

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

MINUTES OF MEETING

Date: Tuesday, March 21, 1967

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

Present: Jack K. Palk (Oahu) Chairman Hiromu Yamanaka (Hawaii)
Yukio Kashiwa (Oahu) Vice Chairman William H. C. Young (Oahu)
Takeo Yoneji (Kauai)
Robt E. Bekeart, Executive Secretary

By Invitation

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

Absent: Harold J. Silva (Oahu)
Tom L. Peterson, Deputy Attorney General

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

Business LICENSING (Sec. 170-1. through 170-14.)

Out of
Minutes: FEBRUARY 21, 1967 EXAMINATION

The Executive Secretary presented EXHIBIT "A" showing the ranking of fifty-five (55) 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 February 21, 1967 written examination:

<u>ID No.</u>	<u>Name</u>	<u>ID No.</u>	<u>Name</u>
456	APO, Samuel Umi	421	JOHNSON, J. Allen
455	ATHA, Gloria	451	KONMAN, Jack
423	BOLTON, Howard B.	445	LAWRENCE, James T.
435	BUFFAIDEAU, Eugene D.	425	LEE, James G.
422	CHUN, Daisy L.	434	LIZAMA, Stanley F.
409	CRUIPACKER, Edgar D.	424	MACIEJEWSKI, Ted
427	DOWSON, Leimomi C.	429	MENEFEE, Wendy
411	DUNFORD, Bonnie	402	OIE, Takeshi
462	DUPONTE, Dorothy W.	430	PANG, Robert K. M.
441	FONG, Merwin W. Y.	450	REDISKE, Robert G.
426	FUJIWARA, Richard H.	403	SCHATTAUER, Paul A.
453	GRAY, Catherine R.	448	SMITH, Peter S.
428	HANSEN, Audrey M.	454	YOUREE, Edna P.
405	HIROTA, Rudy		

Motion carried unanimously.

The Executive Secretary presented EXHIBIT "B" showing the ranking of three hundred and four (304) applicants for a real estate salesman license.

UPON MOTION, the Commission ruled that the following applicants for real estate salesman license were found qualified in the February 21, 1967 written examination:

<u>ID No.</u>	<u>Name</u>	<u>ID No.</u>	<u>Name</u>
74	AKWAI, Clarence A.	136	FUKUMOTO, Tadashi
140	ALENCASTRE, Melvin	152	GAAL, Rosebell
36	ANDERSON, James T. F.	130	GORA, Anthony H.
127	APO, Lorna	124	GOSSETT, Ina
4	ARAI, Toichi	126	GRANNIS, Frank R.
83	BAILEY, Anne	98	GRAY, Leland T., Jr.
143	BARKER, Emmett	125	GREEN, Earl D.
73	BEAMS, Blond H.	97	HAHN, Gary J.
32	BEPPU, Hirashi	89	HAPAI, Isma M.
54	BITLER, Bruce L.	251	HARAKAWA, Bernice T.
21	BOSSING, Edward J.	119	HARAKAWA, Harvey H.
85	BRADY, Marguerite A. M.	28	HARDENBERGH, Nelson K.
128	BRILHANTE, Stanley D.	139	HARPER, Raphael S.
87	BUTTERFIELD, Leath L.	47	HARRIS, Frederick O.
65	CABASUG, Atilano	46	HATFIELD, Forest A.
76	CAMARILLO, Patrocino O.	161	HAYASHI, Ina S.
56	CANADA, Diane	172	HEE, William K. H.
169	CAINON, James R.	40	HIGA, Inge R.
162	CARGILL, Myrla M.	61	HIRAYAMA, Frederick K., Jr.
9	CARVALHO, Bertram L.	170	HIROHATA, Norman I.
80	CHING, Sai Lit	138	HOLDEN, Sue A.
79	CHING, Raymond A.	31	HONG, Frances T.
84	CHONG, Jerald L.	208	HONGO, Mary G.
302	CHRISTIAN, Karl A.	59	JAWSTON, Lorraine H.
58	CHUNG, Mabel L.	94	JOBIN, Louis E.
41	COLLIER, Janet F.	53	JOHNSON, Erling O.
160	CONNORS, Donald R.	55	JONES, Garth E.
144	DANG, Damien Y. K.	163	JORDAN, Mary L.
189	DAVES, David A.	154	JOSS, Hildegard
35	DENSON, Catherine B.	164	KAM, Galen K. S.
115	DICESARE, George	173	KAU, Dagmar L.
149	DOLAN, Paul A.	275	LaBENZ, Robert A.
167	EASTMAN, Irving G.	283	LARSEN, David E.
147	FARJA, Mary L.	281	LEE, Douglas T. Y.
148	FEARON, Thomas	279	LEE, Harold H. S.
52	FERNANDEZ, Sheila L.	276	LEE, William Y. H.
60	FOCHTMAN, Ormond F.	264	LEGARE, Kathleen L.
45	FUJIKAWA, Herbert T.	195	LINDQUIST, Carl A.
86	FUJIMOTO, Mitsuru	181	LINDQUIST, Rae M.
151	FUJITA, Henry T.	104	LITTLER, Mary J.

<u>ID No.</u>	<u>Name</u>	<u>ID No.</u>	<u>Name</u>
280	LIZOTTE, Betty	288	RENAUD, Aloysius J., Jr.
180	LOOK, Mildred L.	103	RUGGLES, Martha L.
309	LOUI, Wilfred T. M.	310	SAWAI, Lionel K.
292	LOWE, Richard R.	190	SCHREIBER, David
285	LUI, Eugene K. H.	237	SEN, REGINALD H.
206	LUI, Fred	109	SEWELL, William R.
224	LUI, Jonathan P. S.	229	SHIDAKI, David B., Jr.
287	MACHADO, Gail N.	263	SHINSATO, Francis H.
274	MAKAULA, Bernadette K.	306	SHINSATO, Jacqueline A.
297	MARTIN, Tony C., Jr.	307	SHINSATO, Stanley S.
11	MATHEWS, Kalani	196	SHOH, Mickey U. P.
242	MATSUI, James	177	SIU, Wallace W. S.
194	MATSUJAGA, Joyce R.	250	STAPLETON, John F.
180	McCULLY, Robert B.	209	STEPHANI, Frederick C.
303	McMANUS, Lyle L.	107	STONE, Clarence E., Jr.
247	MIYAHIRA, Paul	308	SUENAGA, Kenneth T.
182	MIZOE, Harry T.	296	SUGIHARA, Andrew H.
226	MOSS, Martha B.	210	SUMNER, Jewell
203	MURHEAD, John S.	197	TAKAHASHI, Richard Y.
240	MURAKAWA, Richard K.	131	TOM, Kwoon Teong
248	MURATA, Sanford K.	183	TOPIC, Jean D.
222	MUSSETT, W. H. H.	230	TROY, Thomas J.
113	MYERS, William A.	111	VIERRA, Barbara E.
241	NAKAMOTO, Takeo	294	WADA, Richard Y.
243	NAKAO, Richard T.	191	WALKER, Roy R.
256	NAKASONE, Seiko	114	WILLIAMS, Stephen F.
223	NIHEI, Frank S.	249	WRIGHT, Robert G., Jr.
312	OGATA, Akira	198	WYNKOOP, Daniel W.
278	PACARRO, Franklin D.	193	YAMANE, Bernice K.
265	PEART, Shirley A.	192	YAMANE, Gladys T.
30	PETERSON, Norman L.	110	YOGI, Robert Y.
209	PETERSON, Robert	290	YORO, Bonifacio
227	PHILLIPS, Jennie L.	204	YOUREE, James R.
267	POITROY, Henry K., Jr.	236	ZIMMERMANN, Hans

Motion carried unanimously.

MARCH 13, 1967 DIVISION MEMORANDUM

At the invitation of the Chairman, the Licensing Administrator met with the commissioners to discuss the action of relieving the Executive Secretary of responsibilities in the administration and enforcement of the licensing statute and the rules and regulations. The Chairman particularly emphasized that there was a need to establish what areas the Executive Secretary was to function in. Mr. Okaji noted that he will be responsible for real estate licensing matters and the Executive Secretary will have the responsibility of all follow through action on enforcement and compliance. Areas of immediate concern were agreed upon as

(1) concluding, with appropriate correspondence, further investigation or action, all pending and outstanding complaints reviewed by the Chairman on March 17, 1967 and (2) maintaining a current enforcement schedule on new investigations as they are processed.

It was agreed that this proposal should permit the Executive Secretary to function more effectively in the subdivision and condominium law enforcement areas.

The matter of having the minutes of each Commission meeting published within ten (10) days is to be adhered to.

Minutes:

UPON MOTION, the Commission approved the minutes of Tuesday, February 23, 1967.

Motion carried unanimously.

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

RIVER ROAD CITY SUBDIVISION

Mr. Yamanaka, having examined the registration, found them acceptable to the Commission's standards. The Commission accepted the filing and directed that the subdivider be notified accordingly.

TWIN LAKE RANCH (J. M. SMITH & SONS)

Mr. Kashiwa reported that he had studied the material forwarded by the Executive Secretary and based on the registration statement, plus correspondence, documents, and exhibits therein, it was difficult to determine what the registrant was proposing to offer for sale. The Executive Secretary will advise the subdivider that the registration is not complete and should be brought up to Commission's standards in order for sales to be made in this state.

TAHOE KEYS DEVELOPMENT

Responsibility for seeing that the four (4) Dillingham Corporation of California filings are complete rests with the subdivider. The Executive Secretary is to confer with a local representative of the California developer and work to bring the registrations up to a level of acceptability. (MT TALLAC VILLAGE I; MT TALLAC VILLAGE III; TAHOE KEYS UNIT II; and ST. MORITZ ISLES).

The procedure of forwarding out-of-state subdivision registrations to members for examination and recommendation was reviewed. It was agreed that a check sheet must be prepared to assist the reviewers in maintaining a level of consistency and uniformity in scrutinizing out-of-state filings.

CONDOMINIUM (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:

KAAHAPALI SHORES III	4/11/66
KAAHUNAHU TOWER	7/12/66
WEST WIND	8/12/66
MAUNAHILI TOWERS	12/15/66
PAWAA GARDENS	12/16/66
WAILEHUA APARTMENTS	1/26/67
KAPIOLANI TERRACE	1/26/67
HALE KAI II	3/10/67
PONAIIKAI	3/10/67

New
Business:

LICENSINGNEW CORPORATIONS, PARTNERSHIPS, DBAs and BRANCH OFFICESCorporations

Robert J. Prosser Realty, Inc. Robert J. Prosser, RPB

Partnerships

(None_

DBAs

Ruth H. Thompson	dba	KOKUA REALTY (Kailua-Kona, Hawaii)
Robert E. Jobes	dba	BOB JOBES REAL ESTATE

Branch Offices

Tropic Shores Realty, Ltd. 776 Kailua Rd., Kailua, Oahu	Mary V. Savio, BIC
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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.

Lucille Bunn

In considering action on Mrs. Bunn's application for re-issuance of her broker license to 3253 No. Himitz Highway, the Commission directed that a letter be written to the City and County of Honolulu requesting their opinion on whether real estate is one of the permitted uses in an Airport Zone location. The re-issuance will be deferred pending receipt of the municipal's statement.

The Commission directed that the investigation file, RE-116 LUCILLE B. BUNN, relating to criminal charges against her be updated and a report be distributed to the members.

Jonathan Manor, Inc.

The Commission took note of the fact that the Branch Office license was approved on the basis that this site was to be used solely for a conversion center of Aliiamanu area lessees. The broker had informed the Commission that the operation should be phased out on or about March 31, 1967 with outstanding negotiations completed. The broker is to be advised that the transfer of the firm's principal place of business is not within the spirit of the agreement under which the Branch Office, with Robert E. Paine, BIC, was approved.

SUBDIVISIONS

New out-of-state registrations were received as follows:

SPRING HILL UNITS 1, 2, 3, 4, 5, 6 and 7 SUBDIVISIONS - near Dade City, Hernando County, Florida; approximately 15,000 acres; developer - The Deltona Corporation (R. F. Mackle, Secretary, 3250 S. W. Third Avenue, Miami, Florida); selling broker - C. S. Chun & Co., Inc., (Robert S. Ishikawa, RPB), 1392 Kapiolani Blvd., Suite 26, Honolulu.

Mr. Young will have the registrations and make his recommendation to the Commission.

GREEN TRACT 6785; TRACTS 7650, 7652, 7636; TRACT 7182 and 7639 SUBDIVISIONS - Victorville, San Bernardino County, California; 806 lots in three registrations; developer - Tatum Construction Co., Grayco Land Escrow Ltd., Trustee/Registrant (Robert A. Gray, President, Grayco Land Escrow, Ltd., 85 No. Lake Avenue, Pasadena, California); selling broker - Gail Wayne, 1451 So. King Street, Honolulu.

Mr. Yoneji will examine the registration and make his recommendation to the Commission.

Investigations:

As the Commission is to discuss these matters in executive session, the Chairman excused Mr. Charlton and Mr. Thacker.

RE-218 IWAO WALTER FURUYA and ARTHUR M. FUJITA

Having studied the Hearing Officer's report of February 28, 1967 and with no communication received from the complainants or their counsel, the Commission, after due deliberation, accepted the Findings of Fact, Conclusions of Law and Recommendation in the subject matter.

UPON MOTION, the Commission found the respondents Iwao Walter Furuya and Arthur Masayoshi Fujita in violation of sections 170-12(d), (h) and (o), Revised Laws of Hawaii 1955, amended, as charged and ordered the revocation of each of their broker licenses, effective March 31, 1967.

Motion carried unanimously.

RE-221 MOILILI GARDENS UNIT 2

The Investigation Branch is to complete the assembly of evidence, secure pictures in support of charges of misrepresentation and gather additional information to be forwarded to the Attorney General for prosecution.

RE-225 ROGUE PERALTA

As there is an apparent stalemate on an effective settlement proposal, this matter is to be carried over to the next meeting.

RE-227 ROGUE PERALTA

The final disposition of this case is a lot exchange arrangement satisfactory to the interested parties.

RE-231 ARNOLD INABA

A date for hearing is to be set pending Mr. Silva's return from out of state. If a date cannot be established because of Mr. Silva's absence, it was agreed that Mr. Young is to stand in and serve as Hearing Officer.

RE-233 HEADRICK DEVELOPMENT, INC.

The file is to be made complete any necessary additional investigative matter assembled and the case forwarded to the Attorney General for possible injunctive action.

RE-234 ELLIOTT N. MAGOUN

On the information and facts presented in the investigation report, it appears that there was an apparent misunderstanding regarding cancellation of the listing contract. The Commission ruled there was no violation of the statute or effective regulations.

The Complainant is to be notified of Commission's action in this matter and a copy of that communication is to be presented to the agenda of the next meeting for the commissioners' interest in following through.

RE-235 WINDWARD OAHU REALTY CO.

The Commission ruled that the respondent broker had no responsibility to make determinations that structural defects were caused by internal infestation. The licensee had no evidence that the damage was due to termites. He had complied with the buyer's request that a termite report be secured. No action is to be taken, but the respondent will be advised of the Commission's action in this matter.

RE-237 WAIMALU TERRACE

The Developer is to be notified that he must file a statement with the Commission advising that there has been a material change in the plan of the project. Upon receipt of this change notice, a Supplementary Report is to be published.

RE-238 ROYAL ESTATES SUBDIVISION

The Commission accepts the report that the promotional multi-colored brochure was unintentionally printed and circulated before the County of Kauai authorities had approved the subdivision. The owner is taking steps to comply with the Subdivision Registration Law. No action is to be taken on this mistake.

RE-239 DUANE H. RUGGLES

The respondent is to be given notice that his offering must be registered in compliance with law. Using the Attorney General's opinion of October 8, 1966 regarding abuses of the power of attorney apparatus, the subdivider is to be advised that (1) they cannot sell these offerings in Hawaii without meeting requirements of licensing law; (2) a registration of the offering is to be made immediately with the Commission; and (3) their failure to follow these instructions within five days will result in the file being forwarded to the Attorney General for possible injunctive action.

RE-240 LANIKAI INVESTMENT CO.

This is an internal investigation item to be disposed of by the Executive Secretary.

RE-241 EDWARD J. BOSSING

To be processed along with other investigation cases involving Hawaiian Ocean View Estates and forwarded to the Attorney General for prosecution and/or injunctive action.

RE-242 KARL EMBREY

To be handled in the same manner as the case immediately above. The particular emphasis in the prosecution of this case is that there is evidence that the respondent has been selling real estate on a commission basis without a license.

Miscellaneous:

1967 GENERAL SESSION, Fourth Legislature

The Chairman presented a capsule report on the status of various bills that make up the Commission's 1967 Legislative Program. He noted that the legislators appeared receptive to his suggestion that the Recovery Fund Proposal be substituted in lieu of proposal to increase the real estate surety bond limits. It was reported that H. B. 777 is the vehicle which should move the recovery fund act through the lower house.

He reported that presentations are being made on behalf of the Commission's program in the areas of subdivision control and condominium enforcement and administration.

NARELLO WESTERN DISTRICT CONFERENCE

Request for a representative of the Commission to attend this June 8-10, 1967 meeting in Salt Lake City, Utah, is to be processed through channels immediately.

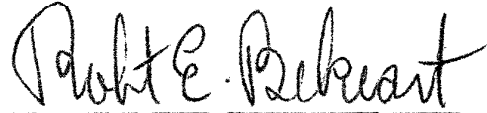
Date of
Next
Meeting:

Tuesday, April 18, 1967 at 10:00 a.m.

The Commission had directed that plans be made for the conduct of a meeting in the County of Maui during the Fourth Quarter of this present fiscal year. The third week in May was selected as the tentative meeting time.

Adjournment:

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 THE COMMISSION:

JACK K. PALK, Chairman

REB:sw
4/14/67