

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

MINUTES OF MEETING

Date: Wednesday, July 16, 1964

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

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

Present by invitation:

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

Absent: Mr. George P. Siu, Deputy Attorney General

The Executive Secretary reported that through Mr. Robert M. Lee, Acting Licensing Administrator, he received word that the Governor is considering names to fill the two (2) City and County of Honolulu vacancies on the Commission, but at this date no selections have been made.

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 Monday, June 22, 1964 meeting were approved as distributed.

Financial Report: The Commission noted the Financial Report for the Real Estate Commission ending June 30, 1964 as received.

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

RULES AND REGULATIONS - The Acting Licensing Administrator, Mr. Lee, had informed the Executive Secretary that the proposed Rules and Regulations, transmitted to the Acting Director on June 15, 1964 for review and approval, were now in the office of the Governor. Mr. Lee advised that the Governor has expressed an interest in the Rules and Regulations and he has some questions which he wants to discuss with the Acting Chairman. Mr. Lee suggested that the Acting Chairman call the Governor for an appointment and this Mr. Palk agreed to do.

JUNE 23, 1964 EXAMINATIONS

The Executive Secretary reported the following statistics on applicants appearing for examination:

| | <u>Salesman</u> | <u>Brokers</u> |
|---------------------------------|-----------------|----------------|
| County of Hawaii (Hilo) | 16 | 1 |
| County of Hawaii (Kailua, Kona) | 1 | 0 |
| City and County of Honolulu | 245 | 44 |
| County of Kauai | 1 | 1 |
| County of Maui | <u>3</u> | <u>0</u> |
| Total Examined | 266 | 46 |

The Executive Secretary presented EXHIBIT "A" which showed the ranking of the forty-six (46) candidates for a real estate Broker license.

UPON MOTION, the Commission ruled that the following applicants for real estate Broker were found qualified in the June 23, 1964 written examination:

| <u>Names</u> | <u>ID No.</u> |
|---------------------------------|---------------|
| 1. CHRISTIAN, Mrs. Betsy Mosher | 42 |
| 2. COKE, James H. | 26 |
| 3. GIOVANNETTONE, Mario S. | 33 |
| 4. HOWE, Roswell E. | 17 |
| 5. KAWASAKI, Harold K. | 27 |
| 6. KIMURA, Raymond M. | 36 |
| 7. KUNZ, Josepha Smith | 14 |
| 8. MANLEY, Elmer E. | 52 |
| 9. MORSE, Iris | 8 |
| 10. PROSSER, Robert | 49 |
| 11. ROSSO, James P. | 51 |
| 12. SAKIMA, Akira | 28 |
| 13. UEMOTO, Tokio | 21 |
| 14. WOND, Michael M. | 7 |

Motion carried unanimously.

The Executive Secretary presented EXHIBIT "B" which showed the ranking of the two hundred and sixty-six (266) candidates for a real estate Salesman license.

UPON MOTION, the Commission ruled that the following applicants for real estate Salesman license were found qualified in the June 23, 1964 written examination:

| <u>Name</u> | <u>I.D. No.</u> | <u>Name</u> | <u>I.D. No.</u> |
|----------------------------|-----------------|---------------------------|-----------------|
| 1. AFUSO, Roy K. | 157 | 10. CHISHOLM, James E. | 133 |
| 2. ALLEN, Margie | 273 | 11. CHIYA, Melvin H. | 269 |
| 3. ANDERSON, David C. | 254 | 12. CHONG, Charles F.W. | 213 |
| 4. APA, Donald R. | 154 | 13. CHOY, Clarence | 137 |
| 5. AUSTIN, Stafford L. | 191 | 14. CHUN, Aki | 194 |
| 6. BENGE, William H. | 134 | 15. CHUN, Daisy L. | 216 |
| 7. BROESCH, Frances Vivian | 145 | 16. CLEMONS, Philip De R. | 232 |
| 8. CHESLEY, Margaret F. | 175 | 17. COCKETT, Leimomi C. | 165 |
| 9. CHING, Theodore W. A. | 214 | 18. CRAVER, William H. | 228 |

| <u>Name</u> | <u>I.D. No.</u> | <u>Name</u> | <u>I.D. No.</u> |
|------------------------------|-----------------|------------------------------|-----------------|
| 19. De GREGORY, Harry Thomas | 160 | 63. NAKAGAWA, Tatsuo | 366 |
| 20. DE VIRGILIO, Louis F. | 201 | 64. NAKAMOTO, Guy T. | 304 |
| 21. DEL PIANO, Barbara | 204 | 65. NEWPORT, Chonita G. | 193 |
| 22. DELAFORCE, Milford E. | 271 | 66. NEWPORT, Nason E. | 192 |
| 23. DOWD, Morris R. | 217 | 67. NONAKA, Wilfred | 350 |
| 24. ENDO, FRANCES | 247 | 68. NYENHUIS, Jo Marie L. | 332 |
| 25. ENOKI, Donald Y. | 112 | 69. OHAMA, Curtis K. | 370 |
| 26. EVERS, Arthur E. | 105 | 70. OKAMOTO, William M. | 265 |
| 27. GOLDEN, Ernest L. | 147 | 71. ONO, Clarence T. | 184 |
| 28. GOSS, Howard H. | 190 | 72. PANG, Henry H.F. | 296 |
| 29. GRAY, Catherine R. | 180 | 73. PARSONS, Otto | 295 |
| 30. GUIDETT, Mary V. | 207 | 74. PICHON, Mary | 325 |
| 31. HAIN, Robert W. | 139 | 75. PORSOW, Doris | 331 |
| 32. HAN, John | 221 | 76. PRESLEY, June A. | 330 |
| 33. HARRIS, Kenneth W. | 276 | 77. REINHARDT, Carl E. | 341 |
| 34. HASHIMOTO, Jason T. | 172 | 78. ROBBINS, Carl A. | 252 |
| 35. HAXTON, William L. | 250 | 79. ROMIG, James Stewart | 242 |
| 36. HERBST, Jane | 106 | 80. SAITO, Charles M. | 241 |
| 37. HERMAN, Franklin Flint | 195 | 81. SAKAI, Toru | 267 |
| 38. HIGA, Raymond T. | 208 | 82. SANDISON, Earle W. | 248 |
| 39. HIGUCHI, Thomas S. | 210 | 83. SATO, Richard H. | 343 |
| 40. HIRAYAMA, Chikami | 234 | 84. SAWAI, Clarence T. | 317 |
| 41. HISAMOTO, Alice H. | 131 | 85. SOUZA, Patricia A. | 333 |
| 42. HOMMA, Charles | 233 | 86. STACY, Ann A.S. | 205 |
| 43. IN, Henry S. H. | 146 | 87. STARK, Jean Marie | 369 |
| 44. ISERI, Gerald T. | 268 | 88. TAKEDA, Charles H. | 346 |
| 45. KAYE, Patricia Ann | 178 | 89. TAKEYA, Yukio | 102 |
| 46. KIM, Allen C. S. | 239 | 90. TAKI, Jean | 365 |
| 47. KUSAKAGE, Fukuichi | 140 | 91. TESORO, Ernesto | 308 |
| 48. LACTAON, Joseph R. | 312 | 92. THOMAS, Robert H., Jr. | 158 |
| 49. LAWSON, Grace Mary C. | 287 | 93. TOKUHAMA, Gladys K. | 283 |
| 50. LOGAN, Virginia M. | 315 | 94. TOM, Richard K.H. | 338 |
| 51. LUBISCH, Gisela | 323 | 95. TOMITA, Robert T. | 360 |
| 52. MA, Lawrence | 363 | 96. TRAGLIO, David F. | 342 |
| 53. MacDONALD, Natalie P. | 302 | 97. TROY, Frank J. | 353 |
| 54. MALONEY, James J. | 303 | 98. TSUKAMOTO, Tsuneo | 310 |
| 55. MARTIN, John Murry | 237 | 99. WARNKE, George M. | 329 |
| 56. MASUNAGA, Seiichi | 282 | 100. WAYNE, Arthur N. | 262 |
| 57. MATSUNAKA, Sasao | 372 | 101. WELDER, Herbert R., Jr. | 334 |
| 58. McKILLEN, Robert A. | 339 | 102. WILSON, Charlotte | 352 |
| 59. MELVIN, Barrett W. | 183 | 103. WONG, James M.K. | 286 |
| 60. MIYAMASU, Robert | 358 | 104. WRIGHT, Edward E. | 222 |
| 61. MULDER, Cornelius | 314 | 105. YOSHIMI, Herbert Akio | 293 |
| 62. MURABAYASHI, Edwin T. | 246 | 106. YOUNG, Edward W.C. | 364 |
| | | 107. ZUKERAN, Chester K. | 322 |

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, R.L.H. 1955, as amended.

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.

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

REGISTRATION NO. 5 - 1001 WILDER - The Commission noted the Amendments to the Declaration of Horizontal Property Regime and the Declaration of Covenants, Conditions, Restrictions and By-Laws, as transmitted by the Developer's attorney. The Executive Secretary stated that counsel has submitted this material so that the above documents will contain the requirements provided for in the 1963 Amendments to the Condominium Statute.

REGISTRATION NO. 9 - KAUAIAN HYATT HOUSE - The Executive Secretary reported on the Developer's recent request that the Commission issue a Final Amended Supplementary Report on this project. The members noted that revisions to the Contract of Purchase have been submitted and that the architects and engineers have completed all final, detailed building plans and specifications. The Executive Secretary was instructed to proceed with the appropriate and final report on the development which is nearing completion of construction and impending occupancy as a part of the national system, Hyatt House Corporation of America.

New Business:

LICENSING

NEW CORPORATIONS, PARTNERSHIPS AND DBAs

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

Corporation

Merry Go Round Realty, Ltd. - Harry K. Lee, RPB

Partnerships

(None)

DBAs

William S. Cummings, dba Sand Island Realtors

be issued.

In the matter of the Merry Go Round Realty, Ltd., the Executive illustrated two actions where the applicant prematurely held that they were licensed to conduct operations as a real estate broker. In the first case, it was reported to the Commission that James S. Singleton, licensed salesman, sought the loan of a key to a house which was listed with another firm and in doing so, identified himself

as an employee of Merry Go Round Realty, Ltd., which at that time had not submitted the required documents as part of the application process. The second illustration was Mrs. Cay Singleton, displaying on her mobile merry-go-round truck apparatus, the name of the firm which they were making application for. The Commission instructed the Executive Secretary to admonish the principal broker, Mr. Harry K. Lee, in writing to the effect that such demonstrated misconduct will not be tolerated.

SUBDIVISIONS

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

SIERRA VIEW - Wilhelmina Rise, Kaimuki, City and County of Honolulu, Hawaii; 35 lots; developer--Metropolitan Builders, Inc. (Mark K. Vera Cruz, President); selling broker--Creative Realty (dba Charles A. Gulick, 315 Royal Hawaiian Avenue, Room 202, Honolulu).

Motion carried unanimously.

COLORADO CITY - Colorado City, (nearest municipality: Rye), County of Pueblo, Colorado; 2,067 lots in Units 1, 2 and 3; developer--Colorado City Development Company (Executive Office--6363 Sunset Blvd., Los Angeles, Vice President--Max D. Gould); selling agent--Walter N. Clark.

The members studied the information submitted in the Subdivision Registration Statement noting particularly the Required Document section where the registrant stated that he has received final approval from the county or city and county agency charged with the granting of final approval. The Acting Chairman directed the members' attention to a letter forwarded by Predovich and Ward, Pueblo attorneys for Colorado City Development Company in which he refers to the requirement of having received final approval from the County of Pueblo. The commissioners discussed counsel's point that the County does not exercise overall authority on improvements nor does it grant final approval. Reference was made to the statement in the attorney's June 20, 1964 letter that roads and streets, water supply and sanitation are under the jurisdiction of appropriate county agencies. The additional statement was made by counsel that a portion of the total network of improved roads has been installed in consultation and with approval of the County Road Commissioner. Further, the road statement points up the condition that upon completion of road and street improvements, they will be submitted for inspection and approval to the County Road Commissioner. The Acting Chairman's position on the registration was that not being able to qualify under the final approval sub-paragraph, the Developer should have considered the alternates of establishment of a neutral escrow depository for purchasers' funds or the completion of all improvements required by the agency giving the final approval. The question of the Developer posting a bond sufficient to cover the cost of putting in all of the improvements as is required by the agency giving final approval was also discussed.

UPON MOTION, it was ruled that the registration of Colorado City Subdivision is to be set aside and the Executive Secretary will seek clarification on the points considered.

Motion carried unanimously.

CHRISTMAS VALLEY SUBDIVISION - Bend County of Lake, Oregon; 2,577 lots; developer--Pean Phillips Lands, Inc. (Carlo P. Giutini, President); selling agent--Pahlas Antoku, (250 Kuupua, Kailua, City and County of Honolulu).

UPON MOTION, the Commission accepted the registration on the above project contingent on the Executive Secretary to make the routine cross-checks and verifications with real estate officials in Oregon and California.

Motion carried unanimously.

CONDOMINIUMS

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

(UNASSIGNED) - THE KALANI - Corner of Liliuokalani and Cleghorn Streets, Waikiki, City and County of Honolulu, Hawaii; 40 dwelling units; developer--Yoshikawa Development Company, Ltd., (Takeo Yoshikawa, President and Treasurer); selling agent--Tropic Shores Realty, Inc.

Miscellaneous:

SUBDIVISION REGISTRATION STATEMENT - The Executive Secretary reported that an effort was being made to put advance copies of RECO FORM 27 (Revised May 1964) on the agenda of the meeting, but no report has been received from the firm processing the multilith reproducing plates. He noted that this project should be finalized shortly and the revised document made available to subdividers.

INCREASE IN FEES - ACT 32 (S.B. 275)

The Commission was informed that the procedures under which the new fee schedule will become operative are presently under study by the Attorney General. At a future date, there should be an announcement setting forth a uniform policy for incorporating the increase in fees into boards and commissions programs.

RELOCATION OF COMMISSION OFFICE - Instructions have been published on the relocation of the Department to 424 South Beretania Street, which is referred to as the former Paradise of the Pacific Building. The Professional and Vocational Licensing Division is prepared to relocate on Wednesday, July 22, 1964.

Investigations:

RE#118 - BEACHWALK DEVELOPMENT, INC.

The members, having received the Investigation Report of June 25, 1964, discussed the possible action the Commission could take against the respondents Clarence J. Hamaishi and Masaru Kaneshiro. Both are reported to be living out of the state. The Executive Secretary

is to research the problem of proceeding against a licensee "in absentia" and he is to check with Deputy Attorney George Siu for a clarification on whether we can give appropriate notice to a real estate licensee who may be outside this state.

RE#112 - LINO E. JUAN, BROKER

With the June 18, 1964 Investigation Report in hand, the members reviewed the actions of all parties involved. It was the consensus of opinion that this appeared to be an internal or family controversy and that differences had been resolved.

RE#115 - WALTER N. CLARK, BROKER

The respondent broker's position in the June 23, 1964 Investigation Report was reviewed. The members were interested in the payment of \$25.00 which is made to persons performing the function of a "finder." The Commission suggested that the Investigator discuss with the respondent, Mr. Clark, how the \$25.00 credit bonus arrangement is worked out. The members believed that a determination should be made as to who originates the bonus and if there is an agreement in writing between the subdivider and the selling agent.

RE#120 - VIRGINIA S. BROOKS

With the June 30, 1964 Investigation Report having been distributed the Commissioners, conclusion was that on the face of the report, not sufficient facts are shown to warrant action by the Commission. It was suggested that the remedy the complainant should seek is through the courts.

Date of

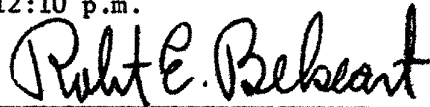
1:00 p.m., Monday, August 10, 1964 in the Conference Room,
424 South Beretania Street, City and County of Honolulu.

Next

Meeting:

Adjourn-
ment:

There being no further business to transact, the Acting Chairman declared the meeting adjourned at 12:10 p.m.



ROBT E. BEKEART
Executive Secretary

APPROVED BY THE COMMISSION

Date

Aug 10, 1964

Jack K. Palk
JACK K. PALK, Acting Chairman

REB:km
8/7/64