

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, September 25, 1992

Time: 9:00 a.m.

Place: Kuhina Nui Room
Princess Victoria Kamamalu Building
250 South King Street, Second Floor
Honolulu, Hawaii

Present: Marcus Nishikawa, Chairperson
Jerry Hirata, Hawaii Member
Alvin Imamura, Maui Member
Yoshiko Kano, Kauai Member
Stanley Kuriyama, Oahu Member (Late arrival)
Carol Mon Lee, Public Member

Christine Rutkowski, Executive Secretary
Russell Wong, Real Estate Specialist
Lynn Miller, Real Estate Specialist
Diane Erickson, Deputy Attorney General
Benedyne Stone, Condominium Specialist
R. Victoria Shiroma, Condominium Specialist
D. Keala Naluai, Secretary

Shari Wong, Special Deputy Attorney General
Sherrie Seki, RICO Attorney
Dennis Benson, Hawaii Association of Realtors
John D. Ramsey, Consultant
Don Hallstrom, Hallstrom Property Group
Scully Rogers, Scully Rogers Ltd.
Roy H. Fujimoto, Windward Community College

Excused: Theo Butuyan, Public Member
Barbara Dew, Oahu Member
Francine Duncan, Public Member

Call to Order: Chairperson Nishikawa called the meeting to order at 9:11 a.m., at which time quorum was established.

Adjudicatory Matters: Chairperson Nishikawa called for a recess from the Commission meeting at 9:12 a.m., to discuss and deliberate on the following adjudicatory matters, pursuant to Chapter 91, Hawaii Revised Statutes:

Betty J. Ho, Inc., dba ERA Magnum Properties, Joan E. Ah Chin Brandy, Byron J. Park, Karen Sue Tonkin-Oani, REC 91-105. Accept settlement agreement, REB staff to notify Byron J. Park and Karen Sue Tonkin-Oani that the Commission approved the following courses to be taken by Park and Tonkin-Oani and to be successfully completed no later than December 31, 1992: Risk Management II and Buyer Representation and that such courses shall not be used to satisfy the ten hours of continuing education requirement for the 1991-92 license biennium.

Following the Commission's review, deliberation, and decisions in these matters, pursuant to Chapter 91, Hawaii Revised Statutes, Chairperson Nishikawa announced that the Commission was reconvening to its scheduled Commission meeting at 9:31 a.m., pursuant to Chapter 92, Hawaii Revised Statutes.

Real Estate Recovery
Fund Report:

**Kazuko Yoshida v. Ronald Jay Nicholson, et al., U.S. District Court, Hawaii, Civil
No. 90-00422 ACK**

The pre-trial statement of the Real Estate Commission was distributed to the Commissioners for their information.

Licensing:

Restoration

Donald L. Hallstrom

Mr. Hallstrom was present to request that the Commission reconsider its previous decision.

Mr. Hallstrom stated that an exceptional circumstance led to the forfeiture of his real estate broker's license as of December 31, 1986. He is respectfully requesting the opportunity to personally appear before the Commission to appeal his case. He presented the following history to summarize his case:

1. Payment of dues for himself, the principal broker, and four salespersons licenses, for the period of January 1, 1987 to December 31, 1988, was made on January 7, 1987 in the amount of \$550. This included \$100 (\$90 plus \$10 late fee) for each of the four salespersons and \$150 (\$140 plus \$10 late fee) for his broker's license. Their bookkeeper mistakenly did not also send in a check for the company's brokers license. The Licensing Branch credited the four salespersons licenses and applied the renewal fees to the company license. They did not receive any notice of this action or their administrative error until the next biennial period when his license was shown as forfeited, as opposed to the company's license.
2. Application was immediately (December 12, 1988) made for restoration of the license, as instructed by the Licensing Branch, with the requested amount of \$150 and the appropriate form submitted.

3. A February 2, 1989 response from the Commission returned the check and notified him that he must successfully complete a Commission-approved real estate course by the end of July 1989, or pass the real estate broker's examination. Disheartened by what he perceived to be an unfair decision, and thinking such a decision might be due to his lack of adequately explaining the situation, he thought it best to appeal by requesting an appearance before the Commission.
4. Finally, realizing that it would be wiser to fulfill the education requirement rather than continue to feel improperly adjudicated and seek an appeal, on March 21, 1991, he wrote to the Commission to request an extension of the time to take a Commission-approved course. This was denied by letter, dated May 1, 1990, requiring him to complete the broker pre-licensing education, experience, and examination again.

He is now in a circumstance whereby he has been requested to start the broker pre-licensing all over, with the whole situation originally caused by a simple clerical error. He would like to emphasize that no unethical or illegal behavior has been involved. On the contrary, he is a principal in a well-respected real estate appraisal organization which has existed for over 12 years; he has been in real estate in Hawaii for nearly 19 years. Although he is not working as a broker since the forfeiture of his license, he has kept current in the real estate industry through his appraisal practice and related continuing education.

He was remiss in not fulfilling the original education requirement of the Commission in its February 2, 1989 letter, and although feeling that it is still unfair under the circumstances, he would again like to have the privilege if there is no better alternative.

From the beginning of the process, he has had difficulty understanding why he, as the principal broker, was not credited when that payment was made, and why notification of the obvious error was not given to them. If there had been notice, immediate payment would have been made and this entire affair could have been avoided.

He is prepared to provide full documentation supporting the information presented above.

Commissioner Hirata asked Mr. Hallstrom if he had his pocket card with him. Mr. Hallstrom stated that he runs an appraisal business and he does not use his real estate license for those activities. It was an oversight on his part that he did not have his current pocket card with him.

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

Committee Reports: **Education Review Committee**

Upon a motion by Commissioner Hirata, seconded by Commissioner Kano, it was voted on and unanimously carried to approve the recommendations of the September 15, 1992 Education Review Committee meeting, as follows:

1. Hawaii Real Estate Research and Education Center Report
 - a. Five-Year Education and Research Plan - Request that the Commissioners submit a list of recommended programs for the next five years before the next Education Review Committee Meeting.
 - b. Evaluation System for Schools, Instructors, Providers, and CE Courses - Distributed handout, finalizing after Educators' Forum.
 - c. Real Estate Summit I
 - d. Start-Up Kit for New Licensees
 - e. Broker Curriculum and Resources - Awaiting salesperson curriculum finalization
 - f. Salesperson Curriculum and Resources - Continuing to present and discuss with licensees, educators, etc.
 - g. Continuing Education 1993/94 Core Course - Presentation at November 1992 Meeting
 - h. Continuing Education 1993/94 Elective Courses - Arranging to purchase from providers.
 - i. Continuing Education 1991/92 Core Course
 - j. Examination - Curriculum Review and Item Writing - Working on report due to ASI on legislative amendments
 - k. On Real Estate Weekly Newspaper Column
 - l. Professional Responsibility Course
 - m. Real Estate Hotline
 - n. Principal Broker and Broker-in-Charge Brochure
 - o. Four Brochures
 - p. Advertising Brochure
 - q. Instructor's Development Workshop - Arranging for December 4, 1992 and May 1993
 - r. Information Distribution System
 - s. Mandatory Continuing Education Report - November 1992 Meeting
2. Continuing Education Administration, Curriculum, Courses, Providers, and Instructors
 - a. Deny Michael R. Kwak's request for CE equivalency as the subject course was not taught by a certified CE instructor and CE provider. That it should be mentioned that other universities and colleges have been certified and Chaminade has been encouraged previously, that Mr. Kwak's situation be considered at the next rule making for CE, etc.
 - b. Approve for CE course name change by Duplanty School from "Mondo Condo: Chapter 514A" to "Condominium Laws and Issues".

Laws and Rules Review Committee

Upon a motion by Commissioner Kano, seconded by Commissioner Lee, it was voted on and unanimously carried to accept the report of the September 15, 1992 Laws and Rules Review Committee, as follows:

1. Hawaii Real Estate Research and Education Center Report
 - a. Mandatory Seller Disclosure Study - Material has been collected.
 - b. HREREC Laws and Rules Manual, Reference Manual
2. Special Issues
 - a. Staff to respond to Ross A. Wiegand appropriately.
 - b. Staff to respond to Signa Stampe-McCormack appropriately.

Condominium and Cooperative Review Committee

Upon a motion by Commissioner Lee, seconded by Commissioner Kano, it was voted on and unanimously carried to accept the report of the September 16, 1992 Condominium and Cooperative Review Committee Meeting, as follows:

1. Hawaii Real Estate Research and Education Center Report - Distributed Status Report
 - a. Condominium Association Budget and Reserves
 - (1) Manual - Focus group reviewing final draft; printing costs may be less and may be able to cover distribution costs of manuals not picked up at the workshops by registered AOAOs and CMAs, as well as get CMAs to pick up manuals. Printing about 2,000 copies; 1,300 distributed. Looking at providing, at the minimum, 200 manuals for AOAOs and CMAs, with the balance to be offered for sale. Alicia to work directly with Commissioner Kuriyama before finalizing the price of the manual. Cynthia to work directly with Commissioner Kuriyama on comments, next draft, and finalization of manual, as a number of initial concerns are cited.
 - (2) Rulemaking - Condominium Specialist Okumura working with Consultant Morris in finalizing and initiating State rulemaking process. Final draft under review by focus group.
 - (3) Workshops - All set with pilot seminar, invitation only, September 26, 1992.
 - b. Five Year Education and Research Plan - Completed, format to be approved by Commissioner Kuriyama.
 - c. Hawaii Condominium Bulletin
 - (1) Summer 1992 Issue - At the printers, distribution to include a copy of §514A and Budget and Reserves Seminar forms.
 - (2) Fall 1992 Issue - Suggested article on special concerns of AOAOs after disaster.
 - d. Board of Director's Manual
 - e. "Condo Living" Newspaper Column
 - f. Condominium Seminars - Nothing to report on CAI seminar request.
 - g. Federal Leasehold Study
3. Program of Work

- a. Condominium Mediation Program - Still awaiting Governor's approval of Maui Mediation Services Contract.
 - b. Condominium Association Registration - About 35 are not registered, will try to register or will refer to RICO.
 - c. Project Registration and Public Reports - October 12, 1992 Condominium Consultant Meeting
 - d. Interactive Participation with Organizations - Commissioner Lee to attend and participate in the CAI National Conference, due to a request to act as a speaker, on November 12 to 14, 1992, travel expenses to be paid from CMEF.
4. Project Registration, Public Reports, and Sales to Owner-Occupants
- a. Request on Act 50 - Defer for discussion
 - b. Condominium Consultants Meeting, October 12, 1992 - Approve payment of travel expenses of Consultant Lloyd Sodemani to attend and participate at this meeting, expenses to be paid by CMEF.
5. Condominium Governance and Management
Request for Fidelity Bond Exemption - AOA Liliha Medical Building - Defer for discussion.

Upon a motion by Commissioner Lee, seconded by Commissioner Imamura, it was voted on and unanimously carried to approve the following:

Request on Act 50 - Kenneth Sugita

Permit a non-owner-occupant on title with the owner-occupant, if the developer has satisfactory proof that the mortgage lender is requiring non-owner-occupant on title, the non-owner-occupant to comply with and be subject to Chapter 514A, Hawaii Revised Statutes (HRS) and its rules, the non-owner-occupant may only offer and convey interest in the owner-occupant unit to the owner-occupant on title during the first year of ownership.

Commissioner Kuriyama arrived.

Request Fidelity Bond Exemption - AOA Liliha Medical Building

Condominium Specialist Stone reported that the Commission set the conditions in which exemptions to the fidelity bond requirement could be granted. She requested that the Commission grant staff the authority to approve the exemption request subject to meeting certain conditions so that this issue does not have to continuously come up for consideration before the Commission.

Ms. Stone stated that the main reason for the request is that they have a large budget in comparison to the number of units that they have and therefore, they do not qualify for the exemptions. If the association's budget were smaller, they would qualify for an exemption. There are eight criteria that the Commission established in order to determine if an association qualifies for a bond exemption. It is only necessary that the association qualify for three out of the eight criteria. AOA Liliha Medical Building qualifies for 3-1/2 as they are managed by a managing agent who is not registered, but who is expected to register shortly; the board reviews the account statements from their

condominium managing agent on a monthly basis; they conduct annual audits; and all of their units are for commercial use. Once their managing agent is registered, they will have met four of the eight controls that the Commission looks for.

Upon a motion by Commissioner Kuriyama, seconded by Commissioner Lee, it was voted on and unanimously carried to approve exemption request, subject to the association providing one of two of the following: 1) a board resolution authorizing request of the bond exemption and a requirement of two signatures on checks written for amounts greater than \$2,500.00; or 2) a board resolution signed by all the owners acknowledging the request for the bond exemption.

Chairperson's Report: The Chairperson asked Mr. Benson if he had anything that he would like to say to
Report: the Commission.

Mr. Benson thanked the Commission for their participation in the Hawaii Association of Realtors Convention.

Mr. Benson also reported that the Hawaii Association of Realtors has established a Kokua Iniki Relief Fund, which would be accepting donations for those affected by the hurricane on Kauai and Oahu. He stated that as of yesterday afternoon, the donations totaled \$33,675. Moneys contributed would be donated to the organizations providing housing assistance in the affected areas.

Mr. Benson also stated that Florida and Louisiana had made provisions whereby the licensees affected by Hurricane Andrew were granted an extension to complete the required continuing education courses and suggested that Hawaii might consider doing the same. He also stated that the Kauai Board of Realtors will be meeting and asked that they be contacted if there is any further information to be passed on.

Chairperson Nishikawa reported that the Commission has received offers to provide assistance to the licensees affected by Hurricane Iniki on the island of Kauai. Offers for assistance have ranged from offering to provide continuing education courses free of charge or requesting a six month extension to complete the courses. The Commission is examining what types of assistance can be provided to the licensees affected by the hurricane. The Commission is in the process of meeting with administration to determine what type of assistance, if any, can be provided to those affected.

Commissioner Kano thanked the Commission for its concern and willingness to offer assistance to those affected by the hurricane.

Executive Secretary's Report: The October Education Review Committee Meeting and the Real Estate Commission Meeting has been rescheduled to October 29 and 30, 1992, respectively.

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

8. Licensing - Restoration of Forfeited Licenses
Under Two Years - Broker
01/01/91 - Antonio E. Garcia
9. Licensing - Questionable Applications
Blue Water Development, Inc.
Chris D. Tamanaha
Allan M. Beall
Kenneth R. Fridley

Additional The minutes of the March 19, July 24, and August 28, 1992 Real Estate Commission Distribution: were distributed.

Licensing: **Questionable Applications**

Marion R. Rogers

Mr. Rogers was present to request the reinstatement of his real estate broker's license.

Mr. Rogers read the following prepared statement:

"For over five years, I have been living with this nightmare case that cost me my real estate license, a heavy fine, the total dissemination and financial destruction of my firm, and most humiliating, name and reputation. All of which happened over a simple "sellers remorse case". All of which started when another unethical Realtor knocked on the door of my clients interfering with our already accepted offer.

The trauma...the time...the fractured days and sleepless nights....The endless testimony, hearings, depositions...and the financial costs of attorneys cannot be measured.

Thru it all I have tried to assure my family that ruth would prevail and eventually we would be vindicated. Thru the years it only got worse. I felt the other broker that interfered should have been the one on trial but I refused to file a complaint feeling that she was having enough problems with a struggling business and her physical problem.

To those of you who did not sign my suspension order I sincerely appreciate your faith in my integrity. To those of you who did I realize that with the material you had before you that the State attorney claimed to be "facts" I cannot fault you. We did appeal the decision (which incidentally came after our sellers had dropped their charges against us). We later called off our appeal when we couldn't even get a hearing or court date for 6 months.

The damage had already been done. My agents found it "necessary" to transfer to other real estate companies. Most of our sellers upon hearing of our suspension (usually from other Realtors) withdrew their listings. Even 6 months after my suspension on KGMB television on their 6 o'clock evening news reported that Randy and Scully Rogers of Scully Rogers, Ltd. had lost their licenses for dealing with "fraudulent contracts" (They were reporting on a golf course transaction which we had no part of).

The damage is still ongoing....Trying to hire new agents, trying to obtain listings and even the direct workings with the industry. Individuals and firms we had dealt with for years is now tarnished and we are treated with suspicion. The respect of past years is gone. Slowly the wound is healing but the scar will always remain. So why did it all happen? Obviously we did wrong...or at least it may have appeared that way.

1. If we had fax machines back in June of 1987 we would surely have copied our sellers, who were at that time traveling in Europe, with copies of the DROA and counter offer and final acceptance with opening escrow instructions.

2. We were lax in accepting their telephone instructions that "they would sign in escrow." There were lax in not sending their promised telex of acceptance for 7 days after promised. This became an issue in the hearings as the afore mentioned broker brought us in an offer only 2 days after our buyers acceptance. We told her that she could consider her offer as a back up but that we already had an accepted offer for all cash.

3. True the timing could possibly look suspect for us. The property had been on the market for 582 days with 3 different brokerages. There had never been one offer..Now we suddenly had two offers within 1 week of each other. I felt we had been honest to both buyers.

4. Upon the return of our sellers, who returned early from their vacation to start packing and preparing for the close of escrow, we were told that one of our joint tenancy owners refused to sell and that if we had any questions about the matter we were to deal directly with their attorney.

5. We had spent so much time and money in advertising and trying to sell that we simply told them to take their business to another broker that we were washing out hands of their eccentric outbursts. We further informed them that they could deal with the buyer, Ms. Emiko Berger and make settlement with her if she decided not to drop her offer and sue for specific performance. Ms. Berger did sue for the sale to go thru and was awarded judgment. The Judge called our clients case a "very frivolous case".

6. This didn't end our problems however. Between the attorneys and the Hearings Officer the problem continued. As I re-read the voluminous files I admit that I surely could have handled myself better. That I should never have lost my cool under the heat of depositions. And that I should have realized that the process had to hear out these "two gentlemen" rather than to protect me even though we had over 20 years of respected and untarnished brokerage in Hawaii.

I do realize the Real Estate Commission is so necessary to control and police our industry. I guarantee you that our company now watches every statement and document much more carefully. Hopefully my two sons that are now in charge of Scully Rogers Ltd. will learn from their fathers suspension.

This past year I traveled some...Written a book...Read many many books....Given more service to my community and church...And I have even lowered my golf handicap. But I have grieved with a pain that won't go away...One deeper than any hurt I have ever had. The fact that I can't explain to my family, friends, clients or piers that I didn't think myself guilty of some major crime or fraud.

Anyway, it is over...water under the bridge...life goes on. All I can say is that I am sorry for any wrong doing in this most unpleasant chapter of my real estate life. I sincerely ask your forgiveness and ask for reinstatement."

Committee Reports:

Education Review Committee

Continuing Education Administration, Curriculum, Courses, School and Instructors
Windward Community College - Roy H. Fujimoto

Real Estate Specialist Miller provided the Commission with a brief summary of the events that led up to Mr. Fujimoto's request. She stated that Windward Community College was registered as a Continuing Education Provider for the 1989-90 biennium, but they did not renew their registration for the 1991-1992 biennium. Windward Community College submitted their application for registration as a CE provider in May 1992. On August 24, 1992, the disclosure statement was accepted by the Commission and the certificate of registration was issued to Windward Community College at the end of August.

Mr. Fujimoto, Director of Community Services at Windward Community College was present to request that the Commission approve nine real estate continuing education courses which were offered by Windward Community College.

Mr. Fujimoto apologized for the error. They had believed that everything had been taken care of. They have now all fulfilled all of the requirements and are requesting that the Commission approve the courses.

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

Licensing:

Ratification

Real Estate Brokers:

Diana Yuri Bretz
Gregory A. Strickland dba Garden Island Properties
Cynthia A. Krog

Johannette Rowley
Sandra T. Ohara
Windward Isle Properties, Inc.
Allan Howard Gifford
Honolulu Homes Realty, Inc.
John K. Ikeda, Jr.
Cornelius J. Carmody dba Neil Carmody, Realtor
Nicolas Sofos dba Asset Management
John H. Yanagihara
Phillip G. Kuchler
Elaine F. Iwamasa dba All Realty Company
American Homes, Inc.

Branch Office:

Chaney, Brooks & Company (Lihue, Kauai)

Trade Name:

Ron Nakatsu Realty, Inc. dba Century 21 Ron Nakatsu Realty
Rosemary D. Kane dba Sugar Kane Realty
Mary Jo Matheson dba Windward Realty
Sanford K. Okura dba Hawaii's Best Realty

Site Office:

Carol Ball Inc. dba Carol Ball & Associates, Realtors - Keonekai Villages
Nikken Corporation - The Bay Club at Waikoloa Beach Resort
Worrall McCarter Maui, Inc. - Maui Kamaole
Real Estate Systems, Inc. - One Kalakaua
McCormack Real Estate, Inc. dba Coldwell Banker McCormack Real Estate - Fairway
Terrace in Waikoloa

Condominium Managing Agents:

Royal Management, Inc.
Paradise Realty & Services, Inc.
CJ Real Estate International

Condominium Project Registration - Public Reports Issued for August 1992:

The Islands at Mauna Lani, Hawaii (Final)
51-055C & D Olohu Road, Honolulu (Final)
71 Miner Place, Maui (Supplementary)
727 Hauoli Street, Honolulu (Final)
Williams Condominium, Hawaii (Final)
Hualalai Hale, Hawaii (Final)
Poipu Townhomes/Oceanside, Kauai (Final)
Ho'okumu at Waikele, Honolulu (Final)
Morioka's Place, Kauai (Final)
The La'i I Kawainui, Honolulu (Final)
726 16th Avenue, Honolulu (Supplementary)

Honu Kai Villas, Kauai (Final)
Hanalei Acres, Kauai (Final)
Pu'u Awa, Kauai (Final)
600 & 604 Punaa Street, Honolulu (Final)
The Ridge at Launani Valley, Honolulu (Preliminary)
Pacific Heights Garden Lanais, Honolulu (Supplementary)
Lot 6 of Kalani Makai Unit I, Hawaii (Supplementary)
West Loch Fairway Townhomes, Honolulu (Preliminary)
55-497 Kamehameha Highway, Honolulu (Final)
1747 Lanakila Avenue, Honolulu (Final)

Executive Session:

Upon a motion by Commissioner Lee, seconded by Commissioner Hirata, it was voted on and unanimously carried to enter into executive session, at 10:48 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 Lee, seconded by Commissioner Kano, it was voted on and unanimously carried to move out of executive session at 11:43 a.m.

Committee Reports:

Education Review Committee

Upon a motion by Commissioner Hirata, seconded by Commissioner Lee, it was voted on and unanimously carried to approve the following:

Windward Community College Renewal - Approve the continuing education provider renewal, effective the date the application was accepted, due to the technical nature of the noted deficiencies.

Educator's Forum - Approve travel request for Commissioners Hirata and Imamura to attend the Educator's Forum, scheduled for October 28, 1992.

Expro Contract - Staff to proceed with processing the contract.

Licensing:

Restoration of Forfeited Licenses

Michael L. Michaud

After a review of the information submitted by the applicant, Commissioner Kuriyama moved to approve Mr. Michaud's request for reconsideration and to approve his request for an extension to take the exam through the end of November, 1992, with no further extensions or requests for reconsideration to be accepted. Commissioner Hirata seconded the motion. The motion was voted on and unanimously carried.

Soonie M. D. Park

After a review of the information submitted by the applicant, Commissioner Kano moved to approve Ms. Park's request for reconsideration and to approve her request for an extension to pay the restoration fees through the end of October, 1992, based on financial hardship, with no further requests for extensions or requests for reconsideration to be accepted. Commissioner Lee seconded the motion. The motion was voted on and unanimously carried.

Donald L. Hallstrom

After a review of the information presented by the applicant, Commissioner Hirata moved to deny Mr. Hallstrom's request for reconsideration, but approves the restoration, subject to successful passing of the real estate broker's license examination by the end of March, 1993 and submission of the continuing education certificates for the 1991-1992 license biennium period; within 30 days of the date of the exam that he passes, he shall submit proof of passing, the fees, including late and delinquent fees, and continuing education certificates; no further requests for extensions or reconsideration will be accepted. Commissioner Lee seconded the motion. The motion was voted on and unanimously carried.

Il J. Jong

Salesperson

Joanne L. Anderson

Broker

Antonio E. Garcia

Broker

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

Questionable Applications

Linda Kay Okamoto

After a review of the information submitted by the applicant, Commissioner Kuriyama moved to approve Ms. Okamoto's request for reconsideration and to approve her broker's experience certificate. Commissioner Lee seconded the motion. The motion was voted

on and unanimously carried.

M. E. Johnson

Upon a motion by Commissioner Lee, seconded by Commissioner Hirata, it was voted on and unanimously carried to defer decision making on this matter, subject to the Attorney General's review of the Attorney General Opinion No. 61-26 (1961), as referred to by the applicant's attorney and for further information.

M. W. Commercial Realty, Inc.

After a review of the information submitted by the applicant, Commissioner Imamura moved to deny the corporation application of M. W. Commercial Realty, Inc. Commissioner Kano seconded the motion. The motion was voted on and unanimously carried.

Ironwood Resorts, Inc.

After a review of the information submitted by the applicant, Commissioner Kuriyama moved to approve Ironwood Resorts, Inc.'s request to change the name of the corporation to Heritage Properties, Inc. Commissioner Imamura seconded the motion. The motion was voted on and unanimously carried.

Jeffrey W. Lackey

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

Lynda R. Warner

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

Takeshi Yoshida

Upon a motion by Commissioner Lee, seconded by Commissioner Hirata, it was voted on and unanimously carried to defer decision making on this application and to request additional information.

MKS Executive Partners

After a review of the information submitted by the applicant, Commissioner Kuriyama moved to approve MKS Executive Partners's application for a Condominium Hotel Operators registration. Commissioner Hirata seconded the motion.

The motion was voted on and unanimously carried.

Marion R. Rogers

After a review of the information presented by Mr. Rogers, Commissioner Hirata moved to approve immediate reinstatement of Mr. Rogers's real estate broker's license. Commissioner Kano seconded the motion. The motion was voted on and unanimously carried.

Blue Water Development, Inc.

After a review of the information submitted by the applicant, Commissioner Hirata moved to approve the Condominium Hotel Operator registration of Blue Water Development, Inc. Commissioner Lee seconded the motion. The motion was voted on and unanimously carried.

Chris D. Tamanaha

After a review of the information submitted by the applicant, Commissioner Imamura moved to deny Ms. Tamanaha's request to back date the licensing records, deny request for an equivalency to eight real estate transactions of which three are listing contracts closed escrow and one is a sales contract closed escrow. Commissioner Kano seconded the motion. The motion was voted on and unanimously carried.

Allan M. Beall

After a review of the information submitted by the applicant, Commissioner Hirata moved to approve Mr. Beall's application for a broker's experience certificate. Commissioner Kano seconded the motion. The motion was voted on and unanimously carried.

Kenneth R. Fridley

After a review of the information submitted by the applicant, Commissioner Kuriyama moved to approve Mr. Fridley's application for a broker's experience certificate. Commissioner Lee seconded the motion. The motion was voted on and unanimously carried.

Approval of Minutes:

Upon a motion by Commissioner Kano, seconded by Commissioner Hirata, it was voted on and unanimously carried to approve the minutes of the March 19, 1992, July 24, 1992, and August 28, 1992 meetings as circulated.

Next Meeting: Friday, October 30, 1992
9:00 a.m.
Penthouse Conference Room
HRH Princess Victoria Kamamalu Building
250 South King Street
Honolulu, Hawaii 96813

Adjournment: With no further business to discuss, Chairperson Nishikawa adjourned the meeting at 11:55 a.m.

Reviewed and approved by:

Calvin Kimura
Supervising Executive Secretary

Date