

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

April 21, 1954, at the office of the Real Estate License Commission, Room 121, Honolulu Armory, corner of Hotel and Miller Streets, Honolulu, Hawaii.

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

Informal Hearing in the Case of  
Commission versus Richard T. C. Ching,  
Salesman, City Realty

As agreed in the Commission meeting held on March 24, 1954, Mr. Richard T. C. Ching, salesman in the office of City Realty, was called before the members to explain for his conduct over the telephone in a conversation with Mr. Magoon on March 16, 1954.

Mr. Ching was called in before the members for questioning. (After introduction to the members, Mr. Magoon, Chairman, questioned Mr. Ching)

MAGOON: Mr. Ching, do you know what you are here for?  
CHING: I think to answer charges on the denial of March 21st.  
MAGOON: What do you have to say about that?  
CHING: Well, the day you put in a call.....  
MAGOON: Yes.....  
CHING: Well, about three days before that Clarence said not to handle those things so I said, "okey." I didn't want to

have anything to do with that so I didn't do it.

MAGOON: In other words, you lied?

CHING: Yes.

MAGOON: What was the reason?

CHING: Two ways, I would be caught. If I said I was selling, I I would be caught because we were wrong already.

MAGOON: You knew you were talking to me, didn't you?

CHING: Well, you mentioned your name as Chairman of the License Commission. Any way, two ways I knew we were wrong already.

MAGOON: You have anything to say (to Mr. Odom, member)?

ODOM: You say, Mr. Ching, that Clarence knew you didn't do anything about it?

CHING: He told me three days before not to do anything about it. Either ways we were wrong already because we sold the lots and I denied, so both ways we were wrong already.

MAGOON: Mr. Ching, will you sit outside for a few minutes?

CHING: Yes, sir.

The members considered the admission statement by Mr. Ching that he had actually withheld statement from the Commission, and unanimously decided to reprimand him and strongly caution him against such recurrence.

Mr. Ching was again called in to hear the Commission's decision in the case.

MAGOON: Mr. Ching, are you married?

CHING: Yes.

MAGOON: How many children do you have?

CHING: Four.

MAGOON: Salesman is your principal occupation?

CHING: That's the only thing now.

MAGOON: How long have you been married?

CHING: Little over 20 years.

MAGOON: How old are you?

CHING: 43 years.

MAGOON: You look like 21. Anyway, Mr. Ching, the fact that you have been truthful to the board about this thing, even though you had deliberately lied, we won't suspend or revoke your license. We are not going to do it. We are going to give you another chance to be a good salesman. We feel this way that you committed an offense but, nevertheless, you came clean and was truthful about it that we are taking it into consideration. Therefore, we are not going to suspend or revoke your license. However, we are cautioning you to be more careful in the future and tell us the truth, because if you are going to make the same mistake next time, we are going to be very hard with you. We are not going to do anything this time. That's all.

CHING: Thank you.

After Mr. Ching left, the Administrator was advised to write a letter of reprimand to Mr. Ching for his conduct and to caution him to be more careful in the future. This matter was considered closed and the above information will be a part of Mr. Ching's files.

Report on Trip to Island of Hawaii  
Inspection and Investigation Trip

The results of the inspection and investigation trip to the Island of Hawaii by members and administrator of the Real Estate License Commission were reviewed. The following real estate offices in Hilo and Kona have been inspected for any violations of our statutes and/or rules and regulations of this Commission:

Offices Visited and Noted for Violations

<u>Broker and Brokerages</u>	<u>Violations</u>
1. M. Yokoyama	Rule 13 - change of address (corrected)
2. G. S. Wong	Rule 12 - no license displayed
3. Cross-Von Elsner Real Estate	" " " " "
4. Alfred K. Bell	Rule 13 and Rule 6
5. George Tung	Rule 12 - no license displayed
6. Anthony S. Carvalho	Rule 12 - " " "
7. J. C. Marques	Rule 13 - change of address
8. First Trust Co. of Hilo, Ltd.	Change of principal broker from Louis Medeiros to John Dykes
9. Charles Ah Kui Goo	none
10. Clifford Bowman	"
11. Roy C. Blackshear	"

<u>Broker and Brokerages</u>	<u>Violations</u>
12. James Y. Kawanishi	none
13. Seichi Mukai	"
14. Henry H. Baker	"
15. Raymond Mun Yee Ching	"
16. Ray H. Otsuka	"
17. George Warfield	"
18. John H. Kong	" (visiting Kauai)
19. W. H. Hill, principal broker Realty Investment Co., Ltd.	"

The above violations by the brokers were noted and the Administrator was advised to write to Mr. G. S. Wong, Cross-Von Elsner Real Estate, Mr. George Tung, and Mr. Anthony S. Carvalho, citing them for violation of Rule 12, Rules and Regulations of the Real Estate License Commission; to Mr. Alfred K. Bell and Mr. J. C. Marques for violation of Rule 13; and to The First Trust Co. of Hilo, Ltd., for failing to notify this Commission of the change of principal broker from Mr. Louis Medeiros to Mr. John Dykes. Mr. M. Yokoyama, broker, was also cited for violation of Rule 13; however, he had already made the correction. The First Trust Co. of Hilo, Ltd., has officially served notice to this Commission that a change of principal broker had taken place and a license reissued accordingly.

#### Inspection of Honolulu Real Estate Offices

The Administrator, while on a routine inspection of real estate offices, visited the offices of Sam S. Hironaka and Albert K. Yonaoshi. It was noted that the activities of the above brokers bordered on a partnership basis and, therefore, they were advised to take out a co-partnership license. The members unanimously approved the Administrator's recommendation, and voted to let this matter stand until a co-partnership application is filed with the Commission.

#### Commission Financial Report

The financial report for the month of March 1954 was presented as follows:

Expenditures for March 1954.....	\$ 239.64
Fees Collected in same period.....	\$ 1,243.50
Balance in Special Fund as of 3/31/54....	\$24,127.60

The above report was unanimously approved as presented. However, it was suggested that in the future the amount of salaries paid to the office staff be included in the expenditures for the month.

Report on Charles Ford & Associates  
of the West, Inc.

As requested by the Commission, the Administrator called at the office of Charles Ford & Associates of the West, Inc., located at 828 Fort Street, Honolulu, T. H. Mr. Charles M. Nafe, Broker representative for Charles Ford and Associates of the West, Inc., informed the Administrator that the firm has not been too active. The few listings obtained locally were not worthwhile advertising on a national scale. At present Mr. Nafe has just two listings - one an exclusive listing and the other, a non-exclusive. It was unanimously voted that Charles Ford & Associates of the West, Inc., produce forthwith a complete report on the work done on their listings to date. The Administrator was requested to write to Charles Ford & Associates of the West, Inc., immediately to comply with our request.

Disposition of the Case of Mr. and Mrs. Rodger Tam  
Versus John B. Shumway of Stowe-Way Homes, Ltd.

The Administrator reported that the above case has been referred to the Attorney General's office, Territory of Hawaii, for possible prosecution for violation of Section 7736, Chapter 150, Revised Laws of Hawaii, as amended 1953. When the final disposition of the case is known, the Commission will be informed of the action taken.

Additional Office Help Requested  
On a Temporary Basis

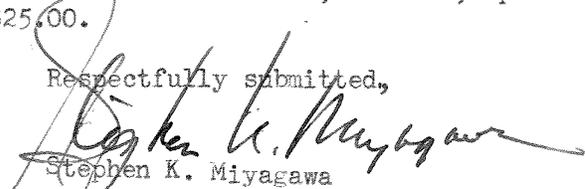
In order to complete an additional task of setting up a new file system of ledger cards for each licensee in the Territory, the Administrator requested permission to hire a temporary clerical helper on a contract basis. The members unanimously voted that this request be denied at this time.

A possible reclassification for the Administrator, who at present is absorbing the duties of the Investigator as well as the Administrator's, was discussed. It was moved by Mr. Yamamoto, seconded by Mr. Odom, and unanimously carried that Mr. Miyagawa immediately prepare a new job description for submission to the Department of Civil Service to request a reclassification upwards of his present position.

Co-partnership Application -  
Al Yonaoshi-Sam Hironaka, Real Estate

Just before closing of the meeting, a co-partnership application under the title, Al Yonaoshi-Sam Hironaka, Real Estate, was received for consideration by the Commission. After checking that the applicants met all the requirements, the Commission unanimously approved granting a co-partnership license to Albert Yonaoshi and Sam Hironaka, brokers, upon the receipt of the brokerage fee of \$25.00.

Respectfully submitted,

  
Stephen K. Miyagawa  
Administrator