser Realty (Frank Yamamoto, RPB).

LUNALILO PARK UNIT II C SUBDIVISION - Maunaloa, City and County of Honolulu, Hawaii, 65 lots; developer - Kaiser Hawaii-Kai Development Co.; selling broker - Kaiser Hawaii-Kai Development Co., and Kaiser Realty (Frank Yamamoto, RPB).

LUNALILO PARK UNIT II D SUBDIVISION - Maunaloa, City and County of Honolulu, Hawaii, 35 lots; developer - Kaiser Hawaii-Kai Development Co., selling broker - Kaiser Hawaii-Kai Development Co. and Kaiser Realty (Frank Yamamoto, RPB).

TESHIMA SUBDIVISION - Kawainui 1st, North Kona, County of Hawaii, Hawaii, 32 lots; developer - Mrs. Shizuko Teshima; selling broker - open to all brokers.

MOANALUA UNIT 7 SUBDIVISION (Moanalua Vista) - Moanalua, City and County of Honolulu, Hawaii, 164 lots; developer - Jack H. Ujimori; selling broker - open to all brokers.

KAPALAMA INDUSTRIAL PARK SUBDIVISION - Kapalama, City and County of Honolulu, Hawaii, 32 lots; developer - Bonded Investment Company, Ltd.; selling broker - Bonded Realty Company.

PACIFIC PALISADES UNIT II EAST SUBDIVISION - Pearl City, City and County of Honolulu, Hawaii, 201 lots; developer - Momilani Land Co., selling broker - Palisades Realty, Inc.

HUAPALA SUBDIVISION - Waiakea, Hilo, County of Hawaii, Hawaii, 28 lots; developer - Charles Makaweo and Hiromu Yamanaka; selling broker - Hiromu Yamanaka.

CONDOMINIUMS

The Executive Secretary reported that Notices of Intention on behalf of the following horizontal property regimes had been received:

(UNASSIGNED) - ALAELOA - Alaelo, Kaanapali, County of Maui, Hawaii, 47 dwelling units; developer - Alaelo Properties (Engineers Limited Pipeline Company, a California corporation, W. E. Partridge, a resident of Honolulu, Hawaii); selling agent - Louis G. van der Linden.

(UNASSIGNED) WAIKIKI IMPERIAL APARTMENTS - 225-231 Liliuokalani Avenue, Waikiki, City and County of Honolulu, Hawaii, 31 dwelling units; developer - Waikiki Imperial Apartments, Inc.; selling broker - Manoa Realty.

MISCELLANEOUS

MRS. PEARL K. NAM vs. MR. WILLIAM H. FURTADO

The Executive Secretary read into the record a June 8, 1964 letter from the Respondent's attorney, Mr. Ambrose J. Rosehill, in which the Commission was advised that the settlement as agreed upon between the parties had been completed. Counsel's statement on behalf of his client, Mr. Furtado, was in response to the Commission's position at the May 19, 1964 meeting.

SUBDIVISION REGISTRATION STATEMENT

Under the Executive Secretary memorandum of May 26, 1964 the commissioners were forwarded the second draft of revisions to RECO FORM 27. It was noted that the last draft was the result of a work session with the Acting Chairman, Mr. Palk, and the Executive Secretary making certain changes to improve the form.

In response to the May 26 memo, Mr. Beard noted certain areas of spelling that are to be corrected. Mr. Sodetani made inquiry into the necessity of having the developer submit a topographic map of the subdivision registered. The Executive Secretary reported that it was normal practice for the subdivider's civil engineering to provide topographical features of the land to be developed along with other technical studies that are submitted to municipal planning authorities or the FHA if the project requires federal inspection and acceptance. Mr. Sodetani asked if it was necessary for the developer to file the respective subdivision regulations and zoning ordinances. The members were of the opinion that this is a reasonable requirement and the practice to do calls for the registrant to present proof that there has been compliance with existing laws or regulations affecting the development and offering for sale subdivided properties.

The Commission instructed the Executive Secretary to establish sound lines of communications with the various municipal and county authorities charged with the responsibility of administering and enforcing subdivision ordinances and regulations on each island. The commissioners feel it is vital to their function of administering the Regulations Over Transactions Involving Real Estate Subdivisions that all Planning Directors in each county, or other responsible public official or body, be apprised of the Real Estate Commission's requirements and procedures in registering subdivisions.

The Executive Secretary was instructed to proceed with his negotiations with the printing firm on the basis of the second and final draft of RECO FORM 27.

POWER OF ATTORNEY

The Acting Chairman asked the Commission's counsel, Mr. George P. Siu, Deputy Attorney General, if there was anything to report on the question of whether subdividers or developers who give a power of attorney to a non-licensee in order to sell their offerings would be held in violation of Chapter 170 or implementing rules and regulations. Mr. Siu noted that at this time he had nothing to report but assured Commission he would give the matter his attention.

BROKERS HIRING SALESMAN AT LOCATIONS AWAY FROM PRINCIPAL PLACE OF BUSINESS

The Commission's position on the question of salesmen operating in a county away from the official place of business maintained by their employing broker was discussed. A review of the Commission's December 18-19, 1963 action on this matter when assembled in the County of Kauai re-affirmed the members' decision to require that a salesman should receive close supervision of his real estate activities by a licensed broker. The question of salesman operating out of branch offices

where there is a Broker-in-Charge was pointed up as a reasonable requirement and Mr. Beard noted that it has had practical and successful application in the County of Hawaii. The consensus of opinion was that the Commission will keep an open mind on this problem and where there are unusual and unique situations that develop such matters will be studied on their merits.

THIRTY SIXTH ANNUAL NALLO CONFERENCE

UPON MOTION, the Commission ruled that the Acting Chairman, Mr. Jack Palk, is to represent Hawaii at the national convention in Los Angeles, California during the first week in November.

Motion carried unanimously.

Recess: At 11:50 a.m. the Acting Chairman, Mr. Palk, declared a recess in the proceedings for the noon meal. He suggested that the Commission reconvene at the established time of 2:00 p.m. for the Public Hearing on proposed increases to fees chargeable under the real estate licensing statute.

Reconvene: At 2:00 p.m. there being a quorum the meeting was reconvened and the Acting chairman, Mr. Palk, directed the Executive Secretary to read the official notice of the hearing.

The Executive Secretary, at the direction of the Acting Chairman read the NOTICE OF PUBLIC HEARING as follows:

INCREASE IN FEES

Pursuant to the provisions of Chapter 6C, 170 and 170A, Revised Laws of Hawaii 1955, as amended, notice is hereby given that the Real Estate Commission, Department of Regulatory Agencies, will hold a public hearing on the proposed fee increases for certain services as authorized by Act 32, Session Laws of Hawaii, 1964.

The following represents the fees as proposed:

Application (broker and salesman)	\$ 7.50
Branch office license	3.00
Reissuance of license	1.50
Reinstatement of license-Broker	37.50
Condominium registration	75.00

The hearing will be held on Monday, June 22, 1964, at 2:00 p.m. in Conference Room 3, 313 South Beretania Street (Old Schuman Carriage Building, Miller Street entrance), Honolulu, Hawaii.

For further information call the Board office at 50511, extension 203.

JACK K. PALK
Acting Chairman
Real Estate Commission
State of Hawaii

The Acting Chairman announced that in compliance with SECTION 3, Procedure for Adoption, Amendment or Repeal of Rules, Hawaii Administrative Procedures Act, the above notice was published in the HONOLULU ADVERTISER on Wednesday, June 3, 1964.

At the conclusion of the reading of the notice Mr. Sodehani asked the Executive Secretary if any communications have been received in protest against the proposed increase in fees or whether there had been any inquiries received at the Commission's office on the increase in fees. The Executive Secretary stated that no such communications have been received.

The Acting Chairman directed that the floor be thrown open for comments by the public. There being no public present, the Acting Chairman stated that a period of ten (10) minutes would be set aside to hear any comments or suggestion any member of the public would care to make.

At the conclusion of the ten (10) minute period, there being no response from the public, the Acting Chairman stated that he would entertain a motion for the adoption of the proposed increase in fees.

UPON MOTION the Commission ruled that the increase in fees to the level of those recited in the public notice of June 3, 1964 is adopted.

Motion carried unanimously.

The Executive Secretary, under instruction from the Acting Chairman, will follow through with the necessary paperwork to submit the Commission's action to the administration.

The Acting Chairman declared the Public Hearing closed at 2:25 p.m.

Date of
Next
Meeting:

Thursday, July 16, 1964 at 10:00 a.m. in Conference Room No. 1.

Adjournment: There being no further business to transact, the Acting Chairman declared the meeting adjourned at 2:30 p.m.



ROBT E. BEKEART
Executive Secretary

APPROVED BY THE COMMISSION:

Date

July 16, 1964



JACK K. PALK, Acting Chairman

REB: sw

July 10, 1964