

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

MINUTES OF MEETING

Date: Thursday, February 27, 1969

Place: Board Room, Kamamalu Building
1010 Richards Street, Honolulu, Hawaii

Present: Jack K. Palk (Oahu) Chairman Douglas R. Sodetani (Maui)
Herbert S. Isonaga (Oahu) Hiromu Yamanaka (Hawaii)
Irving A. Jenkins (Kauai) William H. C. Young (Oahu)

Robt E. Bekeart, Executive Secretary

By Invitation

George A. Morris, Executive Vice President, Honolulu Board of Realtors

Absent: Harold J. Silva (Oahu) - excused.

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, January 23, 1969 meeting as presented on the agenda.

Motion carried unanimously.

Business Out of Minutes:

LICENSING (Section 170-1. through 170-24.)

Appearance: Travis Y. S. Chun, applicant for real estate salesman license. The commissioners reviewed the Abstract of Criminal Record with the applicant. He was given the opportunity to tell the Commission about his employment record and possible limitations on his immediate active engagement as a salesman if licensed. He stated that he was considering making a career of real estate if, after a period of orientation and apprenticeship, it appears favorable from the standpoint of increased income and benefits. The applicant produced four (4) letters from persons who attested to his character, reputation and integrity. He was excused by the Commission and the matter was taken under advisement.

It is the decision of the Commission that a real estate salesman license is to issue to Travis Y. S. Chun with the condition that the prospective employing broker appear with the applicant, before the Executive Secretary to receive such instructions as are necessary and required.

Appearance: Morris Gomes, Jr., applicant for real estate salesman license. The Chairman reviewed the entries on the Abstract of Criminal Record and gave the applicant an opportunity to study same. The applicant developed his employment experience and record for the past five (5) years as an automobile vehicle salesman. He was instructed to submit three (3) letters from persons in the community who will attest to his reputation and character. Upon receipt of the required letters the Chairman will instruct the Executive Secretary on the issuance of the real estate salesman license.

RE-264 Violet C. King matter. The Chairman will take this for action and an attempt is to be made by written communication with the Attorney General, to seek immediate enforcement aid and pursue this matter to the end that the commission's order of April 26, 1968 will be properly executed.

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

ACADEMY TOWER - REG. 156

The Executive Secretary briefed the commissioners on the recent activity on the project, the issuance of the Second Supplementary Public Report dated February 24, 1969 and the apparent resolution of differences between various parties. It is believed that the closings on a number of apartments had been concluded and appropriate recordings made in the office of the Bureau of Conveyances.

Investi-
gations:

RE-298 Winfield Puahau Chang. Deferred to the March 27, 1969 meeting. The Investigation Branch is to check with two (2) employers that are identified in the application record, Sheraton-Hawaii, Incorporated and Honolulu Iron Works, Co., to determine the conduct or behavior of the applicant while in their service. Any information on his separation from each firm should be developed. The applicant is to be advised to stand by to appear at the next meeting.

RE-328 MAHINA SURF REG. NO. 230 The Commission studied the complaint in reference to the requirements of the Horizontal Property Act. On the facts and information in the investigation report an offering apparently has been made and further, it is alleged, that a contract of sale existed prior to the Developer notifying the Commission of his intention to sell.

The Commission decided that this matter be referred to the Attorney General with the request that prosecution be initiated as provided in Section 170A-39.1, RLH.

RE-331 THE PALMS REG. NO. 112 The Executive Secretary reported the background of this complaint where a purchaser/occupant alleged that the drawings and plans which identifies the parking levels and the parking stall arrangement had not been filed in the office of the recording officer.

Investigation disclosed that the recording officer does not receive and holds the architectural sheets which illustrate the parking stall plan. The Registrar has advised the Commission that within the framework of conveyancing procedures he holds only those plans which are relevant to the transfer or conveyance of the fee, i.e. typical floor plans.

New
Business:

New Corporations, Partnerships, DBAs and Branch Offices

Corporation

Principal Broker

Chase Pacific, Inc.

Steven K. Okumoto

Golden Towers, Inc.

Wilbert Y. Yagi

Business Investment, Ltd.

Dennis A. Paine

Partnership

Ferguson and Ferguson

Richard B. Ferguson, RPB

Branch Office

Velva Bergevin, Ltd. (Branch)

Velva M. Bergevin, BIC

DBAs

Avery Realty

Weldon A. Avery dba

Howard H. Coss & Company

Howard H. Coss dba

David Lyum Realty

David J. H. Lyum dba

Statement of Policy: Neighboring Island County Applicants'
Character, Reputation and Integrity Checks

All applicants for licenses who have been found qualified in the written examination are to fulfill the same requirements as to character, reputation and integrity checks that Island of Oahu candidates meet. The Commission concurs in the recommendation that the Investigation Branch representative in each county will assist in this program as an extension of the Licensing Branch. It is the understanding of the Commission that liaison with credit bureau offices in each county seat is feasible.

Statement of Policy: Official Place of Business in Permitted Use
Area

Background: The Licensing Branch, working cooperatively in the past with City and County of Honolulu (Planning Department) challenges application for broker license where the location may not be compatible with zoning requirements. Under the recently enacted Comprehensive Zoning Code (CZC) there appears to be an increasing need to work closer with municipal authorities in order to assist licensees in compliance with codes and ordinances.

Recommendation: The Commission endorse a procedure where the broker applicant will complete an appropriately drawn form setting forth necessary information which the applicant will present to the Land Use Control Section, Planning Department, where that agency's personnel will verify the use as being lawful and acknowledging to that effect on the form which will be returned, by the applicant, to the Commission's office.

UPON MOTION, the Commission ruled to accept and endorse the staff's recommendation.

There was a discussion on the motion.

In the ensuing vote taken, the tally on the motion was as follows:

Aye (those voting for the motion):
 Mr. Sodetani, Mr. Yamanaka, Mr. Young
 Nay (those voting against the motion):
 Mr. Isonaga, Mr. Jenkins

The motion carried.

It was the consensus of the commissioners that with Comprehensive Zoning Codes going on the law books in the neighboring island counties, the respective representative from Hawaii, Kauai and Maui should explore this matter at their level and be prepared to recommend a similar program at a future date.

<u>Anticipated Application Statistics - March 5, 1969 Examination:</u>		<u>Broker</u>	<u>Salesman</u>
Hawaii (Kailua-Kona)	1	28	
Hawaii (Hilo)	3	48	
City and County of Honolulu	113	391	
Maui	6	23	
Kauai	2	2	
Total	125	492	

Commissioners' Observations - Statewide Round-Up: County of Hawaii - Commissioner Yamanaka
 A second NARBB affiliate has been organized in the County of Hawaii and the formation of a West Hawaii Board of Realtors has been announced publicly.

County of Kauai - Commissioner Jenkins
 In the Garden Island newspaper of January 29, 1969 there is a real estate "For Sale or Use" advertisement on Page 7, Section B-1, that should be taken under investigation as a possible infraction.

County of Maui - Commissioner Sodetani
 There is nothing to report from this area.

Miscellaneous: Education Task Force - Mr. Sodehani, Chairman

The group has not met as it is awaiting the results that are of a preliminary report nature from the Characteristic & Profile Study questionnaire project.

Real Estate Research/Education - Professor Bell

Approximately 4,000 questionnaires have been mailed out and 1,250 have been returned. This represents about a 31% to 32% response from the licensure. Preliminary arrangements have been made with the computer technicians but the formulation of a plan of action is being held up pending the acceptance of the two contracts between the Commission and the educational authorities.

The Commission agreed that Professor Bell should prepare and submit an outline of charges for work performed or materials delivered. Some means are to be found whereby amounts that have been earmarked or advanced by the University can be funded within the principle of the two agreements.

The Chairman asked the Executive Secretary to see if the Director could sit with the Commission for the purpose of moving the two proposed contracts through channels for execution. Mr. Honda, on invitation, heard the review of the problem and responded favorably that he would try to assist.

It was agreed that the proposed agreements would be transmitted to the Attorney General soliciting his approval as to form. In the by-way-of channeling the Director, as a signer, would show his recommendation and approval.

UPON MOTION, the Commission decided that in order to expedite funding due the University, the draft of the memorandum of agreement dated December 11, 1968 be accepted and that the terms and conditions therein which identify the real estate research and education program objectives, as authorized by the Legislature, be pursued immediately. It is the Commission's position that the University continue the survey under the Project Approval Agreement - Characteristics Study of Real Estate Licensees.

Further, the University is hereby authorized to immediately implement the study, it being understood that the funding be processed within the framework of the Memorandum of Agreement of December 11, 1968.

Motion carried unanimously.

UPON MOTION, the Commission grants authority to Commissioner William H. C. Young to confer and work with Professor Bell to expedite the funding of the Characteristics Study by identifying and refining details of Professor Bell's budget and initiating an acceptable arrangement for immediate payments to be made for services expended or materials purchased.

Motion carried unanimously.

NARELLO Western District

UPON MOTION, Commissioner Isonaga was appointed to represent the State of Hawaii at the July 6, 7, 8 and 9, 1969 conference in Seattle, Washington.

Motion carried unanimously.

It was agreed that other members of the Commission will make every effort to attend this important regional meeting through their own expense.

Election of Vice-Chairman

UPON MOTION, the Commission called for the nomination and election of a member to serve as Vice-Chairman.

Discussion followed and Mr. Isonaga's name was placed before the members present.

Mr. Isonaga was duly and properly nominated and elected to the office of Vice-Chairman.

Motion carried unanimously.

Inter-island Travel - Commission Field Trip

The Commission, acknowledging that their October 31-November 2, 1968 trip took them into the County of Hawaii, recommended that the next field inspection and meeting with licensees should be in the County of Kauai, preferably in late summer, 1969.

Date of

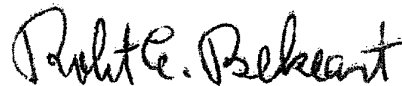
Thursday, March 27, 1969 at 2:00 p.m.

Next

Meeting:

Adjournment:

There being no further business to transact, the Chairman declared the meeting adjourned at 5:45 p.m.



ROBT E. BEKEART
Executive Secretary

REB:sw
3/27/69