

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

January 29, 1953, at the office of Mr. Eaton H. Magoon, Chairman,
910 Alakea Street, Honolulu, T. H.

Present:

Eaton H. Magoon, Chairman
John K. Akau, Member
Charles H. Kimura, Member
Stephen K. Miyagawa, Administrator
Robert H. K. Chang, Deputy
Attorney General

A special meeting of the Real Estate License Commission of the Territory of Hawaii was called to order by Mr. Eaton H. Magoon, Chairman, at 9:30 a.m., in Mr. Magoon's office, 910 Alakea Street, Honolulu, T. H. The reading of the minutes of the previous meeting was dispensed with. The order of business and actions taken were as follows:

ORDER OF BUSINESS

Broker's Fee Payment by Individual
Broker's with Fictitious Trade Names

A question was raised by the Administrator on the legality of assessing additional payment of a broker's renewal fee on individual brokers doing business under a fictitious trade name. Under Section 7740, regarding fees, Chapter 150, Revised Laws of Hawaii, as amended, the Commission is authorized to collect renewal fees from a licensed individual or from a co-partnership or a corporation. The Commission has been assessing an additional renewal fee of \$10.00 to brokers for licenses issued under a fictitious trade name. Mr. Robert H. K. Chang, Deputy Attorney General, who was present at the meeting advised that the Commission had no authority to assess this additional payment under the provisions of Chapter 150, Revised Laws of Hawaii, as amended.

Some discussion was had as to the manner in which the Commission has been issuing licenses. Since the Commission has been issuing two separate licenses, one to the individual broker, and another under the fictitious trade name, it was the consensus of opinion among the members that this Commission will not be obligated to refund the payments paid in the past years. The Administrator was advised to contact all individual brokers operating under a fictitious trade name to state their preference whether they would like to hereafter have one license issued under the individual broker's name doing business as or whether they would like to have two separate licenses in which case, the broker would be required to pay \$10.00 for each license.

Mr. Chang, Deputy Attorney General, requested the Commission to send a communication to the Attorney General's office requesting its legal opinion on the matter of assessing additional renewal fee for a fictitious trade name license.

Case of Kenneth J. S. Pang

The Administrator requested that the case against Mr. Kenneth J. S. Pang, whose broker's license was suspended for a period of three months from January 1, 1953 to March 31, 1953, be reopened because additional information revealed through further investigation that Mr. Pang has disregarded the Commission's instructions and has made representations to several people and to a Doris Watanabe that he was associated with Mr. Clarence Tam, a broker who was appointed broker-in-charge of his office during the period of his suspension, and tried to deal in real estate transactions.

A motion was made by Mr. Kimura, seconded by Mr. Kimura, and unanimously carried that the case against Mr. Pang be reopened and that the Administrator set the date of the hearing.

Reinstatement Requests

The Commission received proper petitions and payments from the following brokers, brokerages, and salesmen requesting reinstatement of their forfeited licenses:

Brokers and Brokerages

1. Honolulu Trust Company
2. Livingston Brothers
3. Claire Carmer Humphrey
4. Walter W. S. Luke
5. Frank P. Campbell
6. Byron K. Murphy

Salesmen

1. Takeo Nishimura
2. Pauline D. McLaughlin
3. Lyle C. Vincent
4. Edwin S. Tam
5. Ralph Y. Komatsu
6. James H. Pflueger
7. Margaret A. Gregory
8. Raymond C. Lum
9. Elizabeth T. MacDonald
10. William H. Nock

Upon the recommendation of the Administrator, Mr. Kimura moved, seconded by Mr. Magoon, and unanimously carried that approval be granted for reinstatement and licenses be issued immediately.

Mr. Takeo Nishimura requested a refund of his reinstatement fee of \$25.00. Due to ill health, he will not be able to continue working as a real estate salesman. The Commission members advised Mr. Miyagawa, Administrator, to write to Mr. Nishimura to put his request in writing for our records before a refund could be made.

Results of Oral Examinations
for Brokers and Salesmen

The following applicants were given oral examinations and were recommended as passing by the Administrator:

<u>Salesmen</u>	<u>Brokers</u>
1. Charles Edward Ackerman	1. Lucile Burgess Bunn
2. Ululani Weight Awana	2. Fred Yew Wai Chang
3. Lloyd F. Char	3. Henry Gonsalves
4. Chew Chung	4. Isao Kagawa
5. Edward Tung Chang	5. Kenneth K. Kawada
6. David Henry Claus	6. Wataru Walter Kusuno
7. Charles N. Kimura	7. John Yoshimi Ohye
8. Kumao Kirihara	8. Nelson R. N. Robinson
9. John Ambrose Mattson	9. Louis Roy Turner
10. Sumie Marumoto	10. Robert S. Wong
11. George A. Powers	
12. Macel Welcome Powers	
13. Ladislaus Roger Piwowarski	
14. Thomas Charles Ryan	
15. Charles Takeshi Taketa	
16. Charles In Ho Yang	
17. Seichi Yokoyama	

It was moved by Mr. Kimura, seconded by Mr. Magoon and unanimously carried that the above applicants be approved as having passed the salesman's and broker's examinations and licenses be issued upon payment of the \$25.00 license fee.

Request by Mr. Frank E. Howes

Mr. Howes, who took the last broker's examination and failed, requested an opportunity to appear before the Commission for an oral examination. The Commission carefully reviewed Mr. Howes' examination papers but it was unanimously agreed that the results of his examination did not warrant him an oral examination at this time. It was unanimously moved that Mr. Howes' request be denied and that he be advised to take the coming real estate examination.

Commission Financial Report

The Commission's financial report was given as follows:

Total collection in fees for January 1953.....\$ 2,253.00
Cash balance in Special Fund to date..... 21,083.12

The members unanimously approved the above report.

There being no further business, the meeting was adjourned.

Respectfully submitted,

Stephen K. Mivagawa
Stephen K. Mivagawa, Administrator