

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

MINUTES OF MEETING

Date: Thursday, August 28, 1969

Place: Board Room, Kamamalu Building  
1010 Richards Street, Honolulu, Hawaii

Present: Herbert S. Isonaga (Oahu), Chairman                      Harold J. Silva (Oahu)  
Douglas R. Sodehani (Maui), Vice Chairman              Hiromu Yamanaka (Hawaii)  
Louis Cannelora (Oahu)    William H. C. Young (Oahu)  
Irving A. Jenkins (Kauai)

Dick Okaji, Licensing Administrator  
James H. S. Choi, Deputy Attorney General  
Robt E. Bekeart, Executive Secretary

George A. Morris, Jr., Executive Vice President, Honolulu Board of Realtors

Absent: (None)

Call to Order: There being a quorum, the meeting was called to order at 2:05 p.m., with Mr. Isonaga in the Chair.

Minutes: As a carry-over item from the July monthly meeting in the County of Kauai, it was recognized that the minutes of the June 26, 1969 meeting had been deferred to the bottom of the agenda and had not been acted on.

UPON MOTION the minutes of June 26, 1969 were approved.

Motion carried unanimously.

UPON MOTION the Commission approved the minutes of the July 24 (Thursday), July 25 (Friday), and July 26, 1969 (Saturday) meeting in the County of Kauai.

Motion carried unanimously.

Note: The Commission departed from the agenda to hear the Licensing Administrator's suggestions.

Professional & Vocational Licensing Division - Mr. Okaji

Format of real estate broker and salesman licenses.

There was no objection to the suggestion that hereafter only the Chairman is to sign the permanent

certificate. It is a trend in the Division for only the Chairman to sign licenses.

Examinations.

- 1. On forfeited licenses requesting reinstatement.

No objections to entering in the proceedings a statement that would officially recognize the practice the Commission has been following, i.e., the administration of the quiz or short examination for applicants seeking reinstatement. A short examination or no examination at all on the election of the Chairman--this requirement will also embrace the spirit of item 2 next.

- 2. Failure to pick up license within one year.

On motion unanimously passed, allowance is made for the Chairman to decide whether applicant is to take the quiz, or short examination or no examination at all.

- 3. What should be the policy when examination question is disqualified after test is given?

Commission agreed that it should give credit to each candidate when a faulty question has been identified. There will be no bonuses given in the scoring or grading of an applicant's paper.

On motion the Commission ruled that candidate for broker license, Thomas Schmidt, who failed the July 2, 1969 examination would be given an opportunity to take another special examination.

- 4. Credit and character report.

The Administration is to make the determination whether to require a character and credit loan report from the Credit Bureau. The established procedure of seeking name check information reports on all successful applicants in the examination will be dispensed with.

Business Out of Minutes:

Licensing (Sec. 467.1 through 467.26 HRS)

Hilda T. Morse - letters of attestation as to applicant's character and reputation received. Broker license has issued.

Adrianus Holgen - information gathering session re-scheduled to date after September 4 upon return of applicant's attorney from out of state.

July 1, 1969 Examinations - Examination Branch statistics and results on applicants qualifying in the real estate brokers and real estate salesman examinations.

- a. See July 30, 1969 paper titled REAL ESTATE BROKER'S EXAMINATION, Successful Candidates - July 1, 1969 reflecting twenty-six applicants found qualified.
- b. See July 31, 1969 paper titled REAL ESTATE SALESMAN EXAMINATION, Successful Candidates - July 1, 1969 reflecting one hundred ninety-four applicants found qualified.

Note: ID. No. 252 on the list of salesman applicants to be found qualified--an error was identified in the performance of the applicant's paper on review.

UPON MOTION the Commission found the above identified candidates qualified in the written examination.

Motion carried unanimously.

In order to permit Mr. Choi, Deputy Attorney General to report, the Commission diverted from the established agenda.

Counsel referred to three matters:

- a. "C-28826 The Real Estate Commission of the State of Hawaii vs Violet C. King. Request surrender of real estate license. Attorneys for plaintiff: Bertram T. Kanbara, James H. S. Choi."

There is nothing further to report on this case filed in the Courts.

- b. Dilrock-Eastern Company Development  
The opinion requested has been prepared in memorandum form and the Attorney General is expected to act on it shortly.
- c. Condominium Hawaii, Inc.  
The notice to set this matter down for a hearing is being reviewed.

The Commission asked Mr. Choi if he could informally report on the following three areas of concern:

- a. Approving applications from real estate corporation or partnership where the name of an unlicensed person appears in the title (symbol) of the corporation or partnership.
- b. Does the Commission have the authority under the licensing statute to adopt rules and regulations that would permit it to establish certain prerequisites of an educational nature for those seeking a real estate salesman or broker license?

- c. Can the Commission pass rules and regulations to accredit private schools who offer real estate courses for those who are preparing for the examinations or seeking self-improvement?

Condominium (Sec. 514.1 through 514.55 HRS)

The Commission accepted the status table for the period July 25 to August 28, 1969.

(See attachment.)

Investigations: RE-328 Harold Singleton (MAHINA SURF Condominium) has been referred to the Attorney for the County of Maui for action.

RE-329 Condominium Hawaii, Inc., file is under review by the Attorney General to determine what violation can be set down in the notice of hearing.

RE-341 Betsy Christian - Action Realty, Inc. A warning letter has been sent instructing the broker to cease operating as a branch office when not qualified.

RE-347 Magellan Condominium - The file is to be re-examined to determine if the allegations of misrepresentation can be sustained. The Commission is particularly interested in the complainant's reliance on the representations as supported in the multi-colored brochure which showed an arrangement of units different from the way the buyers found them on taking occupancy. The Executive Secretary is to carefully examine the condominium registration to see that all changes, of a material nature, have been reported to the Commission. If the facts illuminated in the re-examination warrant it, the Chairman will direct that a hearing be set down on the allegations or charges.

RE-330 Robinson and Lowe Realty, Inc. The Commission has decided that this is out of its purview and the complainant, Mr. John P. Marr, is to be so advised and the suggestion offered that he seek redress through the courts.

RE-355 Raymond J. Proctor - This matter is to be set down for a hearing before Mr. Cannelora and Mr. Young. The notice of hearing is to be sent out as soon as possible.

New Business: Licensing

Corporation

Principal Broker

J. H. Brittain, Inc.  
PMA, Inc.

J. H. Brittain  
Hakumasa Hamamoto

B Y Development Corporation  
Brilhante and Associates, Inc.  
Better Homes, Inc.

Mary L. Long  
Rudolph J. Brilhante  
Jerry L. Snow

U. S. Development Corp. (formerly  
General Development Corp. of Hawaii, Inc.)

Partnership

(None)

DBAs

Bertrand A. Lang, Realtor	Bertrand A. Lang dba
Value Realty Company	Torao Shindo dba
Fairway Realty	Mae S. Kimura dba
Professional Real Estate Planning	Paul C. Andrus dba

Branch Offices

Leilani Estates, Inc. Branch (2494 Kalakaua), Clarence S. L. Tam BIC

UPON MOTION, the Commission ruled that the license processings immediately above, as tentatively authorized by the Licensing Administrator, be accepted with approval and entered of record.

Motion carried unanimously.

Miscellaneous: Real Estate Recovery Fund - Chairman will communicate with Mr. Hiram K. Kamaka, Director, Department of Budget and Finance, on the Commission's desire to seek a higher yield on the investment of its funds.

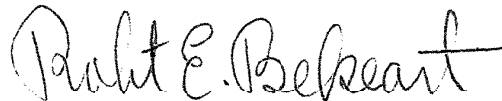
As to claims against the Recovery Fund, the Commission directed that the H. Bates Len files, involving six claims for an aggregate of \$18,600 be referred to the Investigation Branch for processing.

NARELLO Annual Conference, San Francisco - The Hawaii representative to the November 3, 4 and 5 meeting will be William H. C. Young. A special out-of-state travel request will be forwarded seeking the Governor's approval for air travel, per diem, and registration. Justification should embrace the Commission's role in hosting the regional NARELLO meeting in the summer of 1970.

Hiromu Yamanaka will be in attendance at San Francisco conference as an alternate.

Date of Wednesday, September 24, 1969 at 2:00 p.m.  
Next Meeting:

Adjournment: There being no further business to transact, the Chairman declared the meeting adjourned at 4:45 p.m.



ROBT E. BEKEART, Executive Secretary

REB:va

Atts.