

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

July 20, 1955, 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  
Hirotoishi Yamamoto, Member  
Robt E. Bekeart, Administrator

Absent: J. Patton Odom, Member

The regular meeting of the Real Estate License Commission of the Territory of Hawaii was called to order by Chairman Magoon, at 9:00 a.m., in the Commission's offices, Rooms 109 and 121, Honolulu Armory, 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

## General Discussion on the Administration of the Brokers' and Salesmen's Examinations

For the information of the Commission, the Administrator summarized the procedure he followed in administering the examinations for brokers and salesmen given on June 25, 1955, and the general comments expressed relative to the examinations by approximately 25 broker and salesman examinees he talked with at random. The general feeling was that the examination was a fair one and covered the field very well. The Administrator further reported that he had inaugurated a new system of identifying examinees by numbers so that there is no personality entered when it came to correcting the papers. At the examination place, the applicants were asked to put a large "A" in the left hand margin of the questions that sounded ambiguous to him. The method of correcting the papers and grading the results were reviewed with the members.

The Commissioners unanimously expressed their opinion that the Administrator has handled the huge task of administering the examinations in a most efficient manner and commended him highly for expediting the correcting and grading of the papers. The Commission gave him full authorization to call on the assistance of the office staff in helping the Administrator correct the examination papers.

A motion was made by Mr. Magoon, seconded by Mr. Yamamoto, and unanimously carried that the Administrator set down in a report the

overall problem of conducting the real estate examination for presentation to the Commission, which information may possibly be incorporated in the Governor's annual report.

Review of Results of Salesman's Examination

A total of 104 applicants took the salesman's examination. The Administrator reported that a total of 73 applicants actually qualified with the passing grade of 75 points and above, 11 applicants were considered borderline grades (between 74 and 70 points) and 20 applicants failed to qualify.

The Administrator presented to the Commissioners for their consideration and determination whether the following applicants have qualified not only under subparagraph 1 of Sec. 7737, Chapter 150, Revised Laws of Hawaii, as amended, but also subparagraph 2. A routine pre-investigation revealed that there was either a police or credit record against them.

	<u>Name</u>	<u>Grade</u>	<u>Police</u>	<u>Credit</u>
1.	Edward G. Bly	77.33	x	
2.	*Warren Carson	79.75		x
3.	*Alice Cho	91.40		x
4.	Vern V. Gilligan	75.86	x	
5.	Charles A. Gulick	80.10	x	
6.	*Wayne Monroe	79.55		x
7.	Jerry E. Sheeley	82.70	x	
8.	Patrick W. Wyman	93.33	x	

After a thorough review, the Commission unanimously decided to hold the applications of Warren Carson, Alice Cho, and Wayne Monroe, pending a legal opinion from the Office of the Attorney General.

A motion was made by Mr. Yamamoto, seconded by Mr. Magoon, and unanimously carried that the salesman applicants who made 75 points and above be automatically passed, with the exception of the above three, that the Administrator interview the applicants who made grades between 74 and 70 points, and report his action to the Commission later, and that the remaining applicants who made below 70 be considered failures.

The following passed the salesman's examination:

	<u>Name</u>	<u>Grade</u>
1.	George H. Hunter	94.66
2.	Robert Y. Nakagawa	94.66
3.	Seiji Sakata	94.10
4.	W. Patrick Wyman	93.33

<u>Name</u>	<u>Grade</u>
5. Masaru Kido	93.33
6. Albert W. Hendrickson	93.03
7. F. J. Moore	92.93
8. Dean E. Witt	92.83
9. Elizabeth M. Suttie	92.38
10. Wallace S. L. Chu	92.28
11. Sam S. Isokane	91.40
12. Eugene Bal Paoa	91.15
13. John Clarence Lipham	90.96
14. Thomas A. Reiner, Jr.	90.73
15. Ellwood L. Bartz	90.53
16. Laura L. Thompson	90.03
17. Richard A. Bothelo	89.78
18. Harold Rodriques Pao	89.15
19. Richard S. K. Tsui	88.96
20. Joyce M. Yoshiura	88.76
21. Alice Chun Lum	88.76
22. Eugene K. Duvauchelle	88.43
23. Paul Manabu Kajiyama	88.36
24. Irene A. McTierney	87.95
25. Edward S. T. Tam	87.83
26. Jessie C. Matthias	87.81
27. Julian H. Judd	87.21
28. Stanley K. Shiraishi	87.13
29. Selma C. Leppold	86.83
30. Jean Economou	86.80
31. Leslie Picot	86.48
32. Myron Thompson	86.45
33. Stanley T. F. Leu	86.38
34. Ted Makoto Fujimura	86.20
35. George I. Nakayama	86.08
36. Doris B. Stark	86.03
37. Culver H. Rausch	86.00
38. Fumio Ikuta	85.91
39. Yoshio Suetsugu	85.85
40. Rex S. Kuwasaki	85.41
41. Oscar M. Nishihira	85.01
42. Albert K. H. Kim	83.98
43. Albert F. Lee	83.88
44. Steven E. Bello	83.83
45. Percy Russell	83.63
46. Wah Tat Lum	83.38
47. Joseph M. Sakamoto	83.15
48. Jerry E. Sheeley	82.70
49. Clara K. Simpson	82.26
50. Stanward C. M. Kim	82.21
51. Ethelwynne Rycroft	82.08
52. William Lum	82.00
53. T. W. Keithley	81.65

	<u>Name</u>	<u>Grade</u>
54.	Edward Yasuhara	80.88
55.	Delfin R. Velarde	80.53
56.	Evelyn A. Sedlachek	80.28
57.	Charles Gulick	80.10
58.	Isamu Ikuta	80.05
59.	Colin G. Lennox	79.05
60.	Albert A. K. Cockett	78.95
61.	Sam T. Seki	78.81
62.	Edgar M. Carpenter	78.68
63.	Eileen O'Brien	78.63
64.	Edward Bly	77.33
65.	Peter Hiroshi Arita	76.80
66.	Jean A. Lennox	76.76
67.	Vern V. Gilligan	75.86
68.	Richard M. Nishikawa	75.58
69.	Minoru Ishii	75.51
70.	Thomas H. Nakada	75.50

The following who are to be interviewed by the Administrator:

	<u>Name</u>	<u>Grade</u>
1.	Damien W. H. Ching	74.06
2.	Gertrude A. Casey	73.70
3.	Harry Y. H. Kim	73.56
4.	Ralph M. H. Lee	73.25
5.	Walter P. Young	72.78
6.	Frances D. Munro	72.45
7.	Francis K. F. Chun	72.06
8.	Jack S. Kaguni	71.83
9.	Masakatsu Kutaka	71.65
10.	Jerry M. Kotani	71.43
11.	James W. Campbell	70.60

The following failed to qualify in the salesman's examination:

	<u>Name</u>	<u>Grade</u>
1.	Daniel C. S. Chung	69.93
2.	Wilbur F. Collis	69.50
3.	Russell W. Peters	68.75
4.	John J. Medeiros	68.71
5.	Carolyn Irvine	68.65
6.	Albert H. G. Chun	68.36
7.	Frank J. Kocsis	68.31
8.	Paul K. Lau	67.51
9.	Kunichi Tanaka	67.07
10.	Ken K. Hironaka	65.00

<u>Name</u>	<u>Grade</u>
11. Shirley M. K. Young	64.90
12. Tsugio Tanigawa	64.06
13. Alfred R. Cadinha	63.68
14. Stuart Lum	61.93
15. Tatsuo Arakaki	50.55
16. Wilbert H. Kishinami	50.11
17. John S. Ayamo	49.92
18. Rodney K. M. Lam	48.20
19. Olivia Osborne	33.51
20. Pablo Arbitrario	31.30

The Commission requested that the Administrator write a letter to the Office of the Attorney General of the Territory of Hawaii requesting their opinion on the following questions:

- (1) Is the Commission justified in issuing a license to an applicant who has filed several bankruptcies? Can the Commission refuse to give him a license?
- (2) Can the Commission refuse to issue or withhold a license to an applicant who has a number of large amounts of federal tax liens, gross income tax liens, judgments, collection accounts, or other derogatory credit records.

Based upon the legal opinion rendered by the Attorney General's office, the Commission will act accordingly upon applicants with derogatory credit records against them.

Mr. Vern V. Gilligan, salesman applicant, had requested that in the event he passed the salesman's examination that his license be held in abeyance until 1956 and no publication be released to the public that he has qualified. The Commission unanimously voted that Mr. Gilligan's request cannot be granted. The Administrator was directed to write to Mr. Gilligan, informing him that his license will be treated in a normal way; that is, required to remit \$25.00 for his license and his name would be published in the newspaper with the rest of the qualifying applicants.

#### Review of Results of Broker's Examination

A total of 41 applicants took the broker's examination, out of which 32 passed outright, attaining a grade of 85 points and above. The Administrator called the Commissioner's attention to the investigation records of three applicants who qualified in the written examination. There were 9 applicants who made grades below 85 points.

A motion was made by Mr. Yamamoto, seconded by Mr. Magoon, and unanimously carried that the applicants who qualified with grades of 85 points and above be passed, with the exception of 3 applicants

who will be subject to further scrutiny by this Commission; applicants who made between 83.49 and 82.11 be interviewed and passed at the discretion of the Administrator; and the remaining 5 applicants be considered as failures.

The following are the names of the applicants who passed the broker's examination:

<u>Name</u>	<u>Grade</u>
1. Alice H. Cassidy	96.16
2. Richard L. Clissold	95.69
3. Seisuke Niino	94.92
4. H. Stevens Bowen	94.28
5. Robert E. Paine	93.46
6. Lorine E. Wilkins	93.42
7. Richard C. Lo	92.16
8. Kwai Chan Look	92.07
9. Leonard F. Calistro	92.57
10. David T. Ikegami	92.39
11. Henry A. Zuberano	91.98
12. Jack Komagome	91.13
13. Robert S. Taylor	91.05
14. David H. Claus	90.91
15. Lawrence L. Gremett	90.65
16. Peter A. Hayashi	90.05
17. Lincoln Kaneshige	90.03
18. Edgar A. Kudlich	89.67
19. Kwock Tim Yee	89.32
20. James S. Sakamoto	89.28
21. Eileen Watkins	89.03
22. William K. Y. Kam	88.69
23. Henry Ray Millard, Jr.	87.97
24. Koojin Goya	87.77
25. Kenneth W. Wong	87.69
26. Theresa L. Hawkins	86.40
27. Edward C. Hustace	86.26
28. Marcus H. Asch	85.41
29. Yoshio Maida	85.27

The following made "borderline grades" and subject to re-examination by the Administrator:

<u>Name</u>	<u>Grade</u>
1. George T. Morita	83.49
2. Lino E. Juan	82.36
3. Charles E. Eggers	82.12
4. Volney F. Lacy	82.11

The following will be considered subject to receiving legal opinion from Attorney General's office and further investigation:

<u>Name</u>	<u>Grade</u>
1. Tommy Larkin, Jr.	93.15
2. Erik L. Jacobsen	89.56
3. Floyd T. Kaneshiro	89.44

The following applicants failed to qualify in the examination:

<u>Name</u>	<u>Grade</u>
1. Barbara Marcus	79.56
2. Richard Y. Tanabe	78.58
3. John O. Silva	78.03
4. Irmgard F. Aluli	77.14
5. Robert W. Chalmers	73.15

#### Reinstatement Requests

The following petitioners for reinstatement of their real estate salesman's licenses were presented to the Commission for its consideration. They have met the necessary requirements under the law and have been temporarily approved by the Administrator, pending official approval by the Commission.

Commissioners Magoon and Yamamoto unanimously approved the Administrator's recommendation for reinstatement for the following:

1. Jack Genichi Nosaka
2. Richard K. Matsuda
3. Masanobu Miyashiro
4. Charles Darwin Lake
5. Mabel Lai Hipp
6. Marie Black Richmond
7. Joseph L. Dwight, Jr.
8. Phyllis E. Tarnosky
9. Larry Leon

#### Application for Branch Office Licenses

Three branch office license requests were received by the Commission. The peculiar situation arising from each request was reviewed very carefully as to compliance and variance of our real estate laws pertaining to branch office licensing procedure.

James N. Matsuura, broker, made application to open a branch office in the office of Hung Wai Ching, broker, 204 Liberty Bank Building, Honolulu, T. H., appointing Hung Wai Ching as broker-in-charge of the branch office. Temporary approval and a branch office

license has been issued to Mr. Matsuura effective July 12, 1955. While checking further on this request, it was noted that Hung Wai Ching likewise has a branch office in Mr. Matsuura's office at 410 California Avenue, Wahiawa, with Mr. Matsuura as broker-in-charge. It was unanimously moved that before official approval is granted, the Administrator check further to see whether similar situation exists right now and present his recommendations to the Commission.

Lawrence McNeil, broker, made application for a branch office license at 247 Lewers Road under the firm name of Hawaiian Accommodations. Mr. Bekeart, Administrator, informed the Commissioners that he had gone over this matter with Mr. McNeil personally and advised him, followed up by a letter, that the firm of Hawaiian Accommodations may apply for a license to conduct a general real estate business, including listings, sales, rentals, leases, and property management provided officers of that firm are properly licensed under the statutes of the Territory of Hawaii. The Commission has not heard from Mr. McNeil and, therefore, it was unanimously agreed that no action be taken at this time on the matter of a branch office license at 247 Lewers Road, Honolulu, T. H.

Land Factors, Ltd., through their attorney, Morris P. Skinner, requested the Commission's consideration in establishing a branch office at the space occupied by Stowe-Way Homes, Ltd., in the Dillingham Building annex at Halekauwila Street. Land Factors, Ltd., a licensed real estate brokerage, located at 1029 Maunakea Street, works closely with Stowe-Way Homes, Ltd., their building contractor. The reason given, according to Mr. Skinner, was that the officers of Land Factors, Ltd., felt it would be of greater service and convenience to prospective buyers to have a real estate broker and representatives of the building contractor in the same locality since the transaction of selling land and the improvements thereon, that is, the house construction, are closely related activities.

The Commissioners, after discussing this thoroughly, agreed that before any consideration can be given to granting a branch office license to Land Factors, Ltd., the Commission should first ascertain the control of the office in strict compliance with the provisions of Chapter 150, Revised Laws of Hawaii 1945, as amended, and especially to Rule 6, Rules and Regulations of the Commission, which requires: "Every real estate office shall be under the direct control, supervision, and charge of a licensed real estate broker." The Administrator was requested to check further on this particular phase.

#### Application for Trade Names

Unanimous approval was given to the following brokers to



transact real estate business under the requested trade names:

1. Kaneo Kishimoto dba ACE REALTY.
2. Julio de Guzman dba RAINBOW REALTY COMPANY
3. Clarence S. L. Tam dba TOWN AND COUNTRY REALTY COMPANY.

Milton Allen Company, Ltd.

A communication dated May 19, 1955 from Milton Allen Co., Ltd., informed this Commission that the corporation plans "to employ individuals not licensed by the Commission to solicit business opportunity listings." On July 6, 1955, Mrs. Helen Takekawa, principal broker of the corporation, gave notice of her resignation from the firm thereby restricting the corporation of Milton Allen Co., Ltd., to normally carry on its real estate activities without violating the real estate laws of the Territory. In reply to the first inquiry, the Commissioners took a firm stand that their proposed plan to "employ individuals not licensed by the Commission to solicit business opportunity listings" would be in direct violation of Chapter 150, RLH, as amended. Such activity as proposed would definitely fall within the definition of a "real estate salesman". Furthermore, the present status of Milton Allen Co., Ltd., with no licensed broker to control the office prohibits it from transacting any real estate business unless steps are taken to remedy the situation in compliance with our laws (appoint another broker in the place of Helen Takekawa).

Co-partnership License Application

The Commissioners unanimously gave official approval upon the temporary action of the Administrator in granting a co-partnership license to Byron J. Connell and Joan King Thomas, brokers, to operate as WINDWARD OAHU REALTY COMPANY. The business was purchased from Mrs. K. Russel Gregg, broker, who formerly owned Windward Oahu Realty Company.

Hawaii Business Brokers, Ltd.

A verbal inquiry has been received by Hawaii Business Brokers, Ltd., who further wishes to be identified as "Realty Mart Waikiki." The Commissioners expressly denied such request; however, the corporation is invited to discuss this further with the Administrator, if they so desire.

Brokerage Application by  
Dunbar, Ltd.

An application for a brokerage license by Dunbar, Ltd., was received just prior to the meeting. Mr. Tad Yajima is designated as the principal broker. Unanimous approval was given by the Commission.

Case of Mrs. Grace H. Giles

While the meeting was going on, a subpoena was served on Eaton H. Magoon, Chairman, to appear in court on Monday, July 25, 1955, with all records in the possession of the Commission in the matter of Grace H. Giles, who is involved in a lawsuit in court. The Commissioners unanimously agreed that the Administrator accompany the Chairman to court or testify in the Chairman's behalf, if necessary.

Commission Financial Report

The financial report as presented which shows the balance ending the fiscal period, June 30, 1955 was unanimously approved:

Balance in Special Fund as of May 31, 1955.....	\$26,101.32
Fees collected in June 1955.....	566.00
	<u>\$26,667.32</u>
Office Expenditures.....	\$ 491.90
Pay Roll.....	1,131.02
	<u>1,622.92</u>
Balance in Special Fund as of the end of fiscal period, 6/30/55.....	<u>\$25,044.40</u>

The increase in funds over the previous fiscal period was noted.

6/30/55 -	\$25,044.40
6/30/54 -	<u>\$21,380.00</u>
increase	\$ 3,664.40

Approval from Governor to Attend  
1955 NALLO Convention in New York

Chairman Magoon stated that it is not too early to make plans for the 1955 NALLO Convention, to be held in New York from November 1-5, 1955. President Watson has already called several conferences to start the groundwork of organizing various committees. Mr. Magoon was appointed Chairman of the "Square Inch Sale" Committee. Since Mr. Magoon would be taken up with other committee work and entertainment plans, it was decided that Mr. Yamamoto be delegated to work in Mr. Magoon's behalf on the "Square Inch Sale" Committee.

As required by Territorial law, the Administrator was requested to draft a letter to the Governor for permission to send Mr. Magoon and Mr. Yamamoto to attend the NALLO Convention. It was also suggested that the Administrator be allowed to attend the convention provided he can make his own transportation arrangements and on his return to the Territory, be given an opportunity to study the California real estate laws at the office of the Real Estate License

Commission of the State of California under Mr. D. D. Watson, Commissioner. This would be an excellent opportunity for the Administrator to orient and familiarize himself with the current real estate laws in California so that the Territory may be benefited by his experience. The Commissioners unanimously agreed that all per alien expenses for attending the convention as well as the per diem for the two weeks of study in California be assumed by the Commission.

#### Complaints

(1) Case of Mr. and Mrs. Harry Kuwahara versus Edward A. Bolles - Mr. Harry Kuwahara had submitted a letter under date of June 22, 1955, alleging that Edward A. Bolles, as agent, had failed to represent and protect their interests in a real estate transaction involving the sale of their home. Previous to this complaint, the Kuwaharas were in this office, alleging misrepresentation of the broker who originally sold them their home. The Commission in its findings ruled that the "first complaint" was not within the jurisdiction of this body and referred the Kuwaharas to their attorney for counsel and possible civil action.

The Commission reviewed the second complaint by the Kuwaharas. It was again ruled that this matter is still not within the jurisdiction of this body, and there is insufficient evidence to warrant a formal hearing at this time. However, Mr. Kuwahara is welcome to restate his letter, lodging specific complaint charges against Mr. Bolles, and this Commission will investigate into the matter to ascertain whether a hearing is warranted. (See copy of letter from Kuwaharas attached) No action was taken and the Administrator was advised to write to the Kuwaharas that this is a matter for civil action. Case closed.

(2) Case of Edward Bly versus Mildred I. Wood, Saleswoman - The Administrator explained that Mrs. Wood while in the employment of Mr. Norton McQuerrey, broker, had negotiated an agreement to rent for 5 months a home at Puuhale Village. She moved in to this property without the consent of the owner, Edward Bly. She then succeeded in subletting this out to two parties at a later date even though the contract is between Mr. Benjamin Huntington, the purchaser, and Mr. Bly, seller, with an option to purchase after 5 months.

Mr. Bly alleged that he has never received any money from Mr. Huntington. He has received approximately \$175.00 from Mrs. Wood. She was supposed to forward the rental money to Mr. Bly, seller. Mr. Bly has this matter in the hands of his attorney. The Administrator conferred this matter with Mr. McQuerrey and found that his office had no knowledge or copy of the contract of the agreement.

It was unanimously decided that Mr. Bly should be advised that as far as his complaint was concerned it does not come within the

jurisdiction of this Commission. Unless there is sufficient evidence to prove violation of Chapter 150, Revised Laws of Hawaii, as amended, the Commission has no authority to check further. However, Mrs. Wood should be requested to come in with Mr. McQuerrey for further questioning on the contract she drew up without the authorization of her then sponsoring broker, McQuerrey Realty Company. The Commission left it up to the Administrator to schedule an informal or preliminary hearing to iron out some discrepancies on the drawing up of the rental agreement by Mrs. Wood. Case pending.

(3) Case of Talbert Long, Salesman, for Howdey Reynolds, Broker - Mr. Long, salesman, under the sponsorship of Howard A. Reynolds, broker, requested permission to advertise under his name for income property which he is interested in investing for himself only. Mr. Long has stated that he has some money saved and wants to put this money to good use by investing in a home or an income property. The ad Mr. Long put in the Honolulu Advertiser was ruled misleading by the Commission and complaints received from the general public. The Commission unanimously ruled that the ad in question be stopped at once. The Administrator was requested to write to Mr. Long the Commission's decision and to discuss this matter further with Mr. Reynolds in person. (Refer to Mr. Long's file)

(4) Mercantile Adjustment Company versus Juan P. Canada - A letter of inquiry has been received from Mercantile Adjustment Company in regards to Juan P. Canada, a licensed real estate broker in the Territory of Hawaii. It was alleged in letters from Mercantile Adjustment Company that Mr. Canada had executed a contract for sale of a property with Mr. Gervacio L. Dabalos without the consent of the co-owner, Mr. Pedro Dagamos. Upon checking into this inquiry, it was found by this office that Mr. Dabalos has the power of attorney for Mr. Dagamos; thereby authorizing Mr. Dabalos to execute the contract in Mr. Dagamos' behalf. According to the information received from Mercantile Adjustment Company, their story conflicts with the findings of this Commission.

It was unanimously felt that in view of the conflicting information, the Administrator should write to Mercantile Adjustment Company the facts revealed in the preliminary investigation conducted by this office.

Request for Restoration of Broker's License  
by Richard H. Higa, salesman, with John Pahk, Broker

Mr. Richard H. Higa, salesman, in the office of John S. Pahk, broker, submitted a formal request for restoration of his broker's license which was revoked by this Commission for cause on January 14, 1954, at which time the Commission allowed Mr. Higa to continue in the real estate business as a real estate salesman.

In reviewing Mr. Higa's petition for restoration of his broker's license, the Commission took special consideration to the provision

under Section 7741, Chapter 150, Revised Laws of Hawaii, 1945, as amended, which reads in part: ".....and no person whose license has been revoked shall be eligible to apply for a new license until the expiration of two years." Mr. Higa's revocation period will be up January 14, 1956.

After some discussion, the Commissioners directed the Administrator to take this matter with the Office of the Attorney General and also with Honorable Farrant Turner, Secretary of Hawaii, that the Real Estate License Commission in due consideration of Mr. Higa's petition wishes their opinion whether this Commission may set aside the revocation of his broker's license heretofore given to a suspension sentence and restore the broker's license on a six-month probation basis. As soon as some legal expression is received from either the Secretary of Hawaii or Attorney General's office, the Commission will act accordingly in the request received from Mr. Higa.

There being no further business to discuss, the meeting was adjourned at 11:30 a.m.

Respectfully submitted,



Robt E. Bekeart  
Administrator

REB:etk

June 22, 1955

Real Estate License Commission  
of the Territory of Hawaii  
City and County of Honolulu  
Territory of Hawaii

Gentlemen:

In March 1955, we listed our property located on 11th and Pahoa Avenues with Mr. Edward A. Bolles, Realtor. In April, 1955, Mr. Bolles presented us with a signed copy of an initial payment receipt and contract covering the offer to purchase our property by one Anita Botelho. This offer to purchase was for the price of \$24,500.00. After due consideration of this offer, we signed the contract signifying acceptance of the offer to purchase our property. This contract was signed by my wife and myself.

Subsequent to the signing of the contract, the necessary documents were drafted and the transaction was ready to be closed. Prior to the date of consummation, it was discovered that the proposed street set back on Pahoa Avenue will bring the property line of my property to a few feet from the boundary of the existing building. This information caused the transaction to be suspended until the matter could be further studied. The contract as executed was declared to us by Mr. Bolles to be effective.

A number of contacts and conferences were held by Mr. Bolles and myself and Mr. D. G. Clement, a real estate salesman with Pawaa Realty Company, who represented the proposed purchaser. Although we were advised by counsel that the contract was enforceable and we were possessed with the right to proceed with proper legal action in specific performance to enforce the contract, we have not taken any action in that respect. The matter which disappoints me most is the manner in which Mr. Edward A. Bolles handled the transaction. Upon inquiry by real estate brokers and by others who were consulted concerning the transaction, Mr. Bolles represented to these individuals that he had nothing to do with the transaction and that he was not representing us. He stated "I do not represent Kuwaharas." He denied drafting any agreement covering the transaction. Although he did have the exclusive listing which has since expired, he constantly failed to represent us or to look after our interests at no time during the period of the listing. He refused to co-operate with us and assist in the sale of the property. He further refused to deliver the original copies of the agreement signed by us covering the transaction.

I wish to request your office to invite Mr. Edward A. Bolles and Mr. D. G. Clement before the commission to inquire into this matter. I wish further to request your assistance to secure from Mr. Edward A. Bolles the original signed contract which rightfully belongs to us. He has no right to refuse to deliver the contract which he neglected and failed to assist in its consummation.

We are ready at any time to appear before the Commission to present our complaint against Mr. Edward A. Bolles in the manner in which he has conducted himself as a broker we engaged to help us sell our property.

Very truly yours,

(s) Harry Kuwahara  
Harry Kuwahara

HK:ls