

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

MINUTES OF MEETING

Date: Thursday, March 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) Vice Chairman Hiromu Yamanaka (Hawaii)
Irving A. Jenkins (Kauai) William H. C. Young (Oahu)
Harold J. Silva (Oahu)

Robt E. Bekeart, Executive Secretary

By Invitation

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

Absent: (None)

Call to Order: There being a quorum, Mr. Palk, in the Chair, called the meeting to order at 2:10 p.m.

Business Out of Minutes: LICENSING (Sec. 170-1. thru 170-24.)

Appearance: Theodore P. Tremper, broker applicant

There have been recent entries of a serious nature in the applicant's Abstract of Criminal Record. The purpose of having the applicant appear is to afford him the opportunity to discuss the charges and allegations, while at the same time, giving the commissioners a chance to meet the applicant face to face and question him on his character and reputation. The Commission's procedure to weigh all matters carefully when there is the possibility of licensing someone who may bring discredit to the industry was presented for the applicant's understanding and acknowledgment.

Having concluded that part of the matter requiring the applicant's participation, he was excused and the members, recognizing that a licensee was being upgraded from salesman to broker, ordered that Mr. Tremper's employing broker is to submit a statement, in affidavit form, attested and sworn to by a Notary Public, setting forth the desirability of the applicant's employment in that agency and the efforts that would be expected to be taken to assure the applicant's standard of conduct would be above reproach or suspicion.

March 5, 1969 Examination

Examination Branch statistics on applicants appearing for examination are as follows:

	<u>Broker</u>	<u>Salesman</u>
County of Hawaii (Kailua-Kona)	6	25
County of Hawaii (Hilo)	2	35
City and County of Honolulu	96	329
County of Kauai	2	2
County of Maui	<u>6</u>	<u>17</u>
TOTAL	112	408

The Executive Secretary presented FIRST ATTACHMENT showing the ranking of one hundred and twelve (112) applicants for a real estate broker license.

UPON MOTION, the Commission ruled that the following applicants for real estate broker license, being marginal numbers 1 through 40, were found qualified in the March 4, 1969 written examination.

(see FIRST ATTACHMENT)

Motion carried unanimously.

The Executive Secretary presented SECOND ATTACHMENT showing the ranking of four hundred and eight (408) applicants for real estate salesman license.

UPON MOTION, the Commission ruled that the following applicants for real estate salesman license, being marginal numbers 1 through 223, were found qualified in the March 4, 1969 written examination.

(See SECOND ATTACHMENT)

Motion carried unanimously.

CONDOMINIUMS (Sec. 170-1. through 170A-46.)

Status table for the period February 27 through March 27, 1969 was presented as THIRD ATTACHMENT. Chairman Palk observed that this report might be more meaningful if the Executive Secretary could rearrange the format to illustrate or identify what percentage of a completed submittal or registration each filing has at the date of the Commission's meeting. Such a display would enable the members to determine what additional administrative remedies or aids should be considered to shorten the in-basket waiting time before a report is published.

Investigations: RE-283 Clement K. Gondo. Executive Secretary reports that Deputy Attorney General Choi has Hearings Officers' draft of the case and the file is to be perfected as to form and sufficiency of law for Mr. Silva's and Mr. Young's signatures.

RE-328 MAHINA SURF. This matter is awaiting transfer to the Attorney General with the request that it be set down for prosecution under Sec. 170A-39.1 of the Horizontal Property Act.

RE-329 Condominiums Hawaii, Inc. This matter is to be prepared for a hearing on the grounds that the allegations of the Complainant, as set forth in the investigation report show a clear-cut case of misrepresentation. Tentatively Chairman Palk will be identified as Hearing Officer and Vice Chairman Isonaga will serve as alternate Hearing Officer.

RE-264 Violet C. King. The Commission, having received the Executive Secretary's briefing on the Respondent's status in continuing a course of misconduct and disobedience of a lawful order, stated that this matter has worn the patience of the members thin.

UPON MOTION it was decided that a letter is to be written the respondent, advising that she is operating illegally, that her real estate broker license had been revoked, under due process, and that no certificate has been restored nor has there been any license registered to her under the 1969 renewal of license program.

Motion carried unanimously.

The Commission believes it is essential to build a record of documentation on which additional enforcement proceedings can be initiated. It is to be assumed that the Attorney General will have to pursue the surrender of the Respondent's credentials through the courts.

RE-330 Robinson & Lowe. Matter to be set down for a hearing. Mr. Sodemani is assigned as Hearing Officer and Mr. Jenkins as alternate Hearing Officer.

New Business: Corporations, Partnerships, DBAs and Branch Offices

<u>Corporation</u>	<u>Principal Broker</u>
Capital Counselors Corporation	James Y. T. Leong
Dillingham Land Corporation	Donald H. Graham
Himeji Realty, Inc.	Bert N. Watamura
Resort Realty, Inc.	Jack C. Cross

Partnerships
(None)

DBAs
(None)

<u>Branch Offices</u>	<u>Broker-in-Charge</u>
Realty Investment Co., Ltd. Branch	Helene H. Hale
Realty Investment Co., Ltd. Branch	Peter G. Shayne

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.

Miscellaneous:

Real Estate Research and Real Estate Education

The working up of the two agreements in final draft is awaiting the attention of the Deputy Attorney General Choi.

In assessing the delay it takes to secure legal advice or action on matters which the members give considerable study time to, the Chairman and Vice Chairman are hereby authorized to discuss with the Director ways to relieve or reduce the time it takes to seek the Attorney General's help. As part remedy the Commissioners Palk and Isonaga were further authorized to explore with the Attorney General the proposal of securing the services of a special deputy attorney general to assist the Commission as it tries to fulfill its responsibilities and duties under an ever increasing workload.

Real Estate Recovery Fund Accounting

Mr. Young is to check with Assistant Professor Bell to determine whether there has been a breakdown in the agreed to arrangement where the University of Hawaii was to present to the Commission vouchers, bills and/or statements of charges for personal services utilized or materials received to date as part of the Characteristics Study Project.

1969 Legislative Program - Vice Chairman Isonaga

Fingerprint Clearance and Identification - The Executive Secretary will explore avenues to improve the present system of clearing applicant's fingerprints at the Bureau of Crime Statistics and Identification. It was believed that under present law the Commission could, by administrative agreement and rule changes, establish a system which would reduce the delay time an applicant must wait through for FBI clearance of fingerprints.

As a miscellaneous legislative matter, it was suggested that Vice Chairman Isonaga be briefed on the owner-exception proposal which the Commission sought to get passed in the 1967 Legislature. Also, past legislative files are to be examined for Chairman Palk's presentation papers on the proposal to grant the Commission

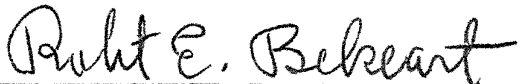
injunctive authority similar to that incorporated in the
condominium law.

Date of Next
Meeting:

Thursday, April 24, 1969 at 2:00 p.m.

Adjournment:

There being no further business to transact, the Chairman declared
the meeting adjourned at 5:30 p.m.



ROBT E. BEKEART, Executive Secretary

REB: va
4/24/69

Atts.