

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

MINUTES OF MEETING

Date: Thursday, July 23, 1970

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

Present: Douglas R. Sodetani, Vice Chairman
Louis Cannelora, Member
Harold Silva, Member
John Texeira, Member
Hiromu Yamanaka, Member
William H. C. Young, Member

Jeffrey N. Watanabe, Deputy Attorney General
Dick H. Okaji, Licensing Administrator
Yukio Higuchi, Executive Secretary

George A. Morris, Jr., Executive Vice President, Honolulu Board
of Realtors
Mary Savio, President, Honolulu Board of Realtors
Wesley Charlton, Real Estate Association of Hawaii

Excused: Herbert S. Isonaga, Chairman

Call to Order: There being a quorum, Vice Chairman Sodetani called the meeting
to order at 2:00 p.m.

Inasmuch as Morris Moche, applicant for a salesman license, and
his sponsoring broker, Gorman Nolan, were waiting to appear before
the Commission as requested, Acting Chairman Sodetani diverted
from the agenda by moving the Morris Moche matter up. Acting
Chairman Sodetani presented Moche with his salesman license with
reservation, noting that on several occasions in the past, he
was under investigation by the staff for possible unlicensed real
estate activities and for possible violation of the Uniform Land
Sales Practices Act. Moche was charged with the responsibility
of conducting his real estate activities in strict compliance
with the law and the rules and regulations. Gorman Nolan was
advised that being the principal broker of Moche, he will be held
responsible for the proper supervision and control of activities
of Moche. They were both warned that they should guard their
licenses jealously and not place them under any jeopardy. After
the presentation of Moche's certificate, they were both excused.

Reading of Minutes: Upon motion, the minutes of the June 25, 1970 meeting were approved
as circulated.

At the request of Deputy Attorney General Jeffrey Watanabe,
Acting Chairman Sodetani again diverted from the agenda and gave

the floor to Deputy Attorney General Watanabe to discuss a matter that may result in payment from the Real Estate Recovery Fund. The Commission was advised that a Notice of Commencement of Action was served on the Commission in the matter of Leon Cavasso, Jr., Plaintiff, versus Robert H. Corbett, Edith H. Corbett, Carol A. Tharp, Gary G. Tharp, Edward G. Bly, Marion M. Johnson, Corbett-Tharp, Inc., dba Hawaii Homes, by Benjamin C. Wagner its Trustee in Bankruptcy, Defendants. Deputy Attorney General Watanabe expressed that he is of the opinion that the Commission has a "loser" in this case, and he suggested that the Commission meet with the parties involved to discuss a possible settlement. Executive Secretary was directed to set up a meeting with the Oahu members and the parties involved.

Business Out
of Minutes:

Questionable Applications

Willard Wong (Salesman). Reported that under date of July 10, 1970, Willard Wong was notified that his application for issuance of a salesman license was denied. To this date the staff has received no indication that he intends to appeal the decision of the Commission.

Morris Moche (Salesman). This matter was disposed of earlier.

Investigations: RE-362 and 375 Betsy Christian/Action Realty, Inc.

Reported that, under date of June 29, 1970, a hearing notice was sent to Betsy Christian and Action Realty, Inc., notifying her that a hearing has been scheduled for July 31, 1970 at 9:30 a.m. Inasmuch as she received the notice on July 8, 1970, which is less than 30 days from the date of hearing, a letter was sent to her on July 15, 1970 asking if she would consent to waiver the 30 days notice requirement. She received the letter for Action Realty, Inc., on July 20, 1970, but has made no response regarding the waiver of the 30 days notice.

RE-368 Patricia A. Smith (aka Pat McCool). Reported that under date of July 8, 1970, a draft of the hearing notice on Charles G. Clark, former principal broker of Patricia Smith, was forwarded to the Attorney General's office for review and approval. Executive Secretary was directed to schedule the hearing with the assigned hearing officers upon receiving Attorney General's approval.

RE-379 and 383 Growth International Realty. Reported that we have received no approval of the draft of hearing notice from the Attorney General's office as yet.

Amfac Properties, Inc. Reported that the Commission received a letter dated July 8, 1970 from C. Earl Stoner, Jr., Vice President of Amfac Properties, in response to the Commission's letter of June 16, 1970 regarding the possible violation of Section 467-7, H.R.S. Stoner's letter advises the Commission that the matter has been referred to their attorney for review.

Also reported that similar letters from the Commission were sent to C. Brewer & Co., Ltd., and Alexander & Baldwin, Inc., on July 14, 1970 advising them of the Commission's position regarding the sale of subdivided corporate lands through corporate officers and employees. Alexander & Baldwin has responded to the letter by making inquiry as to how they can get a broker's license.

RE-371 Makaha Beach Cabanas. Advised that staff had received a letter from complainants R. Ho and K. Nobuta requesting that they be advised as to what notification was evidenced by the Commission in concluding that the developer made reasonable effort in notifying the purchasers of the changes. Executive Secretary was directed to answer the complainants.

RE-391 Tropic Shores Realty, Ltd. Upon motion, the staff was directed to make a determination whether complainant has accepted and took possession of the real property. If such be the case, staff is to advise complainant that the Commission considers the matter a civil matter beyond the jurisdiction of the Commission, and further that the Commission found no unethical conduct on the part of respondent.

RE-388 and 395 Romeo Esperanza. Upon motion, staff was directed to proceed toward hearing on both complaints.

Hale Pau Hana (Condominium), Registration No. 175. Reported that a complaint was filed against the Developer of Hale Pau Hana for delay in completing the construction of the project, and deviations from the plan in construction. Advised that staff has communicated with the Developer and their counsel, Dwight Rush, requesting an answer to the charges brought in the complaint. To date we have received no answer, although Dwight Rush has verbally agreed to answer the charges in writing.

Ala Wai Town House (Condominium), Registration No. 332. Reported that subsequent to the issuance of a final public report on Ala Wai Town House, staff had received information that there is pending suit in the U.S. District Court that pertains to the construction of the building. This matter was discussed between the Developer, his counsel, and staff. Subsequent to the meeting, Developer submitted in writing his position on the matter for the Commission's review prior to reaching a decision as to whether or not a supplementary public report shall be issued.

Upon motion, the Commission ruled that a supplementary public report shall be issued, subject to the approval of the Commission's ruling by the Attorney General.

New Business: LicensingCorporation

The America Corporation	Walter R. Lochmiller, PB
Wilcox Development Corporation	Kenneth R. Nurse, PB
Cullen Chee, Inc.	Cullen Chee, PB
S & G Realty, Incorporated	Lawrence E. Salisbury, PB
Unified Financial Services, Inc.	Steven K. Okumoto, PB
Crown Properties, Inc.	Lowell C. E. Ing, PB
Hale Consultants, Inc. dba Helene Hale, Realtor	Helene H. Hale, PB

Branch Office

Bishop Realty, Inc. BR-6 (Kalaniana'ole Hwy)	Gloria J. Damron, BIC
Inter-Island Properties, Inc. BR-1	Naomi B. Sharp, BIC
Portrait of Homes, Inc. BR-7 (2490 Kalakaua)	Yuki Kajiwara, BIC

DBA

Lani Wilhelm Broker Kamehameha (Kammy) Maertens	Eileen L. Wilhelm, dba Kamehameha Maertens
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Denied and Withdrawn

Investment One (partnership) - unlicensed partnership

Upon motion, the license processings of the above as tentatively authorized by the Licensing Administrator, were approved.

Miscellaneous: Real Estate Recovery FundLeon Cavasso, Jr. vs. Corbett-Tharp, Inc. dba Hawaii Homes, etal

This matter was discussed earlier by Deputy Attorney General Jeffrey Watanabe.

Copy of the Statement on Real Estate Trust Fund Account as of June 30, 1970 was distributed for information.

Study Assignment for Maui Meeting. The members were again reminded that the Chairman had requested that they be prepared to submit their ideas in writing at the August 1970 meeting.

Deputy Attorney General Watanabe requested that the Commission allow the Attorney General to study the recovery fund sections. Upon motion, it was decided that the Attorney General will review the recovery fund sections.

Real Estate Examination. Upon motion, it was decided that Examination Branch be directed to include questions pertaining to the Fair Housing Act, Chapter 515, H.R.S., in the next examination.

The results of the June 1970 examination were accepted by the Commission. Four copies of the examination results are made a part of these minutes.

Educational Comprehensive Profile. Staff was directed to notify Professor Donald Bell of the University of Hawaii to submit his final report of the Educational Comprehensive Profile to the Commission by August 15, 1970.

Correspondence: NARELLO Constitution and By-Laws Committee. All members reported that they had received their copy of the letter from the NARELLO Constitution and By-Laws Committee.

Next Meeting: Wednesday, August 26, 1970, at 2:00 p.m.

Adjournment: There being no further business, the meeting was adjourned at 4:45 p.m.

Recorded by:

YUKIO Higuchi
YUKIO HIGUCHI, Executive Secretary

YH:va
8/4/70