

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

December 1, 1953, at the offices of the Commission, Rooms 109 and 121,
Honolulu Armory, corner of Hotel and Miller Streets, Honolulu, T.H.

Present: Eaton H. Magoon, Chairman
Hirotooshi Yamamoto, Member
J. Patton Odom, 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

Case of Edward N. Hamaishi,
Real Estate Salesman Applicant

At the last Commission meeting, the Administrator was instructed to interview Mr. Hamaishi and question him on his unfavorable credit and police records and report his recommendation to the Commission. Mr. Hamaishi was a successful applicant for a salesman's license; however, the Commission had great doubts in licensing anyone with his record. Mr. Hamaishi requested an opportunity to appear before the Commission with his sponsoring broker, Mr. Wendell Brooks to appeal on his behalf.

Mr. Brooks was called before the Commission first.

MAGOON: Mr. Brooks, Mr. Hamaishi has made a very good score on the examination. He made the grade but the Commission has investigated him and found out he has a record that, seems to me, just "knocks you dead", and I feel that you should know about this. (Mr. Magoon read the police and credit records against Mr. Hamaishi)

BROOKS: He has explained to me. He was a partner in this Colonial Hotel which he operated during the war. When the war ended, naturally, the business fell off to practically nothing. He claims the Federal Government owes him \$8,000.00 refund on taxes which are being settled some way or other. I just want you to know that I have known this boy since high school days.

He and his brother used to run around with us. There is no question as to his honesty and integrity. He has had tough luck in paying his bills. However, every man gets to a certain stage when he realizes he must straighten out. As far as his debts are concerned, he could have filed bankruptcy. However, his father has lived here all his life, and one of his brothers is a real estate broker, Clarence Hamaishi. I have known the brother for a good 15 to 20 years very intimately. Regarding that gambling record, he was still going to the University of Hawaii.

MAGOON: Of course, those charges are trivial.

BROOKS: Right now, he is renting space in my office and having known him all these years, I am willing to stand back of him and I feel it would help me a lot, too. If necessary, I can file a fidelity bond, but I haven't required any of my salesmen to file a bond. I feel that he is dependable and as far as these judgments are concerned, when he makes a settlement on this \$8,000.00 refund, he should be able to pay these up.

MAGOON: Would you be able to follow these up with the Federal government, if there is such a refund and report back to this office? May be we might want to take that into consideration.

BROOKS: What's the total sum of these judgments?

MAGOON: I would say about \$4,000 to \$5,000.

BROOKS: The only thing is that you probably won't have a meeting for another month.

MAGOON: Well, this board, whenever it has work to do regardless of whether one week or one day after the last, has always called a meeting. If there is work to do, I am sure the Commission will sit in, isn't that right, Mr. Odom?

ODOM: Oh, sure.

MAGOON: We will call a meeting at any time. Whenever there is something before the board, we just call a meeting.

BROOKS: As far as these judgments are concerned, he openly admitted to me. He is not trying to hide them from me. As I said, I have known him so long. People do get into financial straits. Right now, I would like to have a couple hundred dollars to pay off my bills. As far as his personal character is concerned, I have no doubt about his honesty.

ODOM: Wendell, this has been going on right along. It's not a thing that has gone on for a few months or a few years. It seems to me it has become habitual. I feel when a thing gets into that condition - just goes on and on - then you have a problem on your hand. We also think of the broker who is hiring the man as much as the public that might be involved.

MAGOON: I would like to call in Hamaishi.

BROOKS: Can I stay?

MAGOON: Sure, sure.

Mr. Hamaishi called before the Commission.

MAGOON: Mr. Hamaishi, we noticed that from this report we have on you, you owe great sums of money.

HAMAISHI: Yes.

MAGOON: Now, in this judgment of July 1953 in the amount of \$300.90, what have you done to pay that?

HAMAISHI: Up until now I.....that used to be a \$1,000.00 loan that we borrowed - Ichiro MuneKata and I. He was operating a dance hall over in Kauai. I endorsed his note with George Thorpp. Mr. MuneKata was unable to pay, so I paid up to \$700.00. I couldn't pay it all, so in the meantime the bank collected from George Thorpp.

ODOM: Who is George Thorpp?

HAMAISHI: He is president and manager of a contracting firm, Western Builders, Ltd., on Ala Moana.

MAGOON: Now, this other bill of December 1950, do you recall the judgment of \$361.00?

HAMAISHI: That was.....you see when.....

MAGOON: What is it for? You haven't made any payment?

HAMAISHI: No, I haven't made.

MAGOON: Now, you have a Circuit Court judgment of \$1,299.76 and also another one for \$937.50.

HAMAISHI: That has been reduced down. That was originally a \$7,000.00 loan. It was originally a \$7,000.00 personal loan in the

Liberty Bank. Oahu Collection agency has already paid \$700.00 back to the Liberty Bank. The \$1200.00 represented the collection fees of which there is only a balance of \$460 odd dollars. You see, Mr. Magoon, I realize that because of my indebtedness, it doesn't look too good but I am making an effort to clear all these. I feel that I have a moral obligation to pay off my indebtedness. I was born and raised in the Islands and I expect to continue to do so. That's why I am applying for a real estate license. I feel that with my business background I know that I will be able to make a go.

- MAGOON: You made a score of 84 which is a very good score but we have this thing confronting us now. The board has to decide whether it is advisable to grant you a license at this time.
- HAMAISHI: Mr. Magoon, I took a terrific loss that cost me \$80,000 in cash. The business failed because of the people or personnel that we had not checked. Because of one failure, it ran about \$60,000. Then I had taxes to clear of \$20,000. Now, this is back in 1948. I didn't have collateral as a result I lost quite a bit. I handled from \$17,000 to \$18,000 in cash. I could not help from these circumstances. I was too ambitious, I guess.
- MAGOON: What have you been doing?
- HAMAISHI: I worked at TPA Aloha Airline in 1951 and within one year's time I received five raises. I was promoted to district sales manager which ranks fourth in line in the organization. Well, I felt that I could do better outside and I didn't have too much from my salary so I left TPA last year about this time. I am with The Booster in the capacity of business manager for the promotion of sales program. I occupy the same office in Mr. Brooks' office. I have seen dealings in real estate, mostly of my own, and other operations that have gone through Mr. Brooks' office.
- MAGOON: Tell me, this tax lien against you of \$3,052.45, has that been paid off?
- HAMAISHI: That has been paid off. I have filed a refund for my 1946 taxes. If that judgment is handed down to me, it would amount to around \$7,500.00.
- MAGOON: Who filed that refund for you?
- HAMAISHI: Katsuto Nagaue.
- MAGOON: What does he think?

HAMAISHI: Very good, sir.

ODOM: Where is his office?

HAMAISHI: His office is located at Atkinson.

MAGOON: I wonder if you can get an office copy of your records and the payments and other information that he may have?

HAMAISHI: I could get that, sir.

MAGOON: (to Odom and Yamamoto) Well, any other questions you want to ask?

ODOM: No, I have none.

MAGOON: We will take this matter under advisement. Thank you.

HAMAISHI: Thank you, sir.

(Mr. Brooks and Mr. Hamaishi left the room)

After a lengthy discussion on the advisability of granting a salesman's license to Mr. Hamaishi at this time in view of his unfavorable credit record, the consensus of opinion among the members was that since Mr. Hamaishi had made an honest effort to repay his debts and since he declared before the Commission that he will continue to clear his debts, the Commission should give him some consideration. The Commission finally voted unanimously that it will consider granting Mr. Hamaishi a license provided the following conditions are met:

- (1) A letter from Katsuto Nagaue, accountant, to show proof that he has filed for a tax refund for Edward Hamaishi;
- (2) A letter from Mr. Wendell Brooks, stating his willingness to sponsor and assume responsibility for Mr. Hamaishi.

Reports on Examinees with Adverse Police and Credit Records

As requested by the Commission, the Administrator interviewed Shigeo Moriyama and Walter Tai Choon Kim for further questioning on their police and credit records. The recommendation of the Administrator in the attached reports on both applicants was unanimously moved and carried that approval be given for their licensure as salesmen.

Results of Supplementary Examinations

On Friday, November 27, 1953, as agreed in the Commission meeting of November 11, 1953, the following broker applicants who made border-line grades were given supplementary examinations by the Administrator

in the Commission office:

1. Harold B. Boyd
2. Duke Kawasaki
3. Thomas T. Fujii
4. Lin Kau Ching
5. Louise H. Camacho

After a thorough review of the individual papers of the above applicants and a favorable recommendation by the Administrator, it was unanimously moved and carried that they be approved as qualifying for a broker's license.

Reinstatement Request by
George T. Cooper, Salesman

At the last Commission meeting, Mr. Cooper's reinstatement request was denied pending completion of investigation on him. A routine investigation revealed no derogatory record against Mr. Cooper; therefore, the members unanimously approved immediate reinstatement of his salesman's license.

Finance Realty Company, Ltd.

Finance Realty Company, Ltd., 69 N. King Street, made application to be licensed as a brokerage firm. Mr. Mun On Chun was appointed as the principal broker of the corporation. The corporation having met all the requirements of this Commission, it was moved by Mr. Yamamoto, seconded by Mr. Odom, and unanimously carried that approval be given for a license to Finance Realty Company, Ltd. However, the Administrator was instructed to check first with the Treasurer, Territory of Hawaii, to check that there is no duplication of such a firm name.

Earl Thacker Company

Mr. Earl M. Thacker, broker, made application to do real estate business under the trade name of Earl Thacker Company. Upon the favorable recommendation of the Administrator, Mr. Odom moved for acceptance which was seconded by Mr. Yamamoto and unanimously carried.

Request to Take Real Estate
Examination by Leslie Picot

Another letter was received from Mr. Picot, requesting consideration to take the coming real estate examination. Mr. Picot feels that he has now qualified and completed the residence requirement of two years. After reviewing the office records on Mr. Picot, it was unanimously felt that he would complete his residence requirement on November 6, 1954. The Administrator was advised to write to Mr. Picot the decision of this Commission and to inform him that the Commission would only entertain his application at the completion of the necessary period of residence in the Territory.

Request by Frank Howes to Complete
Broker's Examination

Mr. Frank Howes who took the broker's examination on October 24, 1953 would like the permission of this Commission to finish his examination. He claimed that due to his advanced age and health, he was not able to finish the examination in the time allotted to all applicants. Mr. Howes' request was unanimously accepted and the Administrator was advised to examine him on a convenient day and report the results of the examination to the members.

Case of Arthur Menezes

Mr. Menezes, broker, was cited in violation of Rule 13, rules and regulations of the Real Estate License Commission, at a meeting held on November 16, 1953. He was requested to correct his violation immediately and in a letter dated November 24, 1953, Mr. Menezes informed the Commission his change of business address and enclosed the proper fee to effectuate the change. A motion was duly made by Mr. Yamamoto, seconded by Mr. Odom and unanimously carried that the case on Mr. Menezes be closed and this information noted on his records. (see Arthur Menezes' file for further information)

Case of J. Mijo, Broker,
Hilo, Hawaii

A letter has been received from Mrs. Dorothy Gomez, Probation Officer, at the Probation Department, Hilo, Hawaii, informing this Commission that Mr. Jinguivei Mijo, broker in Hilo, has been charged with a felony. He has pleaded nolo contendere to the charge. Information was requested on Mr. Mijo to help the court render a fair sentence.

The Administrator reported to the members that he gave a short resume on Mr. Mijo's record as a real estate broker since he first made application to be licensed on November 7, 1936. The copy of the letter as read was unanimously approved by the members as containing sufficient information and this matter against Mr. Mijo would remain closed as far as the Commission is concerned until such a time as further action may be taken.

Financial Report

The financial report on the Commission was given as follows:

Expenditures for November 1953.....	\$ 279.34
Fees collected for November 1953.....	\$ 4,758.00
Balance in Special Fund as of 11/30/53.....	\$18,196.66

Mr. Magoon moved for acceptance of the above report which was seconded by Mr. Yamamoto and unanimously carried.

Calling Cards for Commission Members

The Administrator recommended that each Commission member should have a calling card as done commonly by the mainland commissions. The suggestion was unanimously approved and the Administrator was instructed to contact the various printers to bid for the job.

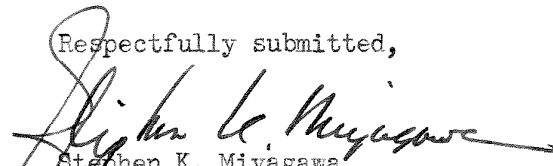
Proposed Addition to the Rules
and Regulations of the Commission

A copy of the proposed Rules 15 and 16, additions to our rules and regulations, was circulated among the members for their review and comments. The members will discuss this matter at the next Commission meeting. (see attached copy of the proposed rules)

Adjournment

There being no further business to discuss, Mr. Odom duly motioned for adjournment at 10:20 a.m., which was seconded by Mr. Yamamoto and unanimously carried.

Respectfully submitted,



Stephen K. Miyagawa
Administrator

SKM:etk