

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

MINUTES OF MEETING

Date: Tuesday, May 17, 1966

Place: Conference Room, 424 South Beretania Street, Honolulu, Hawaii

Present: Yukio Kashiwa, (Oahu) Vice Chairman Harold J. Silva, (Oahu)
Mrs. Dorothy S. Ahrens, (Kauai) William H. C. Young, (Oahu)
William A. Beard, (Hawaii)
Robt E. Bekeart, Executive Secretary

By Invitation:

Wesley F. Charlton, representing Real Estate Association of Hawaii
Phil B. Thomas, representing Honolulu Board of Realtors

Absent: Jack K. Palk, (Oahu) Chairman - excused, out-of-state on business
Tom L. Peterson, Deputy Attorney General - excused

There being no appointed representative for the County of Maui, the presiding officer, Mr. Kashiwa, noted this for the record.

Call to Order: With a quorum present Mr. Kashiwa, as the presiding officer, called the meeting to order at 10:00 a.m.

Minutes: UPON MOTION, the Commission approved the minutes of Tuesday, April 19, 1966 as presented to the membership.

Motion carried unanimously.

Financial Report: The report for that portion of the Fourth Quarter, Fiscal Year 1966, ending April 30, 1966 was noted and filed.

Business Out of Minutes: LICENSING (Sec. 170.1. through 170-14.)

DE VORE LICENSING APPLICATION - Mr. Silva reported on the appearance of the applicant, accompanied by the prospective employing broker, Ralph Schrader of Tyrrell and Schrader, before the subcommittee of Mr. Palk, the Executive Secretary and himself. It was noted that the conditions of issuing the license as a real estate salesman to candidate De Vore was carefully discussed with Mr. Schrader in order that he could appreciate and understand his responsibilities as the principal broker. The subcommittee directed Mr. Schrader to advise the Commission when the applicant, De Vore, had ceased operations as the sole owner of the Room-Mates Hawaii organization. When the Executive Secretary receives this report from Tyrrell and Schrader that De Vore no longer operates this venture, the Commission's authority for William Lee De Vore to serve as a salesman in this state will be issued.

SUBDIVISIONS (Sec. 170-30. through 170-38.)

KONA SOUTH ESTATES SUBDIVISION - The Executive Secretary reported that no communication has been received from the registrant. The Commission's action to hold this registration in abeyance was re-affirmed.

LAKE HAVASU CITY TRACT SUBDIVISION - Corporate Counsel, Mr. Henry E. Stern, visited with the Executive Secretary and in the presence of the Hawaii franchised broker, the problems encountered in the free trip promotional plan were thoroughly discussed. Mr. Stern stated that it was the desire and intention of Holly Development Co. to comply with the Commission's recommended program of correction. He noted that every effort is being made to submit the different panels of Hawaii names receiving the printed matter to date. Amendments and change language to new printings were also reviewed and found acceptable to the Commission.

CONDOMINIUMS (Sec. 170A-1. through 170A-44.)REG. NO. 9 KAUALAN HYATT HOUSE

The membership, on a rotation basis, are taking custody of the communication, with its attendant voluminous exhibits and documents, received from the law firm of SMITH, WILD, BEEBE and CADES, counsel for State Savings and Loan Association.

Discussion on the matter deferred to next meeting.

REG. NO. 62 VICTORIA MANSIONS
Supplementary Report - April 26, 1966REG. NO. 122 HALE VICTORIA
Supplementary Report - April 26, 1966REG. NO. 135 BEAUMONT WOODS TERRACE
Final Report - April 19, 1966REG. NO. 136 HOLIDAY VILLAGE
Final Report - April 20, 1966REG. NO. 137 TROPICANA VILLAGE CONDOMINIUM
Preliminary Report - April 29, 1966REG. NO. 138 PALANI HALE
Final Report - May 5, 1966REG. NO. 139 MAUI SANDS UNIT II
Preliminary Report - May 6, 1966

REG. NO. 140 1350 ALA MOANA
Final Report - May 6, 1966

The above information on registrations carried over from previous meetings was accepted by the Commission.

Investiga-
tions:

RE-198 VIOLET C. KING - The appearance of Mrs. King before the Commission was scheduled for the next meeting.

RE-208 JOE HUNTER - Attorney Luman Nevells, and the agent of HAWAIIAN OCEAN VIEW ESTATES, Joe Hunter, conferred with the Executive Secretary, on the employment arrangement under which this unlicensed person was sent to Hawaii in order to sell lands. The home office of the subdivider, following through on Mr. Nevells' telephoned suggestion, has addressed the Commission explaining the power-of-attorney relationship of Mr. Hunter to the Developer.

The commissioners were in full agreement that this matter should be reviewed with Mr. Peterson, Deputy Attorney General, and appropriate enforcement measures initiated.

New
Business:

LICENSING

NEW CORPORATIONS, PARTNERSHIPS, DBAs and BRANCH OFFICES
UPON MOTION, the Commission ruled that the licenses tentatively authorized for the following be approved, ratifying the action of the Executive Secretary.

Corporation

WALTER ZANE REALTY, INC.	Walter S. S. Zane, RPB
FIRST MANAGEMENT & SALES, INC.	Albert J. Abbott, RPB

Partnership

(None)

DBA

Richard I. Ishikawa	dba	NAMI REALTY
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Branch Office

Lowe and Paresa Realty (Partnership) Theodore T. Yap, BIC

Motion carried unanimously.

In the matter of approving and processing the corporation broker applications submitted by DI MAURO REAL ESTATE, INC. - George E. Polhemus, RPB and HARRY T. MASUDA ASSOCIATES, INC. - Kenneth S. Kiyabu, RPB, the commissioners recorded their serious concern that each of these applications were identified to a person who held no license status with the Commission as a broker. The discussion

hinged on the arrangement as being detrimental to the public interest in that one would believe and expect Mr. Di Mauro and Mr. Masuda were personally qualified as real estate brokers, when in fact they were unlicensed. A review of the problem focused on previous applications, such as Charles Clark Realty and others, where the corporation broker license had been issued to an applicant where the personal name of an individual became the cornerstone of advertising and publicizing the real estate agency.

The applications for D. MAURO REAL ESTATE and HARRY T. MASUDA ASSOCIATES were set aside. The members suggested that this problem be preliminarily explored with Mr. Peterson, Deputy Attorney General, in order to establish some condition of policy or regulation that would prohibit the issuance of broker license status to applicant's identifying to the personal name of one not licensed as a broker.

SUBDIVISIONS

UPON MOTION, the Commission accepts as completed the Subdivision Registration Statement on the following:

KAHULUI TOWN DEVELOPMENT, TENTH INCREMENT - New Kahului, Maui, Hawaii; 160 residential lots; Developer - Kahului Development Co., Ltd., (R.H. Taylor, Manager, P.O. Box 156, Kahului); no selling broker identified.

Motion carried unanimously.

Registration statements have been received on the following out-of-state subdivisions:

YUCCA VALLEY RANCHOS TRACT 6573 - Yucca Valley, San Bernardino County, California; 56 residential lots; Developer - Yucca Valley Properties (Robert Potter, 56471 29 Palms Highway, Yucca Valley, California); selling broker - C. Farden & Associates, 510 Piikoi Street, Honolulu.

YUCCA VALLEY RANCHOS TRACT 6646 - Yucca Valley, San Bernardino County, California; 100 residential lots; Developer - Yucca Valley Properties (Robert Potter, 56471 29 Palms Highway, Yucca Valley, California); selling broker - C. Farden & Associates, 510 Piikoi Street, Honolulu.

Mr. Young will examine the two (2) registrations above and present his findings and recommendations to the Commission.

CONDOMINIUMS - Notices of Intention have been received on:

(UNASSIGNED) KAPAHULU HALE APARTMENTS

" 2033 NUUANU

" HALEIWA BEACH ESTATES, UNIT 1, LOT 2

Investiga-
tions:

RE-133 BARNEY MENOR - The Executive Secretary reported that this earlier problem had been resolved to the satisfaction of all parties. The complainant advised the Commission in writing that she was grateful for the assistance and she particularly desired that the record show the helpful and cooperative treatment she received from the respondent.

RE-217 FIRST MANAGEMENT & SALES, INC. - The narrative report showed that this firm has been holding itself out to the public as being licensed by the Commission, when this was not a correct position. The corporation has complied with effective law and regulation, and a proper registration as a broker has been made.

The commissioners accepted the report but strongly inferred that a note of censure should be laid against the company for such an extreme oversight.

RE-218 I. WALTER FURUYA - The Executive Secretary reported that a purchaser of Cymbidium Acres, County of Hawaii, has through his attorney filed a complaint which is very similar to the problem discussed with Mr. Furuya at the December 14, 1965 meeting.

The commissioners were of the opinion that every effort should be made to consolidate all these infractions reported to the Commission for possible disciplinary action against the licensee. The question of Mr. Furuya utilizing purchasers' funds to further his operations is to be taken under investigation.

Miscella-
neous:

OUT-OF-STATE LAND SALES - It was reported that registrations and notices of intent on Antelope Valley land sales program are continuing to come in as a result of the Commission's March 4, 1966 warning letter.

NARELLO WESTERN DISTRICT CONFERENCE - There are no funds available in the approved operating expense budget for the Commission to send a representative to this important June 16 and 17 regional meeting in Nevada. The possibility of Chairman Palk attending the Reno conference, if he should be on the Pacific Coast on business, is to be explored.

EDUCATION TASK FORCE - It was noted for the record that the Commission has supported the Honolulu Board of Realtor's Real Estate Institute to start June 6, 1966, and intends to work cooperatively to ensure the success of this initial plan, COURSE I.

Date of Next
Meeting:

With several business trips and family vacation programs taken into consideration, the next meeting is set for Thursday, June 9, 1966 in Honolulu at 10:00 a.m.

Adjournment:

There being no further business, Vice Chairman Kashiwa declared the meeting adjourned at 12:15 p.m.



ROBT E. BEKEART, Executive Secretary

APPROVED BY THE COMMISSION:

JACK K. PALK, Chairman

REB:sw
6/8/66