

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

MINUTES OF MEETING

The agenda for this meeting was filed with the Office of the Lieutenant Governor, as required by Section 92-7(b), Hawaii Revised Statutes.

Date: Friday, January 24, 1991

Time: 9:00 a.m.

Place: Kuhina Nui Room
HRH Princess Victoria Kamamalu Building
1010 Richards Street, Second Floor
Honolulu, Hawaii

Present: Peter Yanagawa, Chairman (Late Arrival)
Theo Butuyan, Public Member
Barbara Dew, Oahu Member
Yoshiko Kano, Kauai Member
Stanley Kuriyama, Oahu Member (Late Arrival)
Carol Mon Lee, Public Member (Late Arrival, Early Departure)
Marcus Nishikawa, Oahu Member
Douglas Sodetani, Maui Member (Early Departure)
Yukio Takeya, Hawaii Member

Calvin Kimura, Supervising Executive Secretary
Christine Rutkowski, Executive Secretary
Cynthia Yee, Real Estate Specialist
Russell Wong, Real Estate Specialist
Bryan Yee, Deputy Attorney General
Irene Kotaka, Secretary

Rodney Maile, Senior Hearings Officer
Richard Marshall, Hearings Officer
George Nakano, Attorney, RICO

Jeanell Bowman, Applicant
Jack Watkins, Applicant
Carolyn M. Heitzman, Applicant
Walter N. Clark, Applicant
Hauoli Lewis
Mark K. Kibbee, Applicant
Mary Gabrelcik, Applicant
Bill Cuseo
Karen Robertshaw, Applicant
George Scharring-Hausen, Applicant
Joseph P. Macapinlac, Applicant
Wesley H. Shoda, Applicant

Cozette Pierson, Applicant
Philip Wilia, Applicant
Dennis Wiens, Applicant

Call to
Order:

Vice-Chairman Takeya called the meeting to order at
9:00 a.m., at which time quorum was established.

Executive
Secretary's
Report:

No report was presented.

Additions to
the Agenda:

Upon a motion by Commissioner Sodetani, seconded by
Commissioner Kano, it was voted on and unanimously carried to add the following
items to the agenda:

3. Executive Secretary's Report
 - b. Minutes of the January 3, 1991 Meeting

7. Licensing - Restoration of Forfeited Licenses
 - Over Two Years - Brokers
Bryan F. Hirokane
 - Over Two Years - Salespersons
Benjamin B. Ricardos
R. David Cohen
Ellen G. Kawata
Lisa A. Kim
Tsukasa Murakami
 - Reconsideration
Philip Reinhardt
Michael M. Ross

8. Licensing - Questionable Applications
Mark K. Kibbee
Cozette Pierson
Gallant Realty, Inc.
Judy N. Howard
Ray H. Metcalfe
Wesley H. Shoda

Approval of
Minutes:

Upon a motion by Commissioner Sodetani, seconded by
Commissioner Kano, it was voted on and unanimously carried to approve the minutes of
the November 29, 1990 Real Estate Commission Meeting, with the following
amendments:

1. Carol Mon Lee should be reflected as "Public" Member

2. Page 5, paragraph 2 - Advisory Council

The term for Ron Schmid should be for a term of three years, beginning January 1, 1991 to December 31, 1993.

Chairman Yanagawa arrived and presided over the meeting.

Upon a motion by Commissioner Kano, seconded by Commissioner Takeya, it was voted on and unanimously carried to approve the Minutes of the January 3, 1991 Special Real Estate Commission meeting as circulated.

Disciplinary
Cases:

CALVIN C. F. LAU, RE 87-90

The Supervising Executive Secretary reported that he had received a verbal request by Dana Smith, Mr. Lau's attorney and Owen Tamamoto, RICO attorney, to continue this matter to the February 23, 1991 Real Estate Commission Meeting.

Upon a motion by Commissioner Takeya, seconded by Commissioner Sodemani, it was voted on and unanimously carried to continue this matter to the February 23, 1991 Real Estate Commission Meeting.

SIMEON C. RAMOS, JR. AKA BUTCH RAMOS DBA OHIA REALTY & DEVELOPMENT CO., RE 89-29 AND 89-52

Chairman Yanagawa was excused due to a conflict of interest. Vice-Chairman Takeya presided over the meeting.

The Supervising Executive Secretary has received a written request from Leslie Kobayashi, Mr. Ramos's attorney, requesting an extension.

George Nakano, RICO attorney, objected to Ms. Kobayashi's request for a continuance, stating that he did not receive a copy of the motion for continuance, nor was he consulted by the Respondent's attorney.

Richard Marshall, Hearings Officer, stated that after looking over the filing of the request by the Respondent, the Respondent may be granted a continuance.

Upon a motion by Commissioner Dew, seconded by Commissioner Kano, it was voted on and unanimously carried to take this matter under advisement.

LILY L. H. KONG DBA DIAMOND INTERNATIONAL REAL ESTATE, RE 87-513

Upon a motion by Commissioner Sodemani, seconded by Commissioner Kano, it was voted on and unanimously carried to approve the Hearings Officer's Findings of Facts, Conclusions of Law, and Recommended Order.

The Supervising Executive Secretary restated that the Final Order states that the fine shall be paid within five business days of the Final Order. If the fine is not paid within the prescribed time, the license will be suspended for 3 months. It is understood that the Office of Administrative Hearings will be responsible for sending out notification of

suspension, surrender of wall certificate and pocket licenses. If licenses not surrendered, further action may be instigated.

Chairman Yanagawa returned and resume presiding over the meeting.

Commissioner Lee arrived.

KERRY K. BARKER, REC 87-415

Upon a motion by Commissioner Nishikawa, seconded by Commissioner Takeya, it was voted on and unanimously carried to approve the Hearings Officer's Findings of Fact, Conclusions of Law, and Recommended Order.

The Supervising Executive Secretary clarified that the Office of Administrative Hearings would be notifying Mr. Barker to surrender his wall certificate and pocket card licenses and that the surrender of license notice shall be placed in the body of the Commission's Final Order.

FRANK L. ROBAR, REC 89-118

Upon a motion by Commissioner Nishikawa, seconded by Commissioner Dew, it was voted on and unanimously carried to defer decision making on this matter.

NORMAN P. Y. KIM, REC 89-385

Commissioner Kuriyama arrived.

Upon a motion by Commissioner Sodetani, seconded by Commissioner Nishikawa, it was voted on and unanimously carried to defer decision making on this matter.

DEBORAH S. ROSS, REC 90-190

Commissioner Takeya was excused from the meeting.

Upon a motion by Commissioner Dew, seconded by Commissioner Sodetani, it was voted on and unanimously carried to accept the Settlement Agreement After Filing of the Petition for Disciplinary Action.

Commissioner Takeya returned to the meeting.

FRANK Y. MITSUMURA, REC 89-438

Upon a motion by Commissioner Takeya, seconded by Commissioner Sodetani, it was voted on and unanimously carried to accept the Settlement Agreement After Filing of Petition for Disciplinary Action.

WAYNE S. MASUDA DBA JH REALTY, REC 89-406

Upon a motion by Commissioner Sodetani, seconded by Commissioner Butuyan, it was voted on and unanimously carried to accept the Settlement Agreement After Filing of Petition for Disciplinary Action.

MARSHALL F. GOLDMAN, RE 85-134

Upon a motion by Commissioner Nishikawa, seconded by Commissioner Takeya, it was voted on and unanimously carried to grant Mr. Goldman's request to consider his request for an accurate and complete synopsis of the subject case in any Commission publication or disclosure of information at the February 22, 1991 Real Estate Commission Meeting.

Recess: Chairman Yanagawa recessed the meeting at 10 a.m.

Reconvene: Chairman Yanagawa reconvened the meeting at 10:10 a.m., at which time quorum was reestablished.

Licensing: QUESTIONABLE APPLICATIONS

WALTER N. CLARK

Mr. Clark was present to request a reinstatement of his suspended real estate broker's license.

Mr. Clark stated that he has been in the real estate business for 42 years. His license was suspended and he was required to pay a fine, which he paid. He stated that he had written to the Licensing Branch to determine what he needed to do in order to have his license reinstated, but he never received a response. He had his attorney request the information for him and he did receive a response. He then stated that he completed the continuing education courses in September 1990. He also stated that he had turned in his wall certificate at the time of suspension.

Mr. Clark was asked where he took the continuing education courses and if he had to show his wall certificate or pocket card in order to get the completion certificates.

Mr. Clark stated that he took the courses at Honolulu Community College and that he showed them a copy of his wall certificate and pocket card.

Upon a motion by Commissioner Sodetani, seconded by Commissioner Takeya, it was voted on and unanimously carried to take this matter under advisement.

JEANELL A. BOWMAN

Commissioner Kuriyama was excused due to a conflict of interest.

Ms. Bowman was present to request that the Commission grant her an equivalency to

the ten transaction requirement for a broker's experience certificate.

Ms. Bowman stated that she has been involved with real estate for 25 years. She was the Senior Escrow Officer at Bank of Hawaii for 19 years. For the past four years, she was involved in real estate development at HONFED. Since she is an employee of the bank, she cannot represent others. She can only manage the properties which the bank owns. She cannot list properties herself and so she lists them through licensed real estate brokers. She stated that her license is active with HONOFED Development. All transactions are run through HONFED. The company is only involved in HonFed transactions. In addition, that detailed information on experience and education was submitted.

Upon a motion by Commissioner Sodetani, seconded by Commissioner Nishikawa, it was voted on and unanimously carried to take this matter under advisement.

Commissioner Kuriyama returned to the meeting.

JACK D. WATKINS

Mr. Watkins was present to request an equivalency to the 10 transaction requirement in order to obtain a real estate broker's experience certificate.

Mr. Watkins stated that he was hired by HONFED as a loan disbursement officer. He is a commercial construction loan officer. He is active in the sales of the Country Club Plaza Keauhou. He was employed by HONVEST. He developed three industrial properties. He has acquired, developed, and leased properties. He has left HONFED and is currently in charge of leasing commercial properties.

Upon a motion by Commissioner Dew, seconded by Commissioner Kano, it was voted on and unanimously carried to take this matter under advisement.

CAROLYN M. HEITZMAN

Ms. Heitzman was present to request that the Commission approve her application for an educational waiver, subject to receipt of verification of her California real estate license.

Ms. Heitzman is a real estate salesperson applicant. ASI allowed her to take the September 22, 1990 examination without an educational waiver. She passed the examination. She submitted the application for educational waiver after passing the examination. She is waiting to receive her completed verification of license form back from the California Department of Real Estate. She stated that she has taken the principles and practices and legal aspects of real estate course in California.

Upon a motion by Commissioner Takeya, seconded by Commissioner Sodetani, it was voted on and unanimously carried to take this matter under advisement.

MARK K. KIBBEE

Mr. Kibbee was present to request that the Commission approve his application for a real estate salesperson's license.

Executive
Session:

Upon a motion by Commissioner Takeya, seconded by Commissioner Nishikawa, it was voted on and unanimously carried to enter into executive session at 10:45 a.m., pursuant to Chapter 92-5(a)(1), "To consider and evaluate personal information relating to individuals applying for professional or vocational licenses cited in Section 26-9 or both".

Upon a motion by Commissioner Takeya, seconded by Commissioner Dew, it was voted on and unanimously carried to move out of executive session at 10:51 a.m.

Upon a motion by Commissioner Takeya, seconded by Commissioner Dew, it was voted on and unanimously carried to defer decision making on Mr. Kibbee's application for a real estate salesperson's license.

MARY GABRELCIK

Ms. Gabrelcik was present to request that the Commission approve her application for a real estate salesperson's license.

Ms. Gabrelcik stated that she had submitted her application for a real estate salesperson's license to Coldwell Banker Office on Maui for processing on December 8, 1990. She stated that when she contacted the Coldwell Banker Office in Honolulu, she was told that they had submitted 250 applications for renewals. However, she discovered that they had failed to submit her application within 90 days of the examination date.

Upon a motion by Commissioner Kuriyama, seconded by Commissioner Takeya, it was voted on and unanimously carried to take this matter under advisement.

KAREN ROBERTSHAW

Ms. Robertshaw was present to request that her records be backdated to reflect an active status from January 1, 1989 to December 20, 1990. She stated that she was not aware that her license was on inactive status. She stated that when her license was renewed in 1989, she had changed from the Kaneohe office to the Ward Avenue office. She received a notice from the Licensing Branch that she had used her business address in error. She later discovered that the Licensing Branch had placed her license on inactive status.

A deficiency notice was sent to Ms. Robertshaw on February 18, 1989, stating that she could not use her broker's address as a mailing address and that if no response was received, she would be placed on inactive status. On March 28, 1989, her license was placed on inactive status due to a lack of response. On April 26, 1989, the Licensing

Branch received the change form indicating the new residence mailing address, but the change form did not include instructions to change Ms. Robertshaw from an inactive to active status.

Upon a motion by Commissioner Takeya, seconded by Commissioner Sodetani, it was voted on and unanimously carried to take this matter under advisement.

SGBR, INC. DBA SUTTON GROUP BANYAN REALTY

Mr. George Scherring-Hausen was present to request that the Commission reconsider its previous decision regarding SGBR, Inc. dba Sutton Group Banyan Realty.

Mr. Scherring-Hausen stated that Sutton Group is a franchise name that is used by 70 offices throughout the United States. Hausen Realty is a franchise in Canada. There is no Mr. Sutton. The name is used to denote quality.

He also stated that Banyan Realty has been in business since 1972. He stated that he has been advised by legal counsel that any one can be a shareholder in a corporation registered to do business in the United States.

Mr. Scherring-Hausen is the President of SGBR. He is not licensed in the State of Hawaii. He has hired a principal broker who will be running the company on a day-to-day basis. He stated that it was his intention to get his license.

Upon a motion by Commissioner Takeya, seconded by Commissioner Sodetani, it was voted on and unanimously carried to take this matter under advisement.

JOSEPH MACAPINLAC

Mr. Macapinlac was present to request an equivalency to a closed listing transaction for his broker's experience certificate.

Mr. Macapinlac stated that he was with Chevron for ten years, assisting in the designing of office buildings and pipelines. He has also been involved in the savings and loan industry, in the processing and acquisition of loans. He is personally involved in the acquisition of ten properties in Hawaii, California, and Nevada. He has attended the National Development Seminar and the seminar given by Abe Lee. He stated that he submitted information on work experience and education.

Upon a motion by Commissioner Dew, seconded by Commissioner Kuriyama, it was voted on and unanimously carried to take this matter under advisement.

WESLEY H. SHODA

Mr. Shoda was present to request that the Commission reconsider its previous decision and approve his application for a real estate salesperson's license.

Mr. Shoda stated that he had called the Commission in December and was told erroneously that the last day to submit his application was December 22, 1990. He later found out that the last day to submit his application was December 21, 1990.

Mr. Shoda had submitted an incomplete application. His certificate of completion was not submitted with the application. His application was postmarked on December 22, 1990 but was not received until December 24, 1990.

Upon a motion by Commissioner Takeya, seconded by Commissioner Sodetani, it was voted on and unanimously carried to take this matter under advisement.

COZETTE PIERSON

Ms. Pierson was present to request that the Commission approve her application for a real estate salesperson's license.

Ms. Pierson stated that she has a tax lien imposed upon her and her ex-husband. She stated that she will not be paying the lien until it is decided by the IRS that she should be paying the lien and not her ex-husband.

Upon a motion by Commissioner Kano, seconded by Commissioner Dew, it was voted on and unanimously carried to take this matter under advisement.

PHILIP WILIA

Mr. Wilia was present to request that the Commission approve his application for a real estate broker's license.

Mr. Wilia stated that he had applied for a franchise from AMCO Transmissions in 1978. In 1980, he opened his business. The revenues did not cover the expenditures. The IRS got involved in 1982. In 1985, the IRS shut them down. The business was later sold to Midas. During 1985 to 1989, he was making token payments because his income couldn't pay off the lien. In 1989, he submitted a compromise. The IRS submitted a counter offer in 1990. He owes \$140,000. He stated that his income will still not support the payments. The IRS deferred his case for six to twelve months. He is not required to make any payments now. The trial date for his pending lawsuit is August 1991.

Since September 1988, he has been associated with Locations. He would like to obtain his broker's license in order to have better opportunities.

Upon a motion by Commissioner Nishikawa, seconded by Commissioner Takeya, it was voted on and unanimously carried to take this matter under advisement.

DENNIS WIENS

Chairman Yanagawa was excused due to a conflict of interest. Vice-Chairman Takeya presided over the meeting.

Mr. Wiens was present to request an equivalency to the three closed sales and three closed listings requirement in order to obtain his broker's experience certificate.

Mr. Wiens stated that he has been involved in real estate on a full-time basis for the past six years. During four of those years, he has managed or co-managed five condo associations and 285 rental units, including the signing of over 200 rental agreements. For the past two years, he has worked in commercial real estate as a leasing agent, property manager, and development coordinator. He has also participated in 20 commercial leases, submitted information on work experience and related education.

Upon a motion by Commissioner Kano, seconded by Commissioner Dew, it was voted on and unanimously carried to take this matter under advisement.

Chairman Yanagawa returned and resumed presiding over the meeting.

Committee
Reports:

LAWS AND RULES REVIEW COMMITTEE MEETING

Upon a motion by Commissioner Takeya, seconded by Commissioner Sodetani, it was voted on and unanimously carried to approve the recommendations of the January 23, 1991 Laws and Rules Review Committee Meeting, as follows:

1. Neighbor Island Committee Meetings

The three Real Estate Commission Committee Meetings to be held on Maui on June 7 and 8, 1991, with staff to coordinate arrangements for the meetings.

2. NARELLO Investigator and Enforcement Survey

Approve participation in NARELLO's Advanced Investigator Workshop, subject to approval of the costs entailed. Commission staff to respond the NARELLO's Investigator and Enforcement Committee Survey.

3. Chapter 515, Hawaii Revised Statutes

Commission staff to request that the Civil Rights Commission put the Real Estate Commission on its mailing list for any information pertaining to discrimination in real property transactions.

4. Request for Clarification by Douglas Smith

Mr. Smith's request for clarification of Section 467-1 and 467-2, HRS, be delegated back to staff for response.

5. South Carolina Real Estate Commission Reciprocity Request

Delegated back to staff to respond to South Carolina's request for reciprocity.

Requests for Extension of Time to File Written Exceptions or to File a Statement in Support of the Recommended Decision

Upon a motion by Commissioner Takeya, seconded by Commissioner Nishikawa, it was voted on and unanimously carried that due to time elements, the once per month Commission meeting schedule and that the matter is procedural, the Commission delegates to the Executive Secretary the authority to consider and approve requests for extension of time to file written exceptions or to file statement in support of recommended decision. Subject to a written request, good cause shown, only one extension, and the extension is not to exceed 30 calendar days. (§16-201-15, -44, and -45)

Requests for Continuance of Oral Argument Presentations to the Authority

Upon a motion by Commissioner Takeya, seconded by Commissioner Kano, it was voted on and unanimously carried that due to time elements, the once per month Commission meeting schedule, and that the matter is procedural, the Commission has delegated to the Executive Secretary, the authority to consider and approve requests for continuance of oral argument presentations to the Commission. Subject to a written request, good cause shown, only one extension, and the extension shall not exceed 30 calendar days. Executive Secretary may consider signed stipulation by both parties. (§16-201-15 and -46)

Change Forms

Upon a motion by Commissioner Nishikawa, seconded by Commissioner Sodetani, it was voted on and unanimously carried to handle the problems relating to receipt of change forms administratively and that an article be published in the Real Estate Bulletin advising releasing brokers to submit a change form to the Licensing Branch.

CONDOMINIUM AND COOPERATIVE REVIEW COMMITTEE

Upon a motion by Commissioner Kuriyama, seconded by Commissioner Sodetani, it was voted on and unanimously carried to approve the recommendations of the January 23, 1991 Condominium and Cooperative Review Committee Meeting, as follows:

1. Kaimuki Parkside - Supplementary Report

The Condominium Consultant to review the submission for the supplemental report, providing for disclosure of the cost of the sewer hook-up construction cost to be included in a supplementary report (to be read together with the final rather than supersede it) and require incorporation of the statement of the developer's engineer.

2. Kiahuna Plantation

Commission staff to respond that if basis for jurisdiction is established then request can be considered, it appears that the Commission has no jurisdiction given that the last report expired in 1981, the Commission does not feel that they have any basis for taking any action over the administrative merger or over the merger of the separate reserve funds for each of the phases.

3. Holua at Mauna Loa

Commission to refer the issue of the adequacy of disclosure of the pending litigation to the condominium consultant.

4. Owner-Builder Construction

Commission staff to respond that the inquirer must submit his request in writing and that given the highly conflicted matter, the inquirer seek private counsel as to how the condominium property regime law applies to an owner-builder.

5. Pleasant Hills, Unit II - Hiroshi Sakai

Commission to defer action (pending receipt of a previously requested Attorney General opinion) on this request as to whether an out-of-state condominium project to be sold in Hawaii must comply with the public report requirement of the condominium property regime law.

6. Additional Condominium Consultants

Commission to solicit additional nominees and require that the names and resumes be submitted by February 14, 1991.

7. Program of Work, Fiscal Year 1990-91 - CMEF Budget

Commission to amend the budget by increasing the amount allocated for computer equipment and furniture to \$7,000 and \$3,000, respectively, and by allocating \$2,500 for supplies.

8. Legislation - Reserve Study and Funding Requirements

Commission to amend its previous position and affirm its support for mandatory reserve studies by condominium associations of their deferred maintenance needs and for mandatory funding of the necessary reserves.

Executive
Session:

Upon a motion by Commissioner Nishikawa, seconded by Commissioner Takeya, it was voted on and unanimously carried to enter into executive session at 12:39 p.m., pursuant to Chapter 92-5(a)(1), "To consider and evaluate personal information relating to individuals applying for professional or vocational licenses cited in Section 26-9 or both;"

Commissioner Lee was excused from the meeting.
Commissioner Sodetani was excused from the meeting.

Upon a motion by Commissioner Nishikawa, seconded by Commissioner Butuyan, it was voted on and unanimously carried to move out of executive session at 2 p.m.

Disciplinary
Cases:

SIMEON C. RAMOS, JR. AKA BUTCH RAMOS DBA OHIA
REALTY AND DEVELOPMENT CO., RE 89-29 AND 89-52

Chairman Yanagawa and Commissioner Nishikawa were excused from the meeting due to a conflict of interest.
Vice-Chairman Takeya presided over the meeting.

Upon a motion by Commissioner Kuriyama, seconded by Commissioner Kano, it was voted on and unanimously carried to grant a continuance to the February 22, 1991 meeting, with no further continuances to be considered and advise Respondent and Respondent's attorney that motions for continuances are only considered if there is a written motion presented to the Executive Secretary by the start of the meeting and if both parties are in agreement to the continuance, no appearance is necessary. If any party is not in agreement, then both parties shall be present to consider the motion. The Respondent is to be reminded that his license is still suspended, that the motion for reconsideration does not stay the Commission's Final Order, and that if he has not surrendered his wall certificate and pocket card licenses to the Executive Secretary as yet he should do so immediately.

Chairman Yanagawa and Commissioner Nishikawa returned to the meeting. Chairman Yanagawa resumed presiding over the meeting.

NORMAN P. Y. KIM, REC 89-385

Upon a motion by Commissioner Kano, seconded by Commissioner Butuyan, it was voted on and carried to approve the Settlement Agreement After Filing of Petition for Disciplinary Action. Commissioner Takeya opposed the motion.

DEBORAH S. ROSS, REC 90-190

Commissioner Takeya was excused from the meeting.

Upon a motion by Commissioner Dew, seconded by Commissioner Kano, it was voted on and unanimously carried to approve the Settlement Agreement Prior to Filing of Petition for Disciplinary Action.

Commissioner Takeya returned to the meeting.

FRANK Y. MITSUMURA, REC 89-438

Upon a motion by Commissioner Takeya, seconded by Commissioner Butuyan, it was

voted on and unanimously carried to approve the Settlement Agreement After Filing of Petition for Disciplinary Action.

WAYNE S. MASUDA DBA JH REALTY, REC 89-406

Upon a motion by Commissioner Nishikawa, seconded by Commissioner Butuyan, it was voted on and unanimously carried to approve the Settlement Agreement After Filing of Petition for Disciplinary Action.

FRANK L. ROBAR, REC 89-118

Upon a motion by Commissioner Takeya, seconded by Commissioner Kano, it was voted on and unanimously carried to approve a one-time request for an extension of time to file a statement in support by RICO, the extension is not to exceed thirty calendar days.

Licensing:

RATIFICATION

Upon a motion by Commissioner Takeya, seconded by Commissioner Kano, it was voted on and unanimously carried to ratify the following applications:

Real Estate Brokers:

First Action Realty, Inc.
East West International Realty, Ltd.
Stork Hill U.S.A., Inc.
Richard H. Kuitunen
Fortune Realty, Inc.

Partnerships

Paradise Coast

Branch Offices

MacArthur, Inc. dba MacArthur & Company - Honokaa,
Hawaii
Vacation Internationale, Ltd. dba Vacation Time
Share Program - Kapaa, Kauai
Dolman Associates, Inc. - Aiea, Oahu

Site Offices

Worrall-McCarter-Maui, Inc. - Makena Surf
Dave Lewis Inc. dba Dave Lewis Realtors - Keonekai
Estates Subdivision
Maryl Development, Inc. - Puu Lani Ranch
Keauhou-Kona Realty, Inc. - Kaulana at Kona

ERA Chaney Brooks, Inc. - Malanai (Villages at
Kapolei III)
Waiki'i Realty, Inc. - Waiki'i Ranch

Condominium Hotel Operators

Lowson & Associates, Ltd. dba Kaanapali Vacations
Gordon Scott Realty Inc.

Condominium Managing Agents

PWI Real Estate Inc.

Trade Names

Remington International Corporation dba Genesis
Properties Hawaii
Thomas Won & Associates, Inc. dba ERA 90 Real Estate
Deborah K. Lambert dba Lambert Realty
Elizabeth A. Karimoto dba Blue Sky Realty and
Management
Kenneth K. Tanaka dba Bay City Realty
Francis V. McMahan dba McMahan Realty
Colony Hotels and Resorts, Inc. (fka Colony Resorts,
Inc.)
Edward J. McDowell dba Vision Properties

Condominium Property Regime Public Reports

December 1990
589D/E Kawaihoa Road, Honolulu (Final)
Makena Surf (Building A), Maui (Third Supplementary)
1220 Kam IV Road, Honolulu (Final)
Kolo Road Estates, Kauai (Final)
Mamao Komohana, Kauai (Preliminary)
2200 Kolo Road, Kauai (Final)
Hale Kuahiwi Kalaheo, Kauai (Final)
Waikoloa Fairways, Hawaii (Final)
Lowrey Loomis, Honolulu (Final)
Mauna Lani Grove, Hawaii (Preliminary)
The Shearwater, Kauai (Preliminary)
Kihei Isana Village, Maui (Preliminary)
Malia Place, Hawaii (Final)
Kaloko Hills Estates, Hawaii (Final)
The Bay Club at Waikoloa Beach, Hawaii (Final)
Palm Villas II, Incr. AA, Honolulu (Final)
Palm Villas II, Incr. BB, Honolulu (Preliminary)

Kuiaha-Kili, Maui (Final)
Laniakea, Hawaii (Preliminary)
Kona Coast Villas, Hawaii (Preliminary)
Umi Kumukahi, Kauai (Final)
Kauanoa Bay, Hawaii (Final)
Kapa'ka Road, Kauai (Final)
Helene's Agricultural Condominium, Kauai (Final)

RESTORATION OF FORFEITED LICENSES

Paul W. T. Fung	Broker
Harvey Tam	Broker
Mark S. Whiting	Broker
John J. Wong	Broker
Wayne M. Yoshioka	Broker
Bryan F. Hirokane	Broker

After a review of the information submitted by the applicants, Commissioner Dew moved that restoration be approved upon submitting evidence of successfully passing the real estate broker's licensing examination, with a one-time waiver of the education and experience requirements. Commissioner Butuyan seconded the motion. The motion was voted on and unanimously carried.

Susan Bonifacio	Salesperson
Edward Bybee	Salesperson
Julia C. Chu	Salesperson
Calvin J. Deguchi	Salesperson
Ann N. Kinoshita-Nishiyama	Salesperson
Dana K. Yoshimura	Salesperson
Benjamin B. Ricardos	Salesperson
R. David Cohen	Salesperson
Ellen G. Kawata	Salesperson
Lisa A. Kim	Salesperson

After a review of the information submitted by the applicants, Commissioner Dew moved that restoration be approved upon submitting evidence of successfully passing the real estate salesperson's licensing examination, with a one-time waiver of the educational requirement. Commissioner Butuyan seconded the motion. The motion was voted on and unanimously carried.

Blythe K. Arakawa	Broker
Charles W. Brooks II	Broker
Sai Lit Ching	Broker
Sharon L. Takeuchi	Salesperson
Wardner A. Amaral	Salesperson
Jay Kent Bien	Salesperson
Robert H. Bulkley	Salesperson

Paul C. Haig	Salesperson
Kwong Cheung Robert Ho	Salesperson
Oliver M. Ishikawa	Salesperson
Linda N. Lau	Salesperson
Robert T. Matsui	Salesperson
Roy Masaru Miyamoto	Salesperson
Patricia A. Owen	Salesperson
Barbara J. Richardson	Salesperson
Carl G. Schuler	Salesperson
Derryck W. H. Woo	Salesperson
Tsukasa Murakami	Salesperson

After a review of the information submitted by the applicants, Commissioner Kano moved that restoration be approved upon submitting evidence of successfully completing a Commission-approved real estate course. Commissioner Takeya seconded the motion. The motion was voted on and unanimously carried.

David A. Byrne

Mr. Byrne's application for restoration of forfeited license was withdrawn, pursuant to his request.

Philip Reinhardt

After a review of the information submitted by the applicant, Commissioner Kuriyama moved to approve Mr. Reinhardt's request subject to submission of his fees and exam score report, and Mr. Reinhardt shall be considered licensed as of the date of his request and if he desires his license to be active, he shall need to comply with the continuing education requirements. Commissioner Takeya seconded the motion. The motion was voted on and unanimously carried.

Michael M. Ross

After a review of the information submitted by the applicant, Commissioner Kano moved to deny Mr. Ross's second reconsideration request and that Mr. Ross be informed that there is a provider who is willing to work with him on a prelicensing broker's course. Commissioner Takeya seconded the motion. The motion was voted on and unanimously carried.

QUESTIONABLE APPLICATIONS

H & S Properties Inc.

After a review of the information submitted by the applicant, Commissioner Nishikawa moved to deny the real estate corporation application of H & S Properties Inc. Commissioner Takeya seconded the motion. The motion was voted on and unanimously carried.

T I Realty USA, Inc.

After a review of the information submitted by the applicant, Commissioner Kano moved to preapprove the change of corporate name from of T I Realty USA, Inc. to Azure Realty, Inc. Commissioner Takeya seconded the motion. The motion was voted on and unanimously carried.

Hawaii Real Estate Network, Inc.

After a review of the information submitted by the applicant, Commissioner Kano moved to approve the trade name of Hawaii Real Estate Network, Inc. dba Prudent Investors/Hawaii Real Estate Network. Commissioner Takeya seconded the motion. The motion was voted on and unanimously carried.

SKY-HAWK International

After a review of the information submitted by the applicant, Commissioner Takeya moved to deny the real estate partnership application of SKY-HAWK International. Commissioner Nishikawa seconded the motion. The motion was voted on and unanimously carried.

Sandra M. Spickler dba Sunset Beach Realty

After a review of the information submitted by the applicant, Commissioner Kano moved to approve Ms. Spickler's request for home occupation office, subject to the conditions imposed upon her by the City and County of Honolulu. Commissioner Takeya seconded the motion. The motion was voted on and unanimously carried.

Virgie Acoba Real Estate Sales and Development Corporation

After a review of the information submitted by the applicant, Commissioner Kano moved to approve the home occupation office, subject to conditions imposed by the County of Kauai. Commissioner Takeya seconded the motion. The motion was voted on and unanimously carried.

Island Homes of Kauai, Ltd.

After a review of the information submitted by the applicant, Commissioner Kano moved to approve the home occupation office, subject to the conditions imposed by the County of Kauai. Commissioner Takeya seconded the motion. The motion was voted on and unanimously carried.

Elaine V. Lynn

After a review of the information submitted by the applicant, Commissioner Nishikawa moved to deny Ms. Lynn's request to accept a copy of the May 1988 Change form and

backdate the records of the change of broker. Commissioner Takeya seconded the motion. The motion was voted on and unanimously carried.

Francis T. Oshiro

After a review of the information submitted by the applicant, Commissioner Nishikawa moved to deny Mr. Oshiro's request to backdate the records to reflect the change in broker on April 25, 1990. Commissioner Takeya seconded the motion. The motion was voted on and unanimously carried.

Karen N. Robertshaw

After a review of the information presented by the applicant, Commissioner Kano moved to approve Ms. Robertshaw's request to reflect an active status from January 1, 1989 to December 20, 1990. Commissioner Takeya seconded the motion. The motion was voted on and unanimously carried.

Ken Zwern

After a review of the information submitted by the applicant, Commissioner Kano moved to approve Mr. Zwern's request for an equivalency to one closed sale and two closed listing requirement for the broker's experience certificate. Commissioner Takeya seconded the motion. The motion was voted on and unanimously carried.

Joseph Macapinlac

After a review of the information presented by the applicant, Commissioner Kano moved to approve Mr. Macapinlac's request for an equivalency to one closed listing agreement for the broker's experience certificate. Commissioner Takeya seconded the motion. The motion was voted on and unanimously carried.

Elizabeth S. Humes

After a review of the information submitted by the applicant, Commissioner Kano moved to approve Ms. Humes' request for an equivalency to one closed listing agreement for the broker's experience certificate. Commissioner Takeya seconded the motion. The motion was voted on and unanimously carried.

Dennis J. Wiens

Chairman Yanagawa was excused from the meeting due to a conflict of interest. Vice-Chairman Takeya presided over the meeting.

After a review of the information presented by the applicant, Commissioner Kano moved to approve Mr. Wiens's request for an equivalency to three closed sales and three closed listings for the broker experience certificate. Commissioner Butuyan seconded the motion. The motion was voted on and unanimously carried.

Chairman Yanagawa returned to the meeting and resumed presiding over the meeting.

Jeanell A. Bowman

Commissioner Kuriyama was excused from the meeting due to a conflict of interest.

After a review of the information presented by the applicant, Commissioner Kano moved to approve Ms. Bowman's request for an equivalency to the ten transaction requirement for the broker's experience certificate. Commissioner Takeya seconded the motion. The motion was voted on and unanimously carried.

Commissioner Kuriyama returned to the meeting.

Jack D. Watkins

After a review of the information presented by the applicant, Commissioner Nishikawa moved to deny Mr. Watkins's request for an equivalency to the ten transaction requirement. Commissioner Takeya seconded the motion. The motion was voted on and unanimously carried.

Robin Chun-Carmichael

After a review of the information submitted by the applicant, Commissioner Kano moved to approve Robin Chun-Carmichael's application for a real estate salesperson's license. Commissioner Takeya seconded the motion. The motion was voted on and unanimously carried.

Neal Dauber

After a review of the information submitted by the applicant, Commissioner Kano moved to approve Neal Dauber's application for a real estate salesperson's license. Commissioner Takeya seconded the motion. The motion was voted on and unanimously carried.

Thomas Noda

After a review of the information submitted by the applicant, Commissioner Kano moved to approve Thomas Noda's application for a real estate salesperson's license. Commissioner Takeya seconded the motion. The motion was voted on and unanimously carried.

Joseph C. Biscoe

After a review of the information submitted by the applicant, Commissioner Kano moved to approve Joseph C. Biscoe's application for a real estate salesperson's license. Commissioner Takeya seconded the motion. The motion was voted on and unanimously

carried.

Philip Wilia

After a review of the information presented by the applicant, Commissioner Kano moved to approve Philip Wilia's application for a real estate broker's license. Commissioner Takeya seconded the motion. The motion was voted on and unanimously carried.

Cynthia J. Mayo

After a review of the information submitted by the applicant, Commissioner Kano moved to approve Cynthia J. Mayo's application for a real estate broker's license. Commissioner Takeya seconded the motion. The motion was voted on and unanimously carried.

Mary Gabrelcik

After a review of the information presented by the applicant, Commissioner Nishikawa moved to deny Mary Gabrelcik's application for a real estate salesperson's license as she failed to submit her completed application within 90 days of the examination date.

Carolyn M. Heitzman

After a review of the information presented by the applicant, Commissioner Kano moved to approve Ms. Heitzman's application for a real estate salesperson's license subject to receipt of verification of her California license. Commissioner Takeya seconded the motion. The motion was voted on and unanimously carried.

Walter N. Clark

After a review of the information presented by the applicant, Commissioner Kano moved to approve Mr. Clark's application for reinstatement of his suspended real estate broker's license. Commissioner Takeya seconded the motion. The motion was voted on and unanimously carried.

Ricardo Nabarette

Chairman Yanagawa was excused from the meeting due to a conflict of interest. Vice-Chairman Takeya presided over the meeting.

After a review of the information submitted by the applicant, Commissioner Nishikawa moved to deny Mr. Nabarette's request for reinstatement of his revoked real estate broker's license. Mr. Nabarette may apply for a real estate salesperson's license once he has met the preclicensing requirements for the real estate salesperson's license. Commissioner Dew seconded the motion. The motion was voted on and unanimously carried.

Chairman Yanagawa returned to the meeting and resumed presiding over the meeting.

Judith K. Hentz

After a review of the information submitted by the applicant, Commissioner Kano moved to approve Ms. Hentz's request for reconsideration of her real estate broker's application. Commissioner Takeya seconded the motion. The motion was voted on and unanimously carried.

SGBR, Inc. dba Sutton Group Banyan Realty

After a review of the information presented by the applicant, Commissioner Kano moved to approve the real estate corporation application of SGBR, Inc. dba Sutton Group Banyan Realty. Commissioner Takeya seconded the motion. The motion was voted on and unanimously carried.

Mark K. Kibbee

After a review of the information submitted by the applicant, Commissioner Kano moved to approve Mr. Kibbee's application for a real estate salesperson's license. Commissioner Takeya seconded the motion. The motion was voted on and unanimously carried.

Cozette Pierson

After a review of the information presented by the applicant, Commissioner Kano moved to approve Ms. Pierson's application for a real estate salesperson's license. Commissioner Takeya seconded the motion. The motion was voted on and unanimously carried.

Gallant Realty, Inc.

After a review of the information submitted by the applicant, Commissioner Nishikawa moved to approve the home occupation office of Gallant Realty, Inc., subject to the conditions imposed upon it by the City and County of Honolulu. Commissioner Takeya seconded the motion. The motion was voted on and unanimously carried.

Judy N. Howard

After a review of the information submitted by the applicant, Commissioner Kano moved to approve Ms. Howard's application for an educational waiver. Commissioner Takeya seconded the motion. The motion was voted on and unanimously carried.

Ray H. Metcalfe

Commissioner Nishikawa was excused from the meeting due to a conflict of interest.

After a review of the information submitted by the applicant, Commissioner Takeya moved to deny Mr. Metcalfe's request for an educational waiver. Commissioner Kano seconded the motion. The motion was voted on and unanimously carried.

Commissioner Nishikawa returned to the meeting.

Wesley H. Shoda

After a review of the information presented by the applicant, Commissioner Nishikawa moved to deny Mr. Shoda's application for a real estate salesperson's license as he failed to submit his completed application within 90 days of the examination date. Commissioner Takeya seconded the motion. The motion was voted on and unanimously carried.

Next Meeting: February 22, 1991, 9:00 a.m.
Kuhina Nui Room
HRH Princess Victoria Kamamalu Building
1010 Richards Street, Second Floor
Honolulu, Hawaii

Adjournment: With no further business to discuss, Chairman Yanagawa adjourned the meeting at 2:15 p.m.

Taken and recorded by:

Irene S. Kotaka, Secretary

Reviewed and approved by:

Calvin Kimura
Supervising Executive Secretary

Date