

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

MINUTES OF MEETING

Date: Thursday, September 26, 1968

Place: Board Room, Mezzanine Floor, Department of Regulatory Agencies  
 1010 Richards Street, Honolulu, Hawaii

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

Robt E. Bekeart, Executive Secretary

By Invitation

Wesley F. Charlton, Real Estate Association of Hawaii

Absent: Irving A. Jenkins (Kauai) - excused. Attending 40th Annual NARELLO  
 Conference, St. Paul, Minnesota.

James H. S. Choi, Deputy Attorney General - excused. Court commitment.

Michael T. McCormack, Honolulu Board of Realtors - absent.

Call to Order: There being a quorum, Mr. Palk, in the Chair, called the meeting  
 to order at 2:00 p.m.

Minutes: UPON MOTION, the Commission approved the minutes of the Thursday,  
 August 29, 1968, meeting as circulated.

Business Out of Minutes: LICENSING (Section 170-1. through 170-24.)

RE-317 Deane F. Foell - Applicant for License

UPON MOTION the Commission ruled that Mr. Foell, applicant for real estate salesman license, be directed to appear before the regulatory body. The Oahu commissioners will conduct the informal hearing and the objective is to review the information on file with the applicant, permit him to place in the record such information or evidence as he has, and the members are to make a determination on the issuance of a license.

Motion carried unanimously.

RE-264 Violet C. King

The Commission received, for the record, a one and a half page typed information sheet prepared by the Respondent under date September 26, 1968. It was noted that the paper was incomplete as the last sentence refers to additional evidence that is to be introduced.

The Chairman asked Hearing Officers Sodetani and Yamanaka if the statement as prepared by the Respondent and presented to this body introduced any new evidence or information that was not made part of the official record. The Hearing Officers, having studied the subject paper, stated that the information therein had been adequately covered in the hearing and made part of the record.

UPON MOTION the Commission ruled that careful review of the September 26, 1968 statement shows that no facts have been introduced which could reflect or cause any change in the due process afforded the Respondent and which assured her of a fair hearing. The Commission's decision and order stands. Motion carried unanimously.

As Mrs. King was in the building seeking an audience with the Commission, it was agreed that she be permitted to appear.

The Respondent in her person-to-person confrontation with the Commission was given a reasonable time to state her position and introduce fresh information to that already in the record.

The proceedings will reflect that the Respondent was given the opportunity to orally present any additional evidence or information during the unscheduled appearance of twenty-five minutes duration.

The Commission will continue the process of seeing that the broker license certificate and the license identification card are to be returned pursuant to the order of April 26, 1968.

CONDOMINIUMS (Section 170A-1. through 170A-46.)  
(See FIRST ATTACHMENT)

It was agreed that an exact, accurate status table reflecting condominium registrations and reports for the period of August 29 through September 26, 1968 is to be made a part of today's proceedings. The Commission discussed ways in which to improve the public report writing system and generally acknowledged that developers and attorneys have voiced disapproval on the length of time it takes to get a report.

The Chairman reported on Mr. Okaji's position that in order to increase the flow of condominium reports both himself and Mr. Higuchi, Supervising Investigator, will start examining registrations and writing reports. Mr. Palk noted that he was searching for a long-range solution to this problem, but for the present the addition of two more persons to assist should prove beneficial.

The Commission directed that the minutes show that the Executive Secretary has the responsibility of reviewing all proposed

public reports and establishing that they meet the standards which the Commission has imposed.

Investigations: RE-283 Clement K. Gondo  
The preparation of the findings is still before the Executive Secretary as a workload objective.

RE-312 Laura McCarley dba McCarley Services  
Request the Investigation Branch to review the file and clarify the matter of whether the respondent's actions are in Commission's jurisdiction.

New Business: LICENSING

New Corporations, Partnerships, DBAs and Branch Offices

<u>Corporation</u>	<u>Principal Broker</u>
S/H Ventures, Ltd. dba Pacific Isle Realtors	Kenneth R. Nakano
Hawaiian Real Estate Corporation	Francis E. Scheiderich
Mutual Homes, Inc.	Shanty K. Andow
Iris Morse Realtors, Inc.	Iris Morse
Inter-Hawaiian Development Corp.	Eugene K. H. Lum

Partnerships  
(None)

<u>DBAs</u>	
Checkmate Realty	Frederick W. Grantham dba
Ralph Yagi Realty	Ralph S. Yagi dba
Veterans Realty Company	Jose O. Galura dba

Branch Offices  
(None)

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

Motion carried unanimously.

Commissioners' County of Hawaii - Commissioner Yamanaka  
Observations - Concern is expressed on the supervision and control of Big Island  
Statewide : licensees who are operating a great distance from the official  
Round-Up: place of business where the Principal Broker or the Broker In Charge is located.

The Commission suggests that the Investigation Branch for East Hawaii check the number of unsupervised salesmen that may be operating outside the requirements of law and rules and regulations. It was noted that by a statement of policy the commissioners have delineated the two general geographical regions which comprise the County of Hawaii.

County of Maui - Commissioner Sodetani

Since the Executive Secretary's warning letter to all stock cooperative and condominium apartment organizations, and Mr. Sodetani's letter to all Maui County licensees, there has been a noticeable effort to understand fully the Commission's requirements and to operate accordingly. Mr. Sodetani observed that every effort should be made to rector all complaints and reports of infractions (unlicensed activity, general misconduct) to the various neighboring island offices of the Investigation Branch.

Miscellaneous: Education Task Force - Mr. Sodetani, Chairman

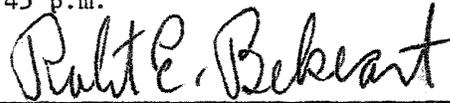
The Commission should determine if there will be approximately \$1,500.00 cash available in the Real Estate Recovery Fund investment program by December 31, 1968. This would correlate to the first phase of the proposed agreement with representatives of the University of Hawaii to undertake a profile or characteristics study of licensees. The pilot program to develop a questionnaire is over and the goal is to have a sampling questionnaire ready to mail out with application for 1969 renewals about November 1, 1968. The particulars on mechanics of printing, mailing and the return of questionnaires will be reviewed with Mr. Bell, Assistant Professor at the University.

Date of  
Next Meeting:

Hearing Mr. Yamanaka's suggested program, the Commission agreed that on Thursday, October 31, 1968 the commissioners and official party would leave their respective home islands for Hilo. A meeting with all East Hawaii licensees has been planned and Mr. Yamanaka suggests that it start at 7:30 p.m. at the Orchid Isle Hotel. On Friday, November 1, the party will depart Hilo for Volcanoes National Park, inspecting enroute various land development projects in the District of Puna. The noon meal is to be taken at the Volcano Lodge. Following lunch the movement will be on to District of Kau, inspecting Waiohino and South Point project then proceeding up the coast of the District of South Kona to Kailua where the party will remain overnight. At 9:30 a.m., Saturday, November 2, the Commission will hold a public meeting with West Hawaii licensees. The official program should be concluded by noon.

Adjournment:

There being no further business to transact, the Chairman declared the meeting adjourned at 4:45 p.m.



ROBT E. BEKEART, Executive Secretary

REB:va  
10/30/68

Att.