

REAL ESTATE COMMISSION
Professional & Vocational Licensing Division
Department of Commerce and Consumer Affairs
State of Hawaii

MINUTES OF MEETING

Date: Friday, June 28, 1985

Place: Board Room, 1010 Richards St.
Kamamalu Building, Honolulu, Hawaii

Present: G. A. "Red" Morris, Chairman
Toru Kawakami, Vice Chairman
Joseph F. Blanco, Member
Gloria J. Damron, Member
Douglas R. Sodetani, Member
Yukio Takeya, Member
Gregg T. Yamanaka, Member
Peter N. Yanagawa, Member

Cynthia M. L. Yee, Information Officer
Janice Sevilla, Education Officer
Glenn M. Adachi, Executive Secretary
Saeko Whang, Secretary

Virginia Lea Crandall, Hearings Officer
Eileen Luko, HAR Education Director
Marcus Nishikawa, HAR Representative
Mary V. Savio, HAR Representative

Excused: Constance B. Smales, Member

Call to Order: There being a quorum present, the meeting was called to order at 9:10 a.m. by Chairman G. A. "Red" Morris.

Notice of Meeting: The notice of meeting was filed in the Office of the Lt. Governor on June 21, 1985.

Minutes: Upon motion by Commissioner Sodetani and seconded by Commissioner Blanco, the minutes of the May 31, 1985 meeting were unanimously approved.

Additions to Agenda: Upon motion by Commissioner Blanco and seconded by Commissioner Sodetani, the Commission unanimously approved to add the following items to the Hearings Officer's report to the agenda:

Frank Spillman
Charles B. Fey)- Settlement Agreements
William Magers)

Hearings Officer's Report:

RE-83-109, 83-112, 83-127, 83-242, 83-243, 84-68, 84-70, 84-100, 84-102, 84-103, 84-114, 84-141, 84-163, 84-177, 84-183, 84-191, 84-197, 84-231, 85-29, 85-30, 85-31 - Charles B. Fey

Upon motion by Commissioner Sodetani and seconded by Commissioner Takeya, the Commission unanimously accepted Hearings Officer's recommendation for partial settlement agreement and revoked broker's license of Charles Fey.

William Mager

Upon motion by Commissioner Sodetani and seconded by Commissioner Takeya, the Commission unanimously approved the Hearings Officer's recommendation for partial settlement agreement and revocation of William Mager's real estate broker license.

RE-85-46 Frank L. Spillman

It was moved by Commissioner Blanco and seconded by Commissioner Damron to approve the Settlement Agreement and ordered Respondent to pay \$250 fine within 30 days from the date of the final order. Motion carried unanimously.

RE-LIC-85-2 Robert C. Nichols and
RE-LIC-85-3 Aileen Carlos

It was moved by Commissioner Damron and seconded by Commissioner Yamanaka to approve the Hearings Officer's recommendation to require the Respondents take the RECCAL course. Motion carried unanimously.

Committee Reports: Education Committee

The Education Committee report of June 27, 1985 was circulated to the Commissioners.

Annual Symposium

This matter needs further discussion.

Real Estate Education and Research Center Contract

This matter was deferred until the Commission receives an opinion from Attorney General's Office regarding financial support provision.

Testing Company

The Education Committee recommended approval of

ETS to continue administering the exams based upon the findings from Consultant Harold Ayabe's study.

Commissioner Yamanaka requested that the record note that Commissioner Blanco's trip to the RELE meeting was paid by ETS.

It was moved by Commissioner Damron and seconded by Commissioner Yanagawa to accept ETS as the testing agency. Commissioner Yamanaka and Commissioner Takeya opposed the selection of ETS. All other Commissioners voted for the motion. Motion carried.

Upon motion by Commissioner Blanco and seconded by Commissioner Damron, the Education Committee report was adopted subject to the changes. Motion carried unanimously.

Laws & Rules Review Committee

The Commission reviewed the report of the Laws and Rules Review Committee report of June 27, 1985.

Upon motion by Commissioner Takeya and seconded by Commissioner Damron, the Commission adopted the Laws and Rules Review Committee report.

New Business:

LICENSING

Corporation

Dynasty Realty Corp. - 126 Queen St., Ste 100
Margaret S. Ching, pb Hon.

National Business Brokers, Inc. - 841 Bishop St.,
George W. Brandt, pb Ste 1812, Hon.

Progress Sales & Development Corp. - 1724
Kalaokalani Way, Hon.
Alfred E. De Luz, pb

Pearl Rein, Inc. - 75-5689 Alii Drive, Kailua-
Pearl Rein, pb Kona

Partnership

Sterman & Ulrich Realty - 735 Bishop St., Ste 327
Karl S. Ulrich, pb Hon.

Branch Office

F.H.P., Inc. - 1441 Kapiolani Blvd. #2000, Hon.
John M. Shea, bic

Tradenname

Century 21 Pali Properties - Pali Properties,
Inc., dba, 25 Kaneohe Bay Dr., Kailua

J. R. Floyd - John R. Floyd dba, 350 Ward Ave.,
#106, Hon.

Sandy Fong Realty - Sandra Au Fong, dba,
2919 Kapiolani Blvd., Hon.

Chris Friese & Associates - Christiane Friese,
dba, 820 W. Hind Dr., Ste 126, Hon.

Hoogs Realty - Willa H. Hoogs, dba, 75-170
Hualalai Rd., Ste D-120, Kailua-Kona

Inn Vacation Rentals - Mardi Kersting Assoc. Inc
dba, 1920 Ala Moana Blvd. #2207, Hon.

Jeffrey C. McConnel Real Estate - Jeffry C.
McConnel, dba, 75-5744 Alii Dr., #203, Kailua-
Kona

Oahu Realty and Management - Colby C. Jones,
dba, 841 Bishop St., #2020, Hon.

Ben Sternberg Realty - Ben Sternberg, dba,
1750 Kalakaua Ave., Ste 103, Hon.

DBA Name Change

KI Realty - formerly Karol Izumizaki Realty,
Karol Izumizaki, dba

M. Massera Management - Melanie M. Massera, dba
(formerly Badger Massera Management)

The Commissioners reviewed the list of new
corporations, partnership, branch office,
tradenames and dba name change for the month
of June.

Restorations

The Commission reviewed the explanation letters
of the following individuals requesting
restorations:

Jack L. Ayers, Jr.

Upon motion by Commissioner Takeya and seconded by Commissioner Blanco, the Commission unanimously reconsidered its previous action and approved restoration of Jack Ayers' real estate broker license subject to his taking the next available RECCAL class in Hilo.

Thomas E. Burns, III

Upon motion by Commissioner Sodetani and seconded by Commissioner Takeya, the Commission unanimously approved to restore the real estate license of Thomas Burns subject to his taking the RECCAL course.

Sandra Conrad
William E. Harper

It was moved by Commissioner Sodetani and seconded by Commissioner Damron to approve restoration of licenses to the above individuals on condition that they complete the RECCAL course. Motion carried unanimously.

Rai Saint Chu

Upon motion by Commissioner Blanco and seconded by Commissioner Damron, the Commission unanimously approved restoration of Rai Saint Chu's license on condition that she take the RECCAL course.

Susan Thieman

It was moved by Commissioner Sodetani and seconded by Commissioner Blanco to approve restoration of Susan Thieman's real estate license subject to her taking the RECCAL course. Motion carried unanimously.

Questionable Applications

TG Realty Corp. - Tadayoshi Hara, pb

After discussion, Commissioner Takeya moved and Commissioner Kawakami seconded to approve the above application for corporate license. Motion carried unanimously.

Bill Eisenhart - Warren H. Eisenhart, dba

Upon motion by Commissioner Takeya and seconded by Commissioner Yanagawa, the Commission unanimously approved the dba application of Bill Eisenhart

TLC Realty - Carl S. Yamada dba

It was moved by Commissioner Kawakami and seconded by Commissioner Takeya to approve the application of TLC Realty. Motion carried unanimously.

Miscellaneous:

Recovery Fund - Order Directing Payments

Civil No. H84-3442 - McAuliffe v. Pacific Hawaii Realty, Inc. and Clarence K.J. Fung

Civil No. H84-4365 - Castelli v. Clarence Fung

Civil No. H84-2579 - Rupnow v. Charles Gary Friedman

Civil No. 79113 - Lacuesta v. Broker Associates Realty Inc. and Dennis Grady

Civil No. H85-478 - Frazer vs. Pacific Hawaii Realty, Inc. and Clarence K. J. Fung

Following discussion, it was moved by Commissioner Damron to approve payments from the Real Estate Recovery Fund to the above cases. The motion was seconded by Commissioner Takeya and unanimously carried.

Irregularity Report from ETS

Commissioner Kawakami moved to go into executive session to review an irregularity report received from ETS. The motion was seconded by Commissioner Takeya and unanimously approved.

The Commission, upon motion by Commissioner Blanco and seconded by Commissioner Takeya, moved to get out of executive session and go back into regular session.

Commissioner Sodetani moved to accept the ETS irregularity report and invalidate the scores of Gerald Bishop and Lee Bishop. The motion was seconded by Commissioner Takeya and unanimously approved by all Commissioners except Commissioner Yamanaka who was not present when the vote was taken.

Conversion of Licensing Files

The Chairman discussed the possibility of having HAR assist conversion of the licensing records. A draft of a contract between HAR, the Commission and the Department was presented by the Chairman for review and discussion. The draft was prepared by the Attorney General and the Department. Concern was expressed that the confidentiality of certain portions of the records be insured. There was some discussion of contracting directly with a third party since HAR will probably sub-contract the work. The general consensus of the Commission was to proceed with the project.

Amicus Curiae Brief

The Chairman reported that Sidney Ayabe received a 30-day extension to file his brief. The Chairman requested that the brief be reviewed by the Commission prior to filing.

Personnel Contracts

Commissioner Kawakami moved to go into executive session to discuss personnel matters. The motion was seconded by Commissioner Takeya and unanimously carried by the Commission.

Commissioner Blanco moved to get out of executive session and into regular session. The motion was seconded by Commissioner Takeya and unanimously approved.

Commissioner Damron moved to approve the contracts of the Information Officer and Education Officer based upon the recommendation of the Personnel Committee. The motion was seconded by Commissioner Blanco and unanimously approved.

Next Meeting:

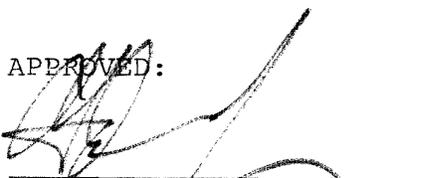
July 26, 1985, 9:00 a.m.
Board Room - 2nd Flr, Kamamalu Bldg

Adjournment:

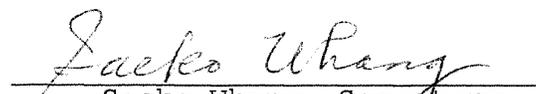
There being no further business, the meeting was adjourned at 10:50 a.m.

Taken and recorded by:

APPROVED:



GLENN M. ADACHI
Executive Secretary



Saeko Whang, Secretary