

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

February 17, 1954, at the offices of the Real Estate License Commission, Rooms 109 and 121, Honolulu Armory, corner of Hotel and Miller Streets, Honolulu, T. H.

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

Request to Open Branch Offices
by the Following Brokers

- (a) Mr. Wendell Brooks, broker, applied to the Commission to open a branch office at 2572 Kalakaua Avenue, Honolulu, T. H. Mr. Brooks will be in direct control of both offices. Upon the recommendation of the Administrator that Mr. Brooks has complied with all the requirements which are necessary to maintain a branch office, the members unanimously moved and approved that a branch office license be issued to Mr. Brooks as soon as he remits the \$2.00 branch office fee.
- (b) Mr. George Morita, broker, applied to open a branch office at 1415 Nuuanu Avenue, Honolulu, T. H. The Administrator reported that since Mr. Morita is a full time employee at Honolulu Construction & Draying Co., Ltd., it would not be possible for Mr. Morita to fully control and supervise both offices at this time. (See attached report by Administrator) A motion was made by Mr. Odom, seconded by Mr. Yamamoto, and unanimously carried that Mr. Morita's request be denied and the Commission will only reconsider his request if he is able to find a licensed broker to be in charge of his branch office.

Application for a Trade Name
by H. Floyd Nowell, Broker

Mr. H. Floyd Nowell, broker, applied for permission to operate his real estate business under the title Nowell Realty Company at 266 Kuulei Road, Kailua, Oahu. The Administrator reported that Mr. Nowell has already received verbal approval to operate his office as Nowell Realty Company. Mr. Odom, at this time, moved, seconded by Mr. Yamamoto and unanimously carried that Mr. Nowell's request be officially approved and he be notified of the action taken by this Commission.

Brokerage Application by
Security Finance Co., Ltd.

Mr. Sanford Parker, broker, filed an application for a brokerage license for Security Finance Co., Ltd., at 75 Highway, Wahiawa, Oahu, T.H. Mr. Parker's letter explained that Mr. Parker is the President and General Manager of the corporation, and he will also maintain his broker's license under Parker & Company. A motion was made by Mr. Odom, seconded by Mr. Yamamoto, and unanimously carried that a brokerage license be approved and granted to Security Finance Co., Ltd., and that Mr. Parker be allowed to be its principal broker provided that the location of the office is within the locality of Parker and Company, his own office.

Reinstatement Requests

The following persons have petitioned the Commission and have paid the required fee of \$25.00 to reinstate their licenses:

<u>Salesmen</u>	<u>Brokers</u>
1. Cummins K. Mahoe, Jr.	1. Bryant Cooper
2. Manuel De Mello	2. Katt Chiu Wong

It was reported by the Administrator that a routine check of their records revealed no derogatory reports against them. He, therefore, recommended approval of their reinstatement. The recommendation was unanimously approved by the members.

Cross Reference Directory

The Mutual Telephone Company is preparing an up-to-date cross reference directory for 1954 for its subscribers. The rental charge is \$50.00 per copy for a 10-month period or more. Mr. Odom duly moved, seconded by Mr. Yamamoto, and unanimously carried that the Commission be authorized to subscribe for a cross reference directory which is a necessity in conducting its investigation for violations.

Legal Opinion on Fees for Branch Office
License Renewal Fee

A legal opinion was requested of the Department of the Attorney General, Territory of Hawaii, as to whether or not subparagraph 5,

Section 7740, Revised Laws of Hawaii 1945, could be interpreted as renewal fee for a branch office license. There were some question whether this Commission could legally collect \$2.00 as an annual fee from all branch offices maintained by brokers aside of their main real estate offices. The Attorney General's office replied that it is their opinion that said subparagraph 5 is not an annual fee. (See attached copy of opinion from the Office of the Attorney General)

In order to conform with the opinion, the Administrator recommended to the Commission that the brokers who voluntarily remitted \$2.00 as renewal fees for their branch office licenses be notified that the \$2.00 fee is only to be paid as original fee and reimbursement made to them. The members unanimously approved the recommendation. It was also unanimously decided that at the next legislature this Commission should introduce an amendment to our laws to revise Section 7740 to include renewal fees for branch office license.

Proposed Policy on Mainland
And Inter-Island Travel

The draft of a proposed travel policy for mainland and inter-island travels from the Governor of Hawaii was circulated for review and information. (See Governor of Hawaii folder for details)

Financial Report

The financial report of the Commission was reported as follows:

Expenditures for January 1954.....	\$	482.64
Fees Collected in January 1954.....	\$	1,660.25
Balance in Special Fund as of 1/31/54.....	\$	25,122.88

The above report was moved for acceptance by Mr. Odom, seconded by Mr. Yamamoto, and unanimously carried.

Results of Brokers' Examination
Conducted on February 6, 1954

The results of the brokers' examination recently conducted by this Commission were reviewed by the Commission members. Out of 23 broker applicants, 3 passed with a grade of 91 and above, 6 made borderline grades, ranging from 80.08 to 84.83, and 14 did not qualify. However, in reviewing the questions in the examination, the members felt that there were some ambiguous ones and to be fair to the applicants, two applicants who were in the failing group were reconsidered into the borderline grades. A thorough review of the papers of James Kent and John Nua revealed that they should be reconsidered as borderline grades.

A motion was duly made by Mr. Odom, seconded by Mr. Yamamoto, and unanimously carried that the applicants who made 91 and above be

sent congratulatory letters, the applicants who made borderline grades be questioned orally by the Administrator and passed upon his discretion, and the applicants who did not qualify should be notified immediately.

The three applicants who were approved as qualifying for a broker's license were as follows:

	<u>Name</u>	<u>Grades</u>
1.	Kenneth M. Young	92.67
2.	Sue West	91.76
3.	Hisao Ito	91.42

The eight applicants who were considered as borderline grades were as follows:

	<u>Name</u>	<u>Grades</u>
1.	Charles Y. F. Char	84.83
2.	Anthony P. Sereno	83.59
3.	Chieko I. Kawakone	83.50
4.	Kaoru Arakaki	83.34
5.	Koon Imm Ching	82.17
6.	Maed Carson	80.08
7.	James Kent	78.43
8.	John Nua	78.34

The following applicants failed to qualify for a broker's license:

	<u>Name</u>	<u>Grades</u>
1.	Haruto Tanabe	75.26
2.	Richard Y. Tanabe	72.18
3.	Harry E. Young	71.60
4.	Kwai Chan Look	70.60
5.	James A. Dwight	69.76
6.	Ayau Lum	69.51
7.	Masato Tojo	67.59
8.	Jack Ujimori	67.46
9.	Daisy McCool	66.77
10.	James S. Sakamoto	64.06
11.	Charles I. Ho Yang	62.76
12.	James W. H. Chock	55.39

Since all the salesmen examination papers have not been corrected, they will be presented for review at the next Commission meeting.

New Cases

- (a) Case of Antone C. Cacatian, salesman - Mr. Jack Mizuha, broker for Mr. Cacatian, notified this Commission that Antone Cacatian,

Sr., has been charged in the Lihue District Court for committing larceny under false pretense. Mr. Mizuha has released Mr. Cacatian from his employment. The Commission members unanimously decided that no action be taken against Mr. Cacatian at this time until the outcome of his court case is known.

- (b) Case of Harold Sung Bong Kim, salesman - Abstract of criminal record received from the Bureau of Crime Statistics and Identification, Department of the Attorney General, Territory of Hawaii, on Harold S. B. Kim, salesman, was presented to the members for disposition. The Administrator was advised to contact the Narcotics Division to inquire the status of the case and report to the Commission so that proper disposition of the matter may be taken. (See report in Mr. Kim's folder on file)
- (c) Case of Aluli, Ltd. - In a routine check of real estate offices, it was revealed that Mr. Kep Aluli, broker, was in violation of Rule 12, rules and regulations of the Real Estate License Commission. Mr. Aluli has since then corrected the violation by displaying all real estate licenses in his office. The Administrator was advised to write to Mr. Aluli and caution him of this violation.

Investigations to be Conducted
by the Administrator

The Commission members suggested that the Administrator check at his first opportunity the following organizations to see whether they come within the jurisdiction of this Commission:

1. Waikiki Mortgage & Realty Company
2. Waikiki Rentals
3. Belle Haven Realty Company

Mr. Odom raised the matter of the strict surveillance all license states are conducting regarding non-resident corporations. It was suggested that the Administrator make a personal call at the office of Ford Associates of the West, Inc., to check its activities and report his findings to the Commission.

Question was also raised as to the misleading manner Mrs. Lucille Bunn, broker, has been advertising in the newspapers regarding properties for sale in the Kahala district, which are leasehold properties. A leasehold property for sale should be mentioned as such to the public. The Administrator was advised to draft a notice to all brokers for circulation, requiring them to mention without fail any property for sale which is a leasehold.

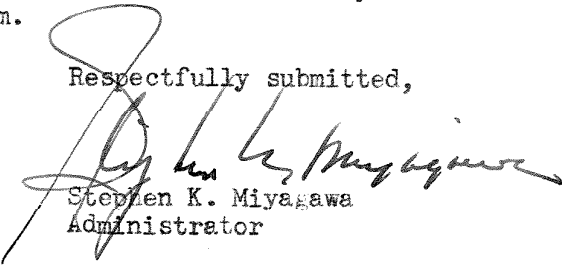
Excerpt from Oregon Real Estate Laws
-Reinstatement of License

For the information of the members, a copy of the excerpt from the Oregon Real Estate News regarding reinstatement of a license was circulated. See copy of excerpt attached.

Adjournment

There being no other new business to take up, Mr. Odom moved to adjourn which was seconded by Mr. Yamamoto and unanimously carried. Meeting was adjourned at 10:30 a.m.

Respectfully submitted,



Stephen K. Miyagawa
Administrator

SKM:etk