

Minutes of the Meeting
of the
REAL ESTATE LICENSE COMMISSION
TERRITORY OF HAWAII

April 22, 1952, at the offices of the Commission, Rooms 109 and 121,
Honolulu Armory, Hotel and Miller Streets, Honolulu, Hawaii.

Present: Eaton H. Magoon, Chairman
John K. Akau, Jr., Member
Stephen K. Miyagawa, Administrator

The regular meeting of the Real Estate License Commission of the Territory of Hawaii was called to order by Mr. Eaton H. Magoon, Chairman, at 9:00 a.m., in the Commission offices, Rooms 109 and 121, Honolulu Armory, corner of Hotel and Miller Streets, Honolulu, T. H. The reading of the minutes of the previous meeting was dispensed with. The order of business and the actions taken were as follows:

ORDER OF BUSINESS

Kinji Kanazawa's Request
for a Leave of Absence

The Administrator presented to the Commission a letter from the Civil Service Commission, Territory of Hawaii, stating that a leave of absence cannot be granted to Mr. Kanazawa, former Administrator of this Commission. A motion was made by Mr. Magoon and seconded by Mr. Akau that a copy of the letter from the Civil Service Commission be sent to Mr. Kanazawa. (See copy attached hereto)

Commission's Jurisdiction and Control
Over a Foreign Broker to Engage in
Real Estate Business in the Territory of Hawaii

The Administrator reported that Mr. Canright, Deputy Attorney General, had not answered our letter requesting a reexamination of our statutes to determine whether we should prohibit splitting of commissions with a mainland broker, and if we cannot prohibit such acts, to require registration of such broker before compensation could be effected. Mr. Charles Nafe was called in by the Commission to express his desires in the matter. He disclosed that he wished to induce Charles Lord and Association, a foreign corporation, to open a branch office in the Territory and that he or Mr. O'Rouark will be in charge of the office. Mr. Magoon moved, seconded by Mr. Akau, and unanimously carried that Mr. Charles Nafe check with the other Territorial agencies particularly with the Treasurer of the Territory of Hawaii and meet their requirements.

Letter Reply from D. D. Watson,

Mr. Magoon presented to the Commission a letter and two pamphlets from Mr. Watson, California Commissioner. Mr. Magoon instructed the Administrator to write a letter to Mr. D. D. Watson thanking him for

the pamphlets which will be helpful in drafting new rules and regulations.

Edward H. S. Marino, Jr. -
Hearing for Suspension of License

The Administrator reported that Mr. Marino was discharged from employment by Mr. Morinaka on March 4, 1952 and on March 11, 1952, a notice was sent to Mr. Marino advising him to inform this Commission as to whether he desired to remain active or on an inactive status, but he has failed to comply with our request to notify this Commission of his present employing broker. The Commission advised the Administrator to send another notice to Mr. Marino stating that he take immediate action to communicate with this office.

Reinstatement Requests for
Salesman's License

The Administrator reported the following licensees made proper petitions to the Commission and paid the required reinstatement fee of \$25 and recommended the approval of their reinstatements:

1. John D. Teixeira
2. Yukino Townsend
3. James L. K. Tom
4. Winifred O. King

The Commission voted to officially approve the reinstatement of the above licensees.

Change in Examination Date

The Commission approved to schedule the real estate license examinations on May 31, 1952 which were previously scheduled to be held on May 24, 1952. It was agreed that examinations on the outside islands be held on the same day.

Five Day or Six Day Week

The Commission members approved that this office will not open on Saturdays. Mr. Magoon suggested that a sign be put out stating that this office will be closed on Saturdays and on all legal Territorial holidays.

Notification of Grades

The Administrator explained to the Commission that a number of examinees had requested for their examination grades. A motion was made by Mr. Magoon that no grades should be given out and that the examinee should only be notified whether he had passed or failed. Mr. Akau seconded the motion and it was unanimously carried.

Inspection by Examinees of
Their Examination Papers

The members of the Commission unanimously approved that no examinee should be permitted to inspect his examination papers.

Time Limit for License Fee Payments

The Administrator explained to the Commission that a number of salesmen and brokers who have met all the requirements of licensure have failed to remit the required license fees. A question was raised by the Administrator whether this Commission has the authority to set a time limit for license fee payments. The Commission instructed the Administrator to communicate with Mr. Gibson at the office of the Attorney General and request an opinion as to whether this Commission could set a reasonable time limit after official approval for such applicants to remit their license fees.

Letterhead

The Commission members unanimously approved to print one ream of letterhead including Mr. John Akau, Jr., as member and Mr. Eaton H. Magoon as Chairman of the Commission.

Establishment of a Rule to Identify Brokers
as Either an Independent Broker or a
Broker-Salesman, an Employee of Another
Broker or Brokerage

The Administrator pointed out to the Commissioners a need to distinguish a broker who is independent and one who is an employee of another broker. Mr. Magoon moved and seconded by Mr. Akau that the Administrator should look into the matter and recommend action or procedure.

Donald Kim's Request for a License

The Administrator checked the Commission's records and minutes and found that Mr. Kim's application was cancelled on August 6, 1948 because of his failure to remit to this Commission the required license fee. The Commission unanimously approved that his payment of \$25.00 for the salesman's license fee cannot be accepted at this time because of the unreasonable length of time since acceptance of application.

The Commission instructed the Administrator to advise Mr. Kim if he wishes we will accept his \$5.00 and his application to take the next examination.

Bid for Commission Handbook

The Administrator requested more time to inquire into the cost of such publication.

Complaints and Investigations

1. Alfred Cadinha - Unlicensed person acting as a broker. Case referred to City Prosecutor's office. The Administrator signed the complaint and Mr. Cadinha will be tried for violation of Chapter 150, Revised Laws of Hawaii 1945, as amended 1951.

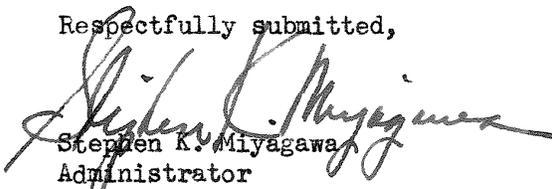
2. J. S. Perry vs. S. P. Jenkins - The nature of this case was considered a private matter and beyond the jurisdiction of this Commission. The Commission unanimously approved the action taken.

3. Ted Baker, broker - Alleged Subdivision Violation - The Commission reviewed the case and found it to be beyond the jurisdiction of this Commission. Mr. Magoon moved and Mr. Akau seconded the motion to close the case.

Minor Violation

1. Arthur K. Y. Zane - Violation of Rule 8 - Mr. Zane was cited for violation of Rule 8 of the Rules and Regulations of the Real Estate License Commission. Mr. Zane was contacted by the Administrator and was instructed to make immediate correction. The Commission approved the action taken.

Respectfully submitted,


Stephen K. Miyagawa
Administrator

SKM:ei