

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

MINUTES OF MEETING

Date: Tuesday, January 24, 1967

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

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

Robt E. Bekeart, Executive Secretary

By Invitation

Wesley F. Charlton, representing Real Estate Association of Hawaii  
H. Dickey Thacker, representing Honolulu Board of Realtors

There being no appointed representative for the County of Maui,  
the chair noted this vacancy for the record.

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

Minutes: UPON MOTION, the Commission approved the minutes of Tuesday, December 20, 1966 as circulated.

Motion carried unanimously.

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

(No business carried over.)

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

PARK ESTATES SUBDIVISION (RECORD OF SURVEY 2490)

Mr. Young is to review the additional information and exhibits the developer is forwarding in compliance with the Commission's inquiry on subdivision ordinances, road requirements of the Los Angeles County authorities and access rights that purchasers will have to their respective lots.

Upon a satisfactory examination, Mr. Young will prepare his memorandum of recommendation to the membership and the developer is to be notified accordingly.

EAST VEGAS TRACT SUBDIVISION

Mr. Yamanaka will review the information expected shortly from the planning authorities of the City of North Las Vegas on that agency's subdivision requirements and whether the subdivider has met all regulations. Upon receipt of this official report, the examiner, Mr. Yamanaka, will prepare a memorandum of his findings for the members.

DEERFIELD RANCH NO. 2 SUBDIVISION

On the recommendation of the examiner, Mr. Yoneji, the Commission accepts the registration as complete. The approval is conditioned on the requirement that Hawaii purchasers will be given a copy of the California Real Estate Division public report and their receipt taken acknowledging that they have custody of the Commissioner's findings.

DEERFIELD RANCH NO. 5 SUBDIVISION

As in the above registration, the Commission accepts the submittal as complete and the conditional requirements of the California subdivision public report are to be met by the registrant.

RECORD OF SURVEY 1575

Mr. Silva has made a preliminary examination of this registration and he raises the question of having the subdivider explain, to the satisfaction of the Commission, why the Subdivision Registration Statement reflects that the lots are being offered for speculation and no dwellings are contemplated when in fact the photographic exhibits presented as part of the registration show buildings and houses on the site. Mr. Silva will continue his review of the file with the Executive Secretary and submit his recommendation memorandum to the Commission.

RECORD OF SURVEY 2150

Mr. Silva will memorandum the membership on his recommendation regarding another submittal that has similar areas to probe as the registration immediately above.

In a general review of its acceptance and reliance on public reports by out-of-state real estate law enforcement officials, the Commission emphasized the steps that must be taken to advise the registrant/subdivider that Hawaii purchasers are to be given a copy of the public report issued by the state where the property is located. The Executive Secretary is to monitor such registrations to see that the public report feature is complied with.

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

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

KAPIOLANI TERRACE	3/23/66
KAANAPALI SHORES III	4/11/66
KAAHUMANU TOWER	7/12/66
WEST WIND	8/12/66
THE MAGELLAN	12/12/66
MAUNAIHI TOWERS	12/15/66
PAWAA GARDENS	12/16/66

Registrations pending upgrading reports:

THE KAMAAINA	REG. NO. 76	SUPPLEMENTARY
BELLEVUE TOWER	REG. NO. 128	SUPPLEMENTARY
KONA WHITE SANDS	REG. NO. 154	FINAL

In reviewing the problem of condominium registrations, the Commission instructed the Executive Secretary to query developers who have had submittals, without reports having been issued, of six (6) months or more, on the status of their plans or execution of project. The query to the developer would embrace such areas as (1) do they intend to proceed with the project; (2) submitting a letter advising the Commission of their immediate intentions and plans; and (3) giving the developer notice that their registration, being incomplete, will be set aside and not accorded any treating on the sequential arrangement of receiving notices of intention and issuing public reports.

#### INVESTIGATIONS

##### RE-218, I. WALTER FURUYA and ARTHUR M. FUJITA

Counsel for the respondent licensees, Mr. Al Evensen, has asked for a thirty (30) day continuance from the January 30, 1967 hearing date. The attorney noted that his client was presently engaged in Cymbidium Acres Subdivision court appearances in Hilo, Hawaii and that findings of the court there may have a bearing on the Commission's formal hearing.

The Commission, having discussed the matter of a request for continuance, believes that the litigation in the County of Hawaii is immaterial to the charges filed by the complainants. The Executive Secretary will check with the Deputy Attorney Joseph Gedan and establish a continuance date of about February 10, 1967 if it is acceptable to all parties involved.

##### RE-221, MOILIILI GARDENS UNIT 2

The file will be made completed with required evidence and exhibits for presentation, through channels, to the Office of the Prosecutor, City and County of Honolulu.

##### RE-225, ROGUE PERALTA

The Chairman had noted on an earlier meeting that this matter is to be deferred to a later meeting.

##### RE-227, ROGUE PERALTA

Deferred to the next meeting, being similar to case immediately above.

New  
Business:

LICENSING

NEW CORPORATIONS, PARTNERSHIPS, DBAs and BRANCH OFFICES

Corporations

Hawaiian Contracting Company, Ltd.	Donald Graham, RPB
Central Pacific Land Investments, Inc.	T. C. Goo, RPB
Thomas Nakahara Realty, Inc.	Thomas Nakahara, RPB
Hawaiian Factors, Ltd.	John K. Clarke, Jr., RPB
Bernard C. Tom Real Estate, Inc.	Betty K. Pang, RPB

Change of Names

Kaimuki Finance	to	Reliance Finance Corporation Robert M. W. Lee, RPB
Bergevin & Nevels, Ltd.	to	Velva Bergevin, Ltd. Velva Bergevin, RPB

Partnerships

(None)

DBAs

Calvin C. F. Lau	dba	Preferred Properties
Michael T. McCormack	dba	Mike McCormack, Realtor
Kaneo Kishimoto	dba	Ace Realty Company
Rudolph J. Brilhante	dba	Brilhante & Associates

Branch Offices

Mike McCormack, Realtor 50 Kaahumanu Avenue, Kahului, Maui	Wade Maury, BIC
Jonathan Manor, Inc. 3654 Salt Lake Blvd.	Robert E. Paine, BIC

UPON MOTION, the Commission ruled that the license processings immediately above, as tentatively authorized by the Executive Secretary, be approved and entered of record.

Motion carried unanimously.

SUBDIVISIONS

UPON MOTION, the Commission accepts as complete the Subdivision Registration Statements on the following Hawaii subdivision:

KALOKO MAUKA UNIT 2 SUBDIVISION - Upper Kaloko, North Kona, Hawaii County, Hawaii; 40 lots; developer-Kona Coast Company (Frank D. Gibson, Jr., 1410 First National Bank Building, Honolulu); selling broker-Dolman & Urner.

Motion carried unanimously.

The Executive Secretary reported on the results of his January 21, 1967 field inspection of condominiums and subdivisions in the County of Hawaii. He noted that the following registration, having only recently been submitted to the Commission, was being advertised for sale on the Island of Hawaii:

KEONE'S HAWAIIAN RANCHOES NO. 2 SUBDIVISION

Kahuku, Kau District, Hawaii County, Hawaii; 21 lots; developer-John L. Parsons (4967 Kalaniana'ole Highway, Honolulu); selling broker-Sunset Realty, P. O. Box 494, Kailua-Kona, Hawaii.

The Commission examined the registration and noted that it was not complete to acceptable standards. The developer is to be contacted and given instructions on the requirements of law that have been violated, and cautioned to make a proper submittal of documents and exhibits.

A package-registration has been received on behalf of the Dillingham Corporation of California. The submittal includes the following offerings in the City of South Lake Tahoe, El Dorado County, California:

TAHOE KEYS UNIT I SUBDIVISION

City of South Lake Tahoe, El Dorado, California; 301 lots; developer-Dillingham Corporation of California, (H. Robert Hampton, Co-Manager, P. O. Box 1648, Tahoe Valley, California); selling broker-H. Robert Hampton, 1441 Kapiolani Blvd., Honolulu.

TAHOE KEYS UNIT II SUBDIVISION

MT TALLAC UNIT I SUBDIVISION

MT TALLAC UNIT III SUBDIVISION

ST MORITZ ISLE SUBDIVISION

(All registrations by the same developer and located in the same general area.)

CONDOMINIUMS

There have been no reports published since the last meeting.

The Executive Secretary reported that on January 21, 1967 he made a thorough inspection of the following South Kona District condominium projects:

THE KONA SPORTSMAN	REG. NO. 143
HALE O KONA	REG. NO. 125
KONA MAGIC SANDS	REG. NO. 81
KONA WHITE SANDS	REG. NO. 154

INVESTIGATIONRE-231, ARNOLD INABA

The Commission directed that this case be set down for hearing. Mr. Silva was assigned the responsibility of serving as Hearing Officer.

Miscellaneous: 1967 LEGISLATIVE PROGRAM

The Commission noted acceptance of Chairman Palk's memorandum of December 22, 1966 to Mr. Hashimoto, Director, Department of Regulatory Agencies, in which the results of the earlier legislative workshop and proposed bills were digested for consideration as a legislative program to be sponsored by the Administration.

The commissioners discussed the Insurance Division's proposal to increase the surety bond filed by real estate licensees. There was unanimous agreement by the Commission that until there is more information and data assembled on bonding experience, it would be unwise to consider increasing the surety bond as proposed. The members believe that if the experience summary shows a need to strengthen this part of the requirements for a license, the Commission should develop and sponsor the real estate recovery fund principle as successfully operated by the Real Estate Commissioners in Arizona and California. From the members' knowledge of the recovery fund operation, it appears that such an arrangement has proven to be a reasonable solution to affording maximum protection to the public.

POLICY IMPLEMENTATION

The Executive Secretary reported that administration of Rule 1.3 requirements is moving along successfully and the backlog of applications for restoration of forfeited licenses should be serviced within the immediate future.

Date of Next Meeting: Fourth Tuesday of next month, being February 28, 1967, at 10:00 a.m.

Adjournment: There being no further business to transact, the Chairman declared the meeting adjourned at 1:00 p.m.



ROBT E. BEKEART  
Executive Secretary

APPROVED BY THE COMMISSION:

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JACK K. PALK  
Chairman

REB:km  
2/24/67