

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

April 9, 1954, at the office of Eaton H. Magoon, Chairman, 910 Alakea Street, Honolulu, Hawaii.

Present: Eaton H. Magoon, Chairman
J. Patton Odom, Member
Hirotoshi Yamamoto, Member
Stephen K. Miyagawa, Administrator

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 9:00 a.m., in his office at 910 Alakea Street, 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 Thailia V. Comer
Real Estate Broker

The Administrator reported that the Office of the Attorney General called his attention to the matter of Thailia V. Comer, broker, advertising herself as possessing the law degrees of L.L.B. and L.L.D. An investigation conducted by that office revealed that there is some doubt as to whether she possesses the latter degree. The members unanimously were of the opinion that this matter came within the jurisdiction of the Bar Association, and this Commission has no authority to request Mrs. Comer to cease advertising herself as possessing the degrees of L.L.B. and L.L.D. The Administrator was requested to consult further with the Attorney General's office.

Case of John K. Almeida
Applicant for a Salesman's License

A letter written to the Commission by John K. Almeida was presented to the Commission for consideration. Mr. Almeida wishes to apply for a real estate salesman's license and requested some remedy to Section 7737, subparagraph 1, in view of his blindness. After some discussion, the members unanimously voted to deny Mr. Almeida's application and instructed the Administrator to write to Mr. Almeida informing him of the Commission's decision. The opinion of the Commission was that it would be impossible for a blind person to render adequate service to his clients in spite of the fact he may possess sufficient knowledge in real estate. Then, too, a real estate agent would be required to handle legal documents and other valuable documents or perform other

allied services in the course of the transaction that would require and necessitate all the faculties of a person with normal vision. In fairness to the general public, Mr. Almeida was advised to seek employment other than the real estate business.

Case of City Realty

As directed by the Commission to cancel all agreements and return all monies received as deposits and submit a letter as evidence of compliance, Mr. Clarence Ching, broker for City Realty, advised the Commission that the amounts collected totaled to approximately \$6,000. Individual deposits ranged from \$500 to \$1000, all of which have been returned to date. (see letter in Clarence Ching's file)

The members unanimously moved that the case be considered closed and acknowledge receipt of Mr. Ching's letter to this Commission and further requested that the Administrator advise him to be more cautious in future real estate dealings.

Apartments for Rent by Martin's Used Car Dealer

Another question was raised as to the huge sign in front of Martin's Used Car Dealer, soliciting tenants for apartments. The Administrator was again instructed to investigate into this matter. It was felt that it would be a good idea to introduce an amendment to our laws requiring such signs be posted on the premises where the rental vacancies exist.

NALLO Convention for 1954

The 1954 NALLO Convention will be held in Cleveland, Ohio, from November 3-6, 1954. It was felt that it isn't too early to make preparation and reservations for at least two members to attend from this Commission.

Mr. and Mrs. Rodger Tam versus John B. Shumway of Stowe-Way Homes, Ltd.

The Administrator gave a verbal report to the Commission on the case of Mr. and Mrs. Rodger Tam versus Mr. John B. Shumway of Stowe-Way Homes, Ltd. A letter of complaint dated March 31, 1954 was received from Mr. Kinji Kanazawa, attorney retained by the Tams, involving the transaction covering the proposed purchase of Lot 91 at Waimanalo. An investigation into this complaint revealed that John B. Shumway who acted as agent for the owner of the property, was at no time authorized to represent him. Mr. Shumway received deposits to be applied toward the purchase of Lot 91 by the Tams in the total sum of \$450.00 during the period from September 3, 1953 to January 2, 1954. To date Mr. Shumway has failed to deliver title to the property and upon demands by the Tams to return the deposits, he has failed to do so.

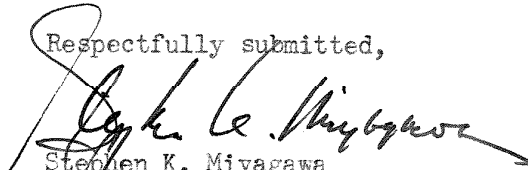
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Since Mr. Shumway was at no time licensed as either a salesman or a broker by this Commission, the Administrator recommended that this matter be referred to the Attorney General's office for possible prosecution for violation of Section 7736, Chapter 150, Revised Laws of Hawaii, as amended. Upon a motion by Mr. Odom, and a second by Mr. Yamamoto, it was unanimously carried that this case be referred to the Attorney General's office immediately for whatever action that office deems proper to handle the situation. Photostatic copies of the receipts should be submitted with the referral.

Adjournment

There being no other business to discuss, the meeting was adjourned at 10:30 a.m.

Respectfully submitted,



Stephen K. Miyagawa
Administrator

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