

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

MINUTES OF MEETING

Date: Tuesday, November 22, 1966

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

Present: Jack K. Palk (Oahu) Chairman William H. C. Young (Oahu)
Yukio Kashiwa (Oahu) Vice Chairman Hiromu Yamanaka (Hawaii)
Harold J. Silva (Oahu)

Tom L. Peterson, Deputy Attorney General
Robt E. Bekeart, Executive Secretary

By Invitation:

Wesley F. Charlton, representing Real Estate Association of Hawaii
Zan L. Beckstead, Executive Vice President, Honolulu Board of Realtors

Absent: Takeo Yoneji (Kauai) excused. Out of state on business.

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

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

Mr. Beckstead, Executive Vice President, Honolulu Board of Realtors, the successor to the late (Mrs.) Isabel Veech, Executive Secretary of the Board, was introduced to the commissioners.

Minutes: UPON MOTION, the Commission approved the minutes of the meeting held in the County of Kauai on October 28-29, 1966.

Motion carried unanimously.

Financial Report: The report for the month ending October 31, 1966 was received and filed.

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

OCTOBER 25, 1966 EXAMINATION

The Executive Secretary presented EXHIBIT "A" showing the ranking of sixty-two (62) applicants for a real estate broker license.

UPON MOTION, the Commission ruled that the following applicants for real estate broker license were found qualified in the October 25, 1966 written examination:

<u>I.D. No.</u>	<u>Name</u>	<u>I.D. No.</u>	<u>Name</u>
619	ALLEN, Margie M.	632	MIZUKAMI, Betty E.
639	BECKLUND, Peggy C.	655	NAKANO, Steve T.
638	CHING, Kenneth T. K.	625	NELLOR, Joseph G.
614	CHUN, Gilbert H. K.	633	OHAMA, Katsumi
627	CONBOY, Charles E.	641	OKAMOTO, Sam T.
620	GEORGE, Flave	606	OKUBO, Andrew K.
615	HARRIS, Kenneth W.	637	PARSONS, Otto
601	HUNTLEY, Helen L.	610	POSTON, Elmer E.
623	ICHINO, Carl M.	609	ROBBINS, Carl A.
613	ISERI, Gerald T.	652	SALISBURY, Lawrence E.
654	KANESHIRO, Sue A.	604	SHIMAZU, Haruo
631	KAWAOKA, James S.	649	SHINDO, Torao
659	KURAMOTO, Allan I.	660	SOTERO, Margaretta G.
653	LEE, Alicia L.	657	STEVENS, Lawrence
643	MATSUMOTO, Hisashi	663	THOMPSON, Ruth N.
629	McCLURE, Genevieve	635	WILTGEN, Edith
624	MIYAMURA, Calvin	644	YAGI, Ralph S.

Motion carried unanimously.

The Executive Secretary presented Exhibit "B" showing the ranking of three hundred and seventeen (317) applicants for real estate salesman license.

UPON MOTION, the Commission ruled that the following applicants for real estate salesman license were found qualified in the October 25, 1966 written examination:

<u>I.D. No.</u>	<u>Name</u>	<u>I.D. No.</u>	<u>Name</u>
156	AHANA, Mervin Y. J.	127	HEAU, James W.
44	AKEMOTO, George T.	152	HEW SANG, Albert
65	ALEXANDER, Valoy J.	58	HICKMAN, Gay G.
153	ALEXANDER, William E.	69	HIGA, Dorothy K.
53	AMBO, Robert M.	143	HIRONAGA, Dennis H.
101	BARTHOLOMEW, Nadine	49	HO, John L. Q.
61	BUMANGLAG, Jose A.	104	HOLMES, Michael E.
139	BURGO, Ambrose, Jr.	118	HONG, John S. B.
52	CANTRELL, Robert B.	80	HORN, Elizabeth F.
150	CASH, Adele	75	HOOFMAN, Earvel S.
73	CHESLEY, Elwood W.	159	ISTILARTE, Geraldine J.
68	CHING, Donald D. T.	133	IWATA, Henry Y.
168	CROW, James W.	84	JENSEN, Arthur B., Jr.
15	CRUMPACKER, Edgar D.	55	JENSEN, Margaret A.
56	CULLER, Barbara	108	JOHNSON, Ralph S.
45	DAVIS, Francis A.	83	JONES, Shirley S.
40	DUARTE, Americus	115	KAGAWA, Katsuto
123	ESPERANZA, Romeo A.	163	KANESHIRO, Dan E.
144	FEARN, Cynthia, B.	1	KANO, Yoshiko I.
117	FOX, Richard	148	KENDALL, Charlotte I.
71	GEIGER, Howard C.	98	KIDO, Yuriko I.
25	GORMLEY, Irene R.	114	KISHABA, Seiko B.
128	GOULD, Michael	134	KOBAYASHI, John E.
113	GREGORY, James F.	57	KOMETANI, James S.
50	HANCOCK, Florence J.	228	LAU, George

Continued

<u>I.D. No.</u>	<u>Name</u>	<u>I.D. No.</u>	<u>Name</u>
192	LOWCHER, John G.	204	SHUL, Victor D.
287	MEROZ, Robert L.	227	SMITH, Albert R.
217	MILLER, Charles R.	183	SORENSEN, Carl J., Jr.
18	MULLAHEY, William M.	289	SULLIVAN, John A.
188	NEEL, David T.	316	SUNAOKA, Roy T.
304	NELSON, Alice	186	SVOBODA, Robert A.
178	NISHIMURA, Miles H.	243	TAKUSHI, Inez C.
205	NORTON, Thomas M.	313	TENN, Junius K. H.
266	OAKLEY, Katherine T.	7	TERAO, Norio
274	OHATA, David S.	9	THOMPSON, Gerald R.
216	PARK, Charles S. C.	258	TOKUDA, Clifford T.
260	PETERSON, John H.	303	TOKUMARU, Takeo
220	PRICE, Patricia E.	173	TRACY, Wesley, Jr.
226	PRYOR, Howard A.	317	UESATO, Clarence H.
285	QUESTAD, Monta	6	VOCKRODT, Jack E.
202	RICHARDSON, Doris E.	210	WALKER, Philip G.
284	ROBERTSON, Betty	224	WEBB, Rupert R.
263	ROCERS, Jack	292	WONG, Look H.
315	SHIROMA, Francis H.	191	WORCESTER, Pierce
312	SHIROMA, Jane S.	225	YAMASHITA, Harry K.
		194	YOSHIDA, Francis N.

Motion carried unanimously.

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

MILILANI ESTATES - The Commission accepted the Developer's change of name to this Ewa District project to WAIPIO ESTATES SUBDIVISION, which is the title of the offering when it is being held out to the public for sale.

CONDOMINIUMS (Sec. 170A-1. through 170A-44.)

The commissioners accepted the report on projects registered with the Commission pending the write up of a public report.

KAPIOLANI TERRACE	3/23/66
KAANAPALI SHORES III	4/11/66
KAAHUMANU TOWER	7/12/66
ISLAND FINANCE TOWER	7/27/66
WEST WIND	8/12/66
HILLCREST GARDENS	10/25/66
VICTORIA PLAZA CONDOMINIUM	10/27/66

INVESTIGATIONS

The commissioners reviewed the discussion and procedures established at the previous meeting on Kauai on expediting the processing of complaints with the objective of moving to a hearing those cases where critical review of the investigation report shows that a hearing is necessary and appropriate. Mr. Okaji, Licensing Administrator, met with the Commission and outlined the procedural requirements in receiving a complaint, distribution of the investigation report, forwarding of draft charges against a respondent to the Attorney General and the subsequent letter of charges setting the time for a hearing.

It was agreed that in order to process complaints within the framework of a reasonable time, the Commission would initiate the hearing officer procedure as demonstrated by the Contractors License Board, where individual members of that body, on a rotation basis, hear a case under Hawaii Administrative Procedure Act requirements and submit recommendation to the full Board for disposition. Commencing at once, the Commission will move into the area of utilizing the system of assigning members to responsibility of serving as Hearing Officer.

RE-218, I. WALTER FURUYA - The draft of letter of charges and notice for the respondent to appear before the Commission's Hearing Officer will be forwarded to the Attorney General. The commissioner assigned to hear this case: William H. C. Young.

RE-219, C.S. CHUN & CO., INC. - The Chairman, Mr. Palk, will review this file to see if the facts presented warrant moving ahead to a hearing. The Executive Secretary was instructed to assemble additional information in three specific areas of question and make these answers available to the reviewer.

The Deputy Attorney General Peterson is also interested in resolving two questionable areas in the investigation.

RE-221, MOILILI GARDENS UNIT 2 - Mr. Kashiwa is to review the file. If there is need for additional investigation information, he is to advise the Staff.

RE-225, ROGUE PERALTA - The Chairman, Mr. Palk, will take the two (2) cases, RE-225 and RE-226, to review and prepare appropriate statements on specific violations. A memorandum of charges, if same can be supported in the investigation report, will then be forwarded to commissioners after clearance and approval of the Attorney General.

Recess: At 12:00 noon, the Chairman declared a one-hour break for the noon meal.

Reconvene: At 1:15 p.m., the Chairman reconvened the meeting.

New

LICENSING

Business:

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

(None)

Partnerships

(None)

Uniform Land Sales Practices Act. Mr. Palk noted that certain parts of the Act required additional discussion and study before real estate license law authorities could be expected to support the proposal before their respective legislative bodies.

NARELLO conferees agreed that no position could be taken at the Florida meeting. The reliance is to be placed on the individual states to decide whether they will support the Act when it is introduced in their legislatures.

The dates and location of future conferences of the Association are reported as follows:

39th ANNUAL NARELLO CONFERENCE
October 29-November 2, 1967; Albuquerque, New Mexico

40th ANNUAL NARELLO CONFERENCE
St. Paul, Minnesota

1967 WESTERN DISTRICT MEETING
Salt Lake City, Utah

1968 WESTERN DISTRICT MEETING
Helena, Montana

1967 LEGISLATIVE PROGRAM

The Commission, with Deputy Attorney General Peterson participating, continued to review and revise counsel's third draft of amendments to the licensing statute and the subdivision registration and sales law.

As the work was incomplete at the adjournment of the meeting, the Chairman declared that the Oahu members would meet later to finish necessary review and drafting. Tuesday, December 6, 1966, was selected as the date for said meeting.

UNIFORM LAND SALES PRACTICES ACT

Deputy Attorney General Peterson reviewed the philosophy of the Commissioners on Uniform State Laws in their attempt to construct a reasonably strong and enforceable Act introduced in various legislatures. Particularly, he reported it was found to be in the public interest as many states do not have real estate subdivision sales control statutes.

PROPOSED REVISION TO CONDOMINIUM PUBLIC REPORT

The matter was deferred.

POLICY: RULE 1.3 RESTORATION OF FORFEITED LICENSE

The Executive Secretary reported the increase in volume of applications for restored broker and salesman license. He suggested that the commissioners consider what guidelines should be established in processing said applications. In order to determine whether an applicant must be

examined or not. An affidavit is to be submitted to the Commission's standards. The framework of the document should embrace such items as:

- (a) When was license forfeited;
- (b) What activities in real estate, or a specifically related field, has the applicant been engaged or employed in since forfeiture.

It will be the responsibility of the Staff to secure documentation on applicant's reputation for character and integrity during the forfeited period. Two letters attesting to said reputation coupled to the applicant's filing of commercial credit and character report will be included in the processing, along with a fingerprint identification clearance check with the Bureau of Crime Statistics and Identification, Department of the Attorney General.

The Staff is to prepare for the commissioners' review a digest of the applicant's license history.

Once the application for restoration is complete, it will be presented to the Commission for a decision on whether the applicant is to be examined or not.

The Executive Secretary will query the Examination Branch on the problem and solution of constructing an abbreviated examination which will be administered in two separate categories, one for broker and another for salesman.

Applicants are to be notified at once that Commission policy on implementing Rule 1.8 has been established and they will later receive additional instructions on what must be done.

RULE 2.2 EXAMINATION

The commissioners were of the opinion that said rule is clear. It was noted that each subparagraph has the mandatory language "shall be required", where in Rule 1.8, immediately above, the Commission has some flexibility with a permissive "may require the examination of the applicant".

EXAMINATION RESULTS

The Executive Secretary reported on the request of real estate training schools to see the names of applicants who had successfully qualified in the written examination. Commission has no objections and believed some system could be worked out where a representative of school could come to the Division and study the roster of names of those who wrote passing examinations.

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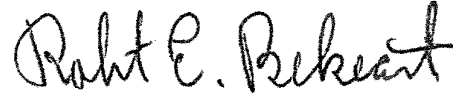
Date of Tuesday, December 20, 1966, 10:00 a.m.

Next

Meeting:

Adjourn-
ment:

There being no further business to transact, the Chairman
declared the meeting adjourned at 4:15 p.m.



ROBT E. BEKEART
Executive Secretary

APPROVED BY COMMISSION:

JACK K. PALK
Chairman

REB:km
12/19/66