

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

MINUTES OF MEETING

Date: Thursday, January 29, 1970

Place: Board Room, Kamamalu Building, 1010 Richards St., Honolulu, Hawaii

Present: Herbert S. Isonaga (Oahu) Chairman Irving A. Jenkins (Kauai)
 Douglas R. Sodetani (Maui) Vice-Chairman Hiromu Yamanaka (Hawaii)
 Louis Cannelora (Oahu) William H. C. Young (Oahu)
 Robt E. Bekeart, Executive Secretary

Absent: Harold J. Silva (Oahu) out of state

Call to Order: There being a quorum, the Chairman called the meeting to order at 2:00 p.m.

Ethics Commission Presentation

State Ethics Commission: The Commission's business commenced with (Mrs.) Marilyn Van Winkle, Executive Director, State Ethics Commission, making a presentation on ACT 263, S.L.H. 1967, as amended, "A BILL FOR AN ACT RELATING TO STANDARDS OF CONDUCT FOR STATE LEGISLATORS AND EMPLOYEES". The highlights of that law which would be of significance to the members were reviewed. The procedures for making disclosures was examined. The mechanics of processing opinions was covered as well as the administration and enforcement of the Act. Members present completed and submitted the confidential disclosure form, presenting same to Mrs. Van Winkle. It was agreed that Mr. Silva is to be briefed on today's presentation and encouraged to make such a disclosure as is required.

Public Hearing

The Commission convened the proceedings to permit all persons interested in the proposed rules and regulations pertaining to the Commission's administration and enforcement of the Horizontal Property Act, Chapter 514, Hawaii Revised Statutes.

Notice of public hearing was published one time in the Honolulu Star-Bulletin of January 9, 1970.

On motion, duly seconded and carried, the Commission adopted the proposed Condominium Rules and Regulations.

Appearance: RE-363 Floyd Kaneshiro
 The information gathering session was called for the purpose of assisting the Commission in its efforts to assemble more facts in the case of Mr. and Mrs. Junichi Suzurikawa and get a determination

from Mr. Kaneshiro why he failed to carry out the alleged oral agreement. Various facets of the Suzurikawa transaction and the subsequent financial entanglements of the broker were reviewed.

On further examination of the information and facts available, the Commission decided that this matter be set down for a hearing on the basis that the licensed broker Kaneshiro made specific misrepresentations concerning a real estate transaction and that he made false promises concerning a real estate transaction of a character likely to mislead another.

The hearing officer assigned is the Chairman, Mr. Isonaga.

Investigations:

RE-374 John Stapleton (Portrait of Homes, Inc.)

The Commission, on review of the information in the investigation report, is of the opinion that at the time of the transaction, Edward Sato had an interest in the property and on such grounds he was able to sell such interest in the apartment. The Commission moved for the dismissal of the complaint.

Adrianus Holgen - Denial of Application

The matter is to be set down for a hearing on the grounds that the three Contractors License Board investigation files, now in the custody of the Prosecutor, City and County of Honolulu, awaiting action, show that the applicant Holgen does not possess a good character and reputation for honesty, truthfulness and fair dealing.

RE-329 Condominium Hawaii, Inc. - KAHALA TOWERS Condominium

Hearing re-scheduled for February 12, 1970 at 9:30 a.m.

New Business:

Licensing

Corporation

A. Lum, Inc.
Leeward Properties, Inc.
Tom T. Okano Enterprises, Inc.
Auglin, Inc., dba Hawaii Land
Sales International
Makiki Realty, Inc.

Principal Broker

Alice C. Lum, PB
Edwin H. Shiroma
Tom T. Okano
Andrew C. Nicoll
Leighton S. C. Louis

Branch Offices

Great Hawaiian Realty, Inc., BR-3 Fred S. Iha, BIC
Gordon Crabtree & Associates BR-1 Richard B. W. Ing, BIC

DBAs

Kaaina Realty
Cabasug Realty Company
Laura Light Realty

Florence K. Kaaina, dba
Alan A. Cabasug, dba
Laura C. Light, dba

DBAs (continued)

Singleton Associates	James Singleton, dba
Vic Redding, Realtor	Victor L. Redding, dba
Harold J. Silva, Realtor	Harold J. Silva, dba
Kam Realty Co.	William Hee Kam, dba
Kona Coast Real Estate	Ronald S. Bennett, dba
Mona Carter, Realtor	Mona Carter, dba
Jack Lowcher Realty	John G. Lowcher, dba
Investment Realty, Hawaii	Charles Shipman, dba
Jack K. Palk, Realtor - Consultant	Jack K. Palk, dba

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

Motion carried unanimously.

The Commission did not rule on two corporate names which are similar. A determination is to be sought from both Mahalo Realty, Inc. and Mahalo Properties, Inc. on their re-considering the selection of names. If there is a dispute and the matter cannot be worked out within the framework of reasonableness, the Commission will accept the name that was filed first. The parties are to be encouraged to work this matter out between themselves and advise the Commission.

1970 Legislative Program

The suggestion advanced at the House Finance Committee hearing regarding the placing of "for rent and for sale" signs on property was taken under advisement.

The proposal for a rule to be adopted and promulgated regarding triplicate rent receipts on a prescribed form was considered to be important enough to make it into a legislative proposal.

Mr. Cannelora, as Chairman of the Commission's 1970 Legislative Committee, asks that any ideas or suggestions from the members, or the jurisdictions they represent, should be submitted to him at the earliest opportunity.

1970 NARELLO Western District Conference

The Chairman announced that Jack K. Palk is assisting with the planning and activities of the Aloha Committee. Representatives from the three neighboring island counties have also been designated to serve.

Program Committee Vice-Chairman responsibilities fall to Harold Silva and other Western District officials have been notified of this assignment. William H. C. Young is to assist Harold Silva in the preliminary planning stages.

Real Estate Education Program

The Chairman reviewed the discussions with the Honolulu Board of Realtors on January 26, 1970.

The Commission identified its immediate goals as seeking authority from the Legislature to require forty (40) hours of education, as a minimum or "floor", for those who would seek a salesman license - such a requirement would be effective July 1971. For issuance of a broker license, the minimum of sixty (60) hours of education would be established - requirement to be effective July 1972.

The licensing and accrediting of private schools would be handled under separate proposals to the Legislature. Approved schools would be those who meet certain guidelines or standards to be set by the Department of Education, in discussions with the Commission and its continuing review of quality of staff and instructors, curriculum and a subject time allotment guide for basic real estate course and advanced real estate offerings. The Commission has no intention of invading the DOE's jurisdiction of approving private real estate schools.

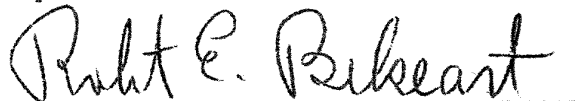
Assistant Professor Donald W. Bell reports that the Community College System is standing ready to help in any manner possible. Mr. Chun, Community College System Coordinator in conferences with Professor Bell, has assured the Commission of the University's support.

The Commission concluded that the Honolulu Board of Realtors is to draft a bill for an act which would embrace the forty (40) hour education requirement for salesman and for the sixty (60) hour requirement for broker, seeking such help as the Legislative Reference Bureau can render, and then this concise and short legislative proposal should be introduced by a legislator who is favorably inclined to support the measure.

Mr. Sodetani asks if the notice he requested be distributed to County of Maui licensees on the subject of rebating or division of commissions with unlicensed persons has been sent out. He also requested that the investigators of the Maui State Office Building in Wailuku be given an adequate supply of forms, laws and other printed matter to be available to the public and licensees.

Date of Thursday, February 26, 1970 at 2:00 p.m. The previously announced
Next Meeting: meeting date of April 30 has been re-scheduled to Wednesday,
April 22, 1970.

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


ROBT E. BEKEART, Executive Secretary