

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

June 24, 1954, at the office of Eaton H. Magoon, Chairman, 910 Alakea Street, Honolulu, Hawaii.

Present: Eaton H. Magoon, Chairman
J. Patton Odom, Member
Hirotooshi 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, Hawaii. The reading of the previous meeting was dispensed with. The order of business and the actions taken were as follows:

ORDER OF BUSINESS

Rental Agreement Between Department of
Public Works and The Real Estate License
Commission of the Territory of Hawaii

The Administrator explained that this special meeting was necessitated by the urgency of the following situation and requested an immediate course of action to follow from the Commission:

On June 21, 1954, the Real Estate License Commission was requested to execute a rental agreement between the Department of Public Works, Territory of Hawaii, and this Commission, for the use of office space in the Honolulu Armory at a monthly rental of \$253.44, commencing July 1, 1954. In a communication from the Department of Public Works dated June 22, 1954, it was explained that such rental is being charged under the authority of a ruling issued by the Attorney General of the Territory, a copy of which is attached herewith.

The Commission deliberated on this matter and unanimously ruled that this Commission will not execute and will not agree to the terms of the rental lease agreement as presented to this Commission. Furthermore, the members unanimously agreed that under the provisions of Section 7735, Chapter 150, Revised Laws of Hawaii 1945, as amended 1953, which states: "It shall be the duty of the superintendent of public works to provide suitable quarters for meetings of the commission and for the transaction of its other business," the Department of Public Works would be derelict in its duties not to provide this Commission with available public office space without charge. This Commission further voted to go on record that

House Resolution No. 119, dated April 26, 1949, passed by the House of Representatives of the 25th Legislature of the Territory of Hawaii, specifically directed the superintendent of public works to make available to the Real Estate License Commission office space in a suitable public building and discontinue the maintenance of its office in a private suite as long as public office space is available.

Mr. Odom, member, moved that the Commission acknowledge receipt of the communication from the Department of Public Works and advise that body that this Commission will not accept the terms of the lease agreement; that the rental charge of \$253.44 is absolutely exorbitant; and that under Section 7735 and House Resolution #119, the Department of Public Works is directed to provide this Commission with suitable quarters in a public building. The motion was seconded by Mr. Yamamoto, member, and unanimously carried.

Mr. Odom's Report on Trip to Kauai

Mr. Odom, member, reported on his recent inspection and examination trip to the Island of Kauai. An account of his findings after an inspection of all brokers' offices on the Island of Kauai is attached for inclusion with the minutes of today's meeting.

Mr. Odom duly moved that the Administrator write to Mr. Jack Mizuha and Mr. Benjamin Tashiro, brokers, and request their immediate compliance with Rule 12, Rules and Regulations of the Real Estate License Commission, by displaying all licenses in their offices.

On June 19, 1954, Mr. Odom administered the real estate salesman's examination to one applicant from Kauai, a Mr. Nicholas Akana, in the County Building, County of Kauai.

Reinstatement Request

Mr. Roy S. Blackshear, whose license was forfeited in January 1951, filed a petition requesting reinstatement of his salesman's license. The Administrator reported that Mr. Blackshear has met the requirements for reinstatement under our statutes, and, therefore, recommends approval. A motion was made by Mr. Odom, seconded by Mr. Yamamoto, and unanimously carried that Mr. Blackshear's license be approved for reinstatement.

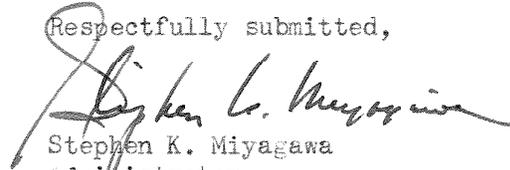
NALLO Convention

Mr. Miyagawa, Administrator, reported that to date no reply has been received from the Governor approving our request to send two delegates from this Commission to attend the 1954 NALLO Convention in Cleveland, Ohio. However, Mr. V. Marciel of the Budget Bureau, who has received a copy of our letter from the Governor's office, is at present studying our request and will make his recommendations to the Governor. The Commission unanimously moved that no further plans for the convention be made until a definite answer has been received from the Governor's office.

Adjournment

Before adjournment, the Administrator reported that in the near future at the next regular Commission meeting, all pending and new cases will be taken up for disposition. Meeting adjourned at 10:30 a.m.

Respectfully submitted,



Stephen K. Miyagawa
Administrator

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TERRITORY OF HAWAII
Department of the Attorney General
Honolulu

PKF:AH
58:38;O.L.C.

May 25, 1954

Mr. A. C. Nicoll
Finance Executive
Department of Public Works
Territory of Hawaii
Honolulu, Hawaii

Dear Sir:

Answering your request of March 11, 1954, please be advised that in the opinion of this office the Superintendent of Public Works may properly charge a reasonable rental for office space in buildings owned by the Territory and used by the Hawaii Housing Authority and the Territorial Employees Federal Credit Union and any other department, branch or political subdivision of the territorial government and any body corporate or politic created by the territorial legislature, as a matter of administrative discretion within the proper judgment of the Superintendent of Public Works, unless there is an express prohibition against the same.

There is no prohibition against charging either the Hawaii Housing Authority or the Territorial Employees Federal Credit Union such rental.

Yours very truly,

/s/ Robert K. Fukuda

ROBERT K. FUKUDA
Deputy Attorney General

APPROVED:

/s/ B.M. Tashiro

E. M. TASHIRO
Assistant Attorney General

June 24, 1954

To: Members of the Real Estate License Commission
From: J. Patton Odom, Member
Subject: Inspection Tour of Brokers' Offices in Kauai

June 17, 1954

(1) The office of Benjamin Tashiro in Lihue, Kauai was inspected. The office was closed. Upon inquiry, the undersigned was informed that Mr. Tashiro was last here on June 6, 1954. Mr. Tashiro is presently the Assistant Attorney General of the Territory of Hawaii and commutes to Lihue on weekends to check on his real estate business.

(2) The office of Jack H. Mizuha, doing business as Kauai Realty & Investment Co., in Lihue, Kauai, was inspected by the undersigned. Mr. Mizuha is an attorney. Upon my failure to see his broker's license and salesmen's licenses displayed as required under Rule 12, Rules and Regulations of the Real Estate License Commission, I inquired as to their whereabouts. He informed me that the licenses were in his desk drawer. One of his former salesmen, A. C. Cacatian, is now temporarily released by him until the disposition of a criminal case against him.

June 18, 1954

(1) The office of Mrs. Dorothy Ahrens in Lihue, Kauai, was inspected. The office is in a separate building near her home and found it to be in proper order.

(2) Mr. Neil Robertson's office in Waimea, Kauai, was inspected. However, he wasn't in but was able to find him in Kokee. He has informed me that a room has been set aside as a den and office. No violation is noted at this time.

June 19, 1954

The real estate salesman's examination for the applicant, Nicholas Akana, from the County of Kauai, was held in the Board of Supervisors' room in the Kauai County Building as scheduled by this Commission.

The above is submitted as a report to the Commission.


J. Patton Odom, Member