

Condominium Status Table - June 26 to July 24, 1969

(See FIRST ATTACHMENT)

The Commission reviewed the practice of purchasers of condominium units, as first buyers, purchasing with reliance on prints, plans, drawings and oral representations before construction is completed. Further discussion and study on this problem is deferred to a following portion of the agenda where legislative programming is to be discussed.

The Chairman stated that he is of the opinion that the Commission should establish a goal of fifteen days in which a public report should issue if the Developer has submitted a complete registration. His concern is that the registrant is unduly hampered if, in addition to other delays he experiences in assembling his condominium documents and information, a further long waiting time is faced after a proper filing has been made with the Commission.

Investigations:

RE-328, Mahina Surf - Harold Singleton

The investigation file has been forwarded to the Attorney General who is to review the case and make the necessary advisements before the matter is sent to the Maui County Attorney for prosecution.

RE-329, Condominium Hawaii, Inc.

The notice of hearing has been prepared and the file is at the Attorney General's Office awaiting his review.

Note: It was agreed that Mr. Isonaga and Mr. Young will check on the status of these two cases when other matters are discussed with the Attorney General.

RE-340, Morris Moche

The July 2, 1969 informal meeting with the applicant for salesman license and his attorney, Luman Nevels, Jr. went on as scheduled. A transcript of the proceedings, by Grace Dorius, official Shorthand Reporter, is available in the investigation file.

The four members of the Commission who sat at this information gathering session, Messrs. Palk, Isonaga, Sodetani and Young, concluded that there had been a longer than necessary delay in the investigation and hearing processes and that the applicant be permitted to sit for the next written examination for salesman. Further, the Commission extended to the applicant that he could sit for a special examination at the earliest time convenient to him - the July 1, 1969 test material to be used.

Subsequent to the July 2nd conference, the applicant's attorney advised the Commission that Mr. Moche elects to forego the special examination opportunity but will make preparations to sit for the next regularly scheduled test.

the public can have in expecting that those identified in a firm or partnership name are licensed brokers, properly qualified under law.

It was agreed that an opinion is to be sought from the Attorney General on whether the Commission has the authority to require that all persons whose surnames appear in the title of a licensed real estate corporation or partnership must be qualified as licensed brokers.

Miscellaneous:

Public Hearing of June 26, 1969

In order to expedite the issuance of broker certificates for those applicants who are found qualified in the July 1, 1969 written examination, the Commission decided that broker applicants are to be embraced with amendments to Rule 3.1(c) and need only furnish an abstract of criminal record to satisfy the Character and Reputation requirements under PART III VALIDATION REQUIREMENTS of the Rules and Regulations.

Real Estate Recovery Fund

The Commission discussed a possible meeting with Acting Budget Director Ueki to explore alternatives that would lead to strengthening the Commission's investment program.

A check is to be made of the files to determine the number of claims that have been made against the Fund and the aggregate dollar amount of all claims.

The H. Bates Len matter where claims have been initiated against the Fund is to be further examined. Discussions are required with the Attorney General on this case as the Commission, in its initial study of the claim, is of the opinion that the deal in which parties lost money was in the nature of an investment prospectus.

NARELLO Western District Conference

Chairman Isonaga reported that among other subjects, cases involving racial discrimination in real estate listings and sales came in for heavy discussion at the July 6-8 regional meeting in Seattle. Representatives from Western District states and provinces believed that the Federal law has eased or solved many of the problems that practices of discrimination had brought on in the past.

If the response to Vice President Dermot Murphy's poll shows an interest by Western District officials to come to Hawaii, we might expect the regional meeting to be held here in early June 1970.

The Chairman will take on the responsibility of serving as Temporary Chairman, NARELLO Western District Conference Arrangements Committee.

Election of Douglas R. Sodetani as Vice Chairman

The name of Mr. Sodetani, representing the County of Maui on the Commission, was placed in nomination as Vice Chairman. There being no further nominations, the Chairman closed the matter by calling for an unanimous vote, by acclamation, for Mr. Sodetani's election.

Honolulu Board of Realtor's Membership Luncheon

At the Thursday, July 31st Board meeting the former Chairman, Jack K. Palk, is going to be feted. It was suggested that the Commission draw up a properly worded resolution to acknowledge Mr. Palk's service to the State of Hawaii as a member and chairman of the Commission.

Examination Branch Recommendation

Mrs. Lydia Pai, Supervisor, has suggested that in order to streamline the procedure for announcing results of broker and salesman examinations that she seeks the Commission's acceptance of her proposal that only one list will be presented and that will show the necessary information on those who have qualified as required under Rule 4.3, PASSING SCORE of the Rules and Regulations.

The Commission approved the recommendation of the Executive Secretary that the suggestion of the examination technician be accepted.

Recess: At 11:40 a.m., the Chairman declared a recess for the noon meal.

Reconvene: At 1:00 p.m., the Chairman reconvened the meeting and directed that Mr. Sodetani, Chairman, Educational Advisory Committee, chair the balance of the day's business which relates to the Commission's educational and research program.

Mr. Palk, President, Honolulu Board of Realtors, joined in the discussions following his arrival at the hotel.

(See separate attachment which details the afternoon and evening discussion on goals and objectives of the Commission's real estate research and real estate education program.)

Recess: At 5:30 p.m., Mr. Sodetani relinquished his direction of the proceedings to the Chairman who declared that the meeting stand as recessed until the convening of the public meeting tomorrow at the county seat.

Reconvene: At 10:10 a.m., in the new Kauai State Office Building, Lihue, Kauai, the Chairman reconvened the meeting and welcomed those who appeared to take part in the Commission's proceedings.

In the audience and present were the following:

<u>Name</u>	<u>Organization</u>
1. Richard I. Sakoda	Prosser-Childs, Inc.
2. Yoshiko I. Kano	Prosser-Childs, Inc.
3. Gisao Tateishi	Kauai Realty, Inc.

<u>Name</u> (continued)	<u>Organization</u>
4. Nelson K. Hardenbergh	Kauai Realty, Inc.
5. Robert E. Lear	Kauai Realty, Inc.
6. Benjamin M. Tashiro	Benjamin M. Tashiro, Broker
7. Robert J. Prosser	Prosser-Childs, Inc.
8. Toru Kawakami	Yoneji Realty, Inc.
9. Takeo Yoneji	Yoneji Realty, Inc.
10. Bernice Midkiff	Yoneji Realty, Inc.
11. Francesia A. Suelto	John Texeira, Broker
12. Joseph Vierra	Kauai Realty, Inc.
13. Clinton Childs	Prosser-Childs, Inc.

The Chairman introduced the members of the Commission's party. He acknowledged the presence of Mr. Joaquin Rapozo, Investigator, Kauai Office, Department of Regulatory Agencies.

The Commission presented elements of its administration and enforcement program to the audience. The matter of Real Estate Recovery Fund administration was reviewed as well as the Commission's embarking on a long-range real estate research and educational program to improve professionalism in the industry.

There was agreement by all present that such public meetings with licensees in the neighboring island counties were beneficial and the Commission should be encouraged to conduct such field trips more frequently.

Date of
Next
Meeting:

Thursday, August 28, 1969 in Honolulu. There is a possibility that the Educational Advisory Committee would meet in advance of the regularly scheduled 2:00 p.m. meeting.

Adjournment:

There being no further business to transact, the Chairman thanked those in attendance for the interest they have demonstrated in the Commission's work. The meeting was declared adjourned at 12:15 p.m.



ROBT E. BEKEART
Executive Secretary

REB:sw

Attachments

8/26/69