

**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, February 26, 1993

Time: 9:00 a.m.

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

Present: Barbara Dew, Vice Chairperson, Oahu Member  
Francine Duncan, Public Member  
Jerry Hirata, Hawaii Member  
Alvin Imamura, Maui Member  
Yoshiko Kano, Kauai Member  
Stanley Kuriyama, Oahu Member  
Carol Mon Lee, Public Member (Late arrival)

Calvin Kimura, Supervising Executive Secretary  
Jan Taschner, Real Estate Specialist  
Russell Wong, Real Estate Specialist  
Lynn Miller, Real Estate Specialist  
Benedyne Stone, Condominium Specialist  
Diane Erickson, Deputy Attorney General  
Irene Kotaka, Secretary

Rodney Maile, Senior Hearings Officer  
Dennis Benson, Hawaii Association of Realtors  
Robert H. Middleton, Applicant  
Sharman A. Noguchi, Applicant  
Bert G. Aguinaldo, Applicant  
Aimalefoa N. Nepo, Applicant

Excused: Marcus Nishikawa, Chairperson, Oahu Member  
Theo Butuyan, Public Member

Call to Order: Vice-Chairperson Dew called the meeting to order at 9:09 a.m., at which time quorum was established.

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

8. Licensing - Restoration of Forfeited Licenses  
Over two years - Salespersons  
Orville W. Case, Jr.  
Flora G. Lamontagne
9. Licensing - Questionable Applications  
Ranita R. Le Grande  
Referrals International, Inc.  
York & Co., Inc.  
Robert H. Middleton

Additional  
Distribution:

The following additional materials were distributed to the Commissioners for their review:

3. Executive Secretary's Report
  - a. Announcements, Introductions, Correspondence, and Additional Distribution - Commissioner's Schedule of Availability, March to June 1993
6. Committee Reports
  - c. Education Review Committee Report
8. Licensing - Restoration of Forfeited Licenses  
Angelo R. Sarmiento
9. Licensing - Questionable Applications  
Daniel T. Sayles  
Stuart A. Westerman  
Dennis P. Shannon

Chairperson's Report: No report was presented.

Commissioner Lee arrived.

Committee Reports: **Laws and Rules Review Committee**

Upon a motion by Commissioner Kano, seconded by Commissioner Lee, it was voted on and unanimously carried to approve the report and recommendations of the February 10, 1993 Laws and Rules Review Committee meeting, as follows:

1. Executive Secretary's Report
  - a. Request that Commissioners review their 1993 calendar and complete the "Calendar of Availability/Non-Availability" to staff as soon as possible and staff to complete a master calendar and reschedule meetings, if necessary.
  - b. Acceptance of minutes of the January 6, 1993 meeting.
  - c. Supervising Executive Secretary to transmit information on federal laws on gifts, rebates, and kickbacks to Deputy Attorney General for review, in light of previous opinion.

2. Hawaii Real Estate Research and Education Center Report - Mandatory Seller Disclosure Study - working with staff on amendments to bill.
3. Program of Work
  - a. Licensing Renewal - Defer
  - b. Mandatory Continuing Education Legislation - Bills introduced, both Administration and by requests. Senate has not indicated any change in position from last year which was to hold the bill.
  - c. Meetings and Biennial Symposium - Chair to work with staff and other committee chairs on the planning for the biennial symposium in May/June 1993.
  - d. 1993 Legislative Report - Distributed, plus pertinent bills and testimonies. Of great concern is Senate Bill No. 1187 (legislative oversight over REEF and RERF funds) and CE bills (Senate Bill Nos. 966 and 1661; House Bill Nos. 1027 and 1731).
  - e. Mandatory Errors and Omissions Insurance - Attorney General opinion is not public unless the Legislature so designates, bills introduced.
  - f. Rule Making, Chapter 53, Fees - This matter (includes CE amendments) is on hold by PVL due to resource allocation to priority legislative matters. The identical amendments to Chapter 99 is also on hold due to the Supervising Executive Secretary's priority to legislative matters.
4. Special Issues - Unlicensed Personal Assistants - Defer to next meeting after review by Deputy Attorney General.

#### NARELLO Report

Upon a motion by Commissioner Kano, seconded by Commissioner Lee, it was voted on and unanimously carried to amend the Laws and Rules Review Committee Report, Item 5, as follows:

5. NARELLO Report - Approve the Supervising Executive Secretary's and Commissioners Kano and Dew's attendance and participation in the NARELLO Western District Meeting, in May 1993, with funding by the Real Estate Education Fund.

#### **Condominium and Cooperative Review Committee**

Upon a motion by Commissioner Lee, seconded by Commissioner Kano, it was voted on and unanimously carried to approve the report and recommendations of the February 10, 1993 Condominium and Cooperative Review Committee Meeting, as follows:

1. Acceptance of Minutes of the January 6, 1993 meeting.
2. Hawaii Real Estate Research and Education Center Report - Distributed Status Report
  - a. Condominium Association Budget and Reserves
    - (1) Manual - notice in Condominium Bulletin for AOAOs to

- make arrangements to pick up manuals.
    - (2) Rulemaking - Within formal approval process.
    - (3) Workshops - Kauai workshop on hold per discussions with Kauai Commissioner, KCC, and condominium community. Recommended to discuss with Kauai Legislators.
  - b. Five-Year Budget and Education Research Plan - Presented information on budget concerns by the Chairperson and awaiting any other concerns.
  - d. Board of Director's Manual - Presented the initial draft of the board of director's duties/function (liability) chapter outline.
  - e. "Condo Living" Newspaper Column
  - f. Condominium Seminars - CAI to submit written proposal. Presented Draft 3 of the guidelines on sponsoring or producing seminars.
  - g. Federal Leasehold Study - Finalizing agreement.
- 3. Program of Work
  - a. Rulemaking, Chapter 107, HAR - Awaiting comments on Drafts 3A and 3B.
  - b. Condominium Mediation Program - Approve continuing and not terminating the agreement with the Neighborhood Justice Center and renew the contract with Mediation Services of Maui. The Condominium Specialist shall provide written notices to the Neighborhood Justice Center and Mediation Services of Maui.
  - c. Condominium Reference Library - The State Library System may not locate all condominium reference materials at one location in the library, will not bind or group all materials together, and may not provide multiple copies to all locations. Makiki Library is to be included in the program.
  - d. 1993 Legislative Report - Presented the report with discussion. The Commission needs assistance on House Bill No. 1570, specifically holding the sections which involves the transferring of the Condominium Management Education Fund to the General Fund.
  - e. Condominium Association Registration - Reregistration is moving along, approximately 540 complete.
  - f. Condominium Managing Agent Registration - Reregistration of approximately 80. Request expediting application processing and notice of deficiencies, including timely referrals to RICO.
  - g. Out-of-State Condominium Projects - Contract is in the formal approval process and awaiting Governor's approval.
  - h. Report to the 1993 Legislature - Distributed
  - i. Meetings and Biennial Symposium - Chairperson will need to start planning for the biennial symposium to be held in May or June 1993.
- 4. Project Registration, Public Reports, and Sales to Owner-Occupants
  - a. Bureau of Conveyances - Defer to next meeting.
  - b. Public Reports, Auctions - Defer to next meeting.
- 5. Condominium Governance and Management
  - Jim C. Turner, CMA Application for Fidelity Bond Exemption - Approve exemptions subject to RICO review by staff.

6. CAI Report - Commissioner Lee to attend and participate in the CAI Annual Meeting on May 1993, with funding from the Condominium Management Education Fund.

Upon a motion by Commissioner Lee, seconded by Commissioner Hirata, it was voted on and unanimously carried to amend Item 2c of the Condominium and Cooperative Review Committee Meeting Report of February 10, 1993 as follows:

2. Hawaii Real Estate Research and Education Center Report
  - c. Hawaii Condominium Bulletin - Fall/Winter issue is being printed, will finalize internal policies

#### **Education Review Committee**

Upon a motion by Commissioner Hirata, seconded by Commissioner Duncan, it was voted on and unanimously carried to approve the Education Review Committee's Report and recommendations of the February 10, 1993 meeting, as follows:

1. Budget and Finance Committee Report - Accept the November 30 and December 31, 1992 Real Estate Education Fund Financial Statements.
2. Hawaii Real Estate Research and Education Center
  - a. Advisory Council - Approve Mark Richards as an Advisory Council member from the County of Hawaii, subject to the Dean of the College of Business Administration's concurrence.
  - b. Five-Year Education and Research Plan - Distributed last draft. Accept and defer decision making and discussion to the next Education Review Committee meeting.
  - c. Evaluation System for Schools, Providers, Instructors, and CE Courses
  - d. Examination - ASI Laws and Rules Report, Curriculum Review, and Item Writing - Tentative item writing session in March 1993
  - e. Neighbor Island Outreach - Maui Manual, Maui Community College
  - f. Continuing Education 1993-94 Core Course - Distributed draft. Accept and defer decision making to the Laws and Rules Review Committee Meeting.
  - g. Continuing Education 1993-94 Three Elective Courses
  - h. Salesperson Curriculum and Resources - The new salesperson prelicensing education curriculum is in effect and is broader than the old curriculum. The next item writing session will incorporate adjustments to the curriculum which have been approved by the Commission for inclusion into the exam content outline. Instructors are not teaching students to only pass exams but are mandated to teach the entire curriculum."
3. Continuing Education Administration, Curriculum, Courses, Providers and Instructors
  - a. Applications
    - (1) Jay John Spadinger - Approve continuing education instructor recertification for course category of "Finance." Defer action

- on certification for "Contracts", subject to further documentation of command knowledge of the subject area.
    - (2) A. Joel Criz - Approve continuing education instructor recertification for the elective courses "GRI 501 - The Analysis of Investment Real Estate" and "Tax Deferred Exchanges."
    - (3) R. Donald Brough - Approve continuing education instructor recertification for the course categories of "Financing" and "Property Management."
  - b. CE Providers Roundtable - March 3, 1993, discussion of continuing education course administration.
- 4. Prelicensing Education Administration, Curriculum, Schools, and Instructors
  - a. Lauren B. Koch - Defer action, subject to submission of further documentation as requested regarding instructor application.
  - b. Pence School of Real Estate - Approve holding joint salesperson/broker classes, subject to: (1) broker and salesperson candidates complete the required prerequisite instructional hours; (2) each curriculum be complete and instructed according to the certified curriculum previously approved and on file with the Commission; (3) approval is conditional for a period of one year and shall expire on December 31, 1993; and (4) joint sessions may be monitored by the Commission without prior notice.
  - c. Request for Extension of School Completion Certificate - Deny, as the laws and rules does not provide for any type of extension under any circumstances, for the following individuals:
    - (1) Dora Yamamoto
    - (2) Cicely Ann Crocker-George
    - (3) Nancy A. Durham
- 5. Program of Work and Budget, FY93
  - a. Annual Report and Bulletin - Annual report is now being worked on.
  - b. Meetings and Biennial Symposium - The planning for the biennial symposium has started with the first meeting today with the Chairpersons of the Committees; possible scheduling for May 1993, with the following as possible guest speakers: the Chairpersons of the Senate and House Consumer Protection and Commerce Committees and the new Director of the Department of Commerce and Consumer Affairs.

6. Prelicensing Examination
  - a. EXPRO - Honolulu start date is March 17, 1993 at a Kakaako (Queen Street) site, with the neighbor islands from March 27, with all sites providing EXPRO.
  - b. Administration - Presented an administration problem which would be eliminated through EXPRO.

Upon a motion by Commissioner Hirata, seconded by Commissioner Duncan, it was voted on and unanimously carried to amend Item 5c of the Education Review Committee Report and recommendations of the February 10, 1993 meeting as follows:

5. Program of Work and Budget, FY93
  - c. Instructor's Development Workshop - Commissioner Hirata to work with staff to develop the guidelines to be used as a framework for evaluating IDW proposals and report back at the next Education Review Committee Meeting.

Adjudicatory Matters:

Vice-Chairperson Dew called for a recess from the Commission meeting at 9:25 a.m., to discuss and deliberate on the following adjudicatory matters, pursuant to Chapter 91, Hawaii Revised Statutes.

- a. Robert H. Middleton dba Century 21 Aloha Kauai; REC90-215 and 91-138 - Defer
- b. Marvis J. Smith and Irene L. Frাগiao; REC 91-82, 91-136, 91-173, 91-218, and 91-263 - Approve the Hearings Officer's Findings of Fact, Conclusions of Law and Recommended Order.
- c. William I. Wilson IV; REC 90-168; et al.; Settlement Agreement; Two real estate course requirement - Approve successful completion of real estate broker's prelicensing course and one CE elective course, which shall not be utilized for mandatory CE credits for the renewal of 1995/96, subject to the terms of the Settlement Agreement.

Following the Commission's review, deliberation and decisions in these matters, pursuant to Chapter 91, Hawaii Revised Statutes, Vice-Chairperson Dew announced that the Commission was reconvening its scheduled Commission meeting at 10:05 a.m., pursuant to Chapter 92, Hawaii Revised Statutes.

Licensing:

**Restoration of Forfeited License**

Bert G. Aguinaldo

Mr. Aguinaldo was present to request reconsideration and to appeal the previous decision. He stated that he was licensed since 1988. Mr. Aguinaldo stated that §467-11 and §16-99-8 states that an "applicant may be required to complete an approved course."

He stated that the Commission had the authority to waive the course requirement. Mr. Aguinaldo stated that before his license was forfeited, his real estate salesperson's license was in good standing. He completed six continuing education courses and the original certificates were submitted to the Commission. He is confident that with the completion of the courses that it is an indication that he could be a capable real estate licensee in a manner expected of a licensee. Mr. Aguinaldo also stated that his license was only forfeited in 1991 and he has demonstrated his competency in the courses and therefore requests that his license be restored to him.

Commissioner Kuriyama asked Mr. Aguinaldo if there were any reasons why he could not take the Real Estate Essentials course or the salesperson's preclicensing course.

Mr. Aguinaldo stated that he thinks that it is an optional requirement and that by taking extra CE courses his license should be restored. Mr. Aguinaldo stated that he is working full-time and has a part-time job at night and on weekends. He stated that time was the reason why he could not complete the courses. He stated that he is a business manager for a radio station full-time and then prepares taxes part-time.

The Supervising Executive Secretary informed Mr. Aguinaldo that the Commission could consider his request for reconsideration, but that his request for appeal would have to be handled through the Office of Administrative Hearings. Mr. Aguinaldo stated that he requests a reconsideration of the Commission's previous decision.

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

### **Questionable Applications**

Pacific Investors Property Management, Inc.

Mr. Sam Monet was present on behalf of Pacific Investors Property Management, Inc. Mr. Monet stated that he is the Vice-President of Pacific Investors Realty Service, Inc., which is located in the Airport Financial Center. They are requesting that their corporation license be renewed. The conditional zoning form limits their activities to the properties which are managed by the company. Mr. Monet stated that the City and County of Honolulu has given them conditional approval to lease, sell, or purchase properties for their own account in which they have an interest in. Mr. Monet stated that they would not be operating a regular real estate brokerage, but would be only handling their own properties.

The Supervising Executive Secretary asked Mr. Monet if they would be willing to sign a form, similar to what the City and County of Honolulu says that they have to provide notification if there are any changes to the zoning.

Mr. Monet stated that he would be willing to do so. He also stated that they have plans to relocate their office, should the building be sold. At that time, they will be moving to

an office in Kapiolani.

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

Sharman Noguchi

Ms. Noguchi was present to request an equivalency to the two year experience requirement and an equivalency to the ten transaction requirement, of which three are listings that have closed escrow and three are sales transactions which have closed escrow.

Ms. Noguchi stated that she is a real estate officer with First Hawaiian Bank. She stated that she believes that her educational background and career responsibilities fulfill the requirements for the position. She was an executive secretary at The Whaler on Kaaupali Beach in 1975. She assisted the general manager in managing the daily rental pool and the property. She then moved to The Maui Eldorado Resort and the Hyatt Regency Maui as an administrative assistant, gaining more experience in the condominium and hotel property management fields. She obtained a B.A. degree in Philosophy from the University of Hawaii and a Master's degree in Systems Management from the University of Southern California. She worked as a real estate salesperson for Herbert K. Horita Realty, Inc., assisting buyers and sellers with sales transactions, listings, appraisals, loan applications and was a member of several project sales teams. She worked as a Documentary Officer for Kamehameha Schools/Bishop Estate's Legal Division, from 1987 to 1990. Under the guidance of real estate attorneys, she drafted and reviewed real estate documents. She also worked closely with the appraisal and engineering departments, approving the valuations and land descriptions included in every document. She became a real estate officer for First Hawaiian Bank in 1990. She managed the lease fee sales of condominiums and residential subdivisions, renegotiation of lease rents and new lease offerings for the Division's multi-billion dollar real estate portfolio. During the past two years, she's sold \$24 million worth of real estate and is currently working on sales in excess of \$7 million. She stated that leased-fee sales by a corporate trustee is very time-consuming and requires many skills. Residential fee sales are guided by Hawaii Revised Statutes, Chapter 516, and requires coordination from lessees, lessors, attorneys, the State of Hawaii's HFDC, title searchers, lenders and escrow officers. Escrow accounts are opened for each lessee, and she coordinates the closings with hundreds of lessees, dozens of lenders, title searchers, attorneys, and escrow officers. She also represents the landowner and has other tasks, such as clearing title to their land, working with lenders in maintaining the first position on the mortgage on the fee interest and working with attorneys in drafting documents. She also works closely with tax professionals in determining the best possible outcome for each trust. She believes that her combination of skills, as stated previously, work experience and education qualifies her for the designation of real estate broker.

Commissioner Kuriyama asked Ms. Noguchi if she had any sales while she was with Herbert K. Horita Realty, Inc. Ms. Noguchi stated that she worked for two years with and sold two houses outside of her project sales team work.

She was then asked if in the sale of lease-fee transactions, the bank retained outside brokers to act on their behalf. Ms. Noguchi stated that she handled most of the transactions. Some of the transactions were handled by outside companies. These usually involved the older projects.

Ms. Noguchi also stated that since the bank does not have a real estate broker's license, her sales license is associated with Allan Zawtock.

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

Robert H. Middleton

Mr. Middleton was present before the Commission on two issues: (1) real estate broker's license renewal; and (2) request for reconsideration of the denial of his application for recertification as a prelicensing instructor.

Mr. Middleton stated that the denial letter that was sent to him regarding his application for recertification as a prelicensing instructor cited §436B-19(8), (11), and (12).

Mr. Middleton stated that an instructor must demonstrate command knowledge and teaching ability. One of the criteria for an instructor is that the instructor have education and training in teaching the students. Mr. Middleton stated that he has already taken two courses. One was a prelicense training course that he completed in December 1992. He has tried to maintain his education and has tried to keep his education current. An instructor must also demonstrate the ability to accomplish the objective. The objective in this case would be that his students would be able to comprehend the information, enjoy his classes and eventually go on to pass the State licensing examinations. Mr. Middleton distributed copies of the student evaluations for the classes that he taught in 1991 and 1992, along with other statistics. An instructor must also have a good reputation. Mr. Middleton stated that he is an instructor and a principal broker. He stated that it was his understanding that there were two disciplinary actions in 1986. There was also another settlement agreement in January 1993. Mr. Middleton stated that his attorney had told him that he didn't know what else he could have done in the situation.

Mr. Middleton stated that he has learned a valuable lesson in the latest settlement agreement. He stated that he has instructed the licensees under him that they should find out from the buyer what they plan to do with the property. Once that is known, they should talk with the seller and try to determine if there is anything that the buyer should know prior to purchasing the property for its intended use.

Mr. Middleton stated that he has had two disciplinary actions within the last 13 years in real estate in which settlement agreements were entered into. In those disciplinary actions, the public came out whole.

Commissioner Kuriyama informed Mr. Middleton that the Commission felt that an instructor should be held to a higher degree of conduct and reputation. They were concerned over the number of complaints that was filed against the company in which Mr. Middleton was the principal broker of. As the principal broker, Mr. Middleton is responsible for the conduct of his agents. Mr. Middleton was asked if he was aware of the number of complaints that were filed.

Mr. Middleton stated that he knew of ten complaints, with the majority of the complaints being filed against other licensees.

Commissioner Kuriyama stated that the Commission was concerned over the number of complaints that have been filed. Commissioner Kuriyama requested that Mr. Middleton provide the Commission with a summary of the complaints prior to decision making.

Upon a motion by Commissioner Lee, seconded by Commissioner Kuriyama, it was voted on and unanimously carried to request that Mr. Middleton submit a written report on the total number of complaints filed and substantiate the complaints. The report is to be submitted to the Commission office by March 15, 1993, for consideration at the March 25, 1993 Real Estate Commission Meeting.

Executive Session:

Upon a motion by Commissioner Imamura, seconded by Commissioner Kano, it was voted on and unanimously carried to enter into executive session to consider the applications before them at 11:16 a.m., pursuant to Section 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.

Upon a motion by Commissioner Kano, seconded by Commissioner Hirata, it was voted on and unanimously carried to move out of executive session at 12:11 p.m.

Licensing:

**RATIFICATION**

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

Brokers:

Jacob M. Manegdeg  
Josephine Denise Gomez  
Wayne Tagami  
Linda Kay Okamoto  
Grandview Group, Inc.  
Joy H. Goodall  
ML Pacific Investments, Inc.  
Nancy Montoya, Inc.  
Aileen Carols dba Primo Properties

Patricia A. Lowe dba Big Island Realty  
Daniel J. Cretton  
People's Realty Network, Inc.

Branch Office:

LRC, Inc., Kihei, Maui  
Pacific Commercial Realty Corporation, Kihei, Maui

Trade Name:

Sherry M. Brewer dba Sherry Brewer Realty  
Jones Inc. dba Jones Properties

Site Office:

Consolidated Resorts - Kahana Villa Resort  
Halona Kai Properties, Inc. - Halona Kai  
Sykes & Sykes Properties, Inc. - Halona Kai  
Towne Realty Brokerage Services, Inc. - Evergreen Terrace  
Nancy Montoya, Inc. - Piilani Village  
Nikken Corporation - The Bay Club at Waikoloa Beach Resort  
Diana Y. Bretz - Pacific Shores  
McCormack Real Estate, Inc. dba Coldwell Banker McCormack Real Estate - Fairway  
Terrace in Waikoloa

Condominium Project Registration - Public Reports Issued in January 1993:

Keith Ranch, Kauai (Supplementary)  
4559 Sierra Drive, Honolulu (Final)  
Waikoekoe Ranch, Hawaii (Final)  
Carter Professional Center, Hawaii (Final)  
Mele O' Kaloko, Hawaii (Final)  
Lindsay Road, Hawaii (Final)  
Beard, Hawaii (Final)  
Pomaika'i Business Center, Hawaii (Preliminary)  
Hale Mauka, Hawaii (Final)  
Hale Makai, Hawaii (Final)  
Grande's Project, Kauai (Final)  
The Ridge at Launani Valley, Honolulu (Final)  
Hale Na'auao Oka Aina Ea, Honolulu (Final)  
133 Lakeview Circle, Honolulu (Final)  
Lot 68 of Pleasant Acres Subdivision, Hawaii (Final)  
Smokie Acres, Honolulu (Final)  
Hampton Court - Phase II, (Preliminary)  
Makapili Estates, Kauai (Supplementary)  
Rollins Condominium, Kauai (Final)  
Animal Care Center of Hawaii - Waimea, Hawaii (Final)

Licensing:

**Restoration of Forfeited Licenses**

|                      |             |
|----------------------|-------------|
| Carol J. Elias       | Salesperson |
| Romeo Folvarko       | Salesperson |
| Aimalefoa N. Nepo    | Salesperson |
| Orville W. Case, Jr. | Salesperson |
| Flora G. Lamontagne  | Salesperson |

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

Angelo R. Sarmiento Salesperson

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

Bert G. Aguinaldo

After a review of the information presented by the applicant, Commissioner Hirata moved to deny Mr. Aguinaldo's request for reconsideration. Commissioner Imamura seconded the motion. The motion was voted on and unanimously carried.

**Questionable Applications**

David B. Mogilefsky

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

Thomas R. Shinn

After a review of the information submitted by the applicant, Commissioner Imamura moved to approve Mr. Shinn's application for a real estate salesperson's license, subject to staff verification of some payments of tax liens from April 1992 to

present. Commissioner Kuriyama seconded the motion. The motion was voted on and unanimously carried.

Susan G. Forster

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

Pacific Investors Realty Services, Inc.

After a review of the information presented by the applicant, Commissioner Duncan moved to approve the conditional license of Pacific Investors Realty Services, Inc. Commissioner Imamura seconded the motion. The motion was voted on and unanimously carried.

June Ito dba June Muta Realty

After a review of the information submitted by the applicant, Commissioner Kano moved to approve Ms. Muta's application for sole proprietor. Commissioner Hirata seconded the motion. The motion was voted on and unanimously carried.

Vice-Chairperson Dew was excused from the meeting due to a conflict of interest. Commissioner Kano, Chairperson Pro Tem, presided over the meeting.

Meridian Properties, Inc.

After a review of the information submitted by the applicant, Commissioner Hirata moved to approve the Condominium Managing Agent Registration of Meridian Properties, Inc. Commissioner Imamura seconded the motion. The motion was voted on and unanimously carried.

Vice-Chairperson Dew returned to the meeting and resumed presiding over the meeting.

Sharman A. Noguchi

After a review of the information presented by the applicant, Commissioner Kano moved to approve a one-year equivalency experience as a trust officer, six months equivalency experience for a GRI designation, subject to staff verification, and ten transactions (including three listings closed escrow and three sales contracts closed escrow). Commissioner Hirata seconded the motion. The motion was voted on and unanimously carried.

Daniel T. Sayles

After a review of the information submitted by the applicant, Commissioner Duncan moved to deny Mr. Sayles's request for an equivalency to two listing contracts that have closed escrow and three sales contracts that have closed escrow. Commissioner Hirata seconded the motion. The motion was voted on and unanimously carried.

Stuart A. Westerman

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

Dennis P. Shannon

After a review of the information submitted by the applicant, Commissioner Hirata moved to approve Mr. Shannon's real estate salesperson's license renewal, subject to changing the personal check to a money order or cashier's check. Commissioner Kano seconded the motion. The motion was voted on and unanimously carried.

Robert H. Middleton

After a review of the information presented by the applicant, Commissioner Hirata moved to approve Mr. Middleton's real estate broker's license renewal application. Commissioner Kuriyama seconded the motion. The motion was voted on and unanimously carried.

Michele Austin

After a review of the information submitted by the applicant, Commissioner Imamura moved to deny Ms. Austin's request for reconsideration. Commissioner Duncan seconded the motion. The motion was voted on and unanimously carried.

Ranita R. Le Grande

After a review of the information submitted by the applicant, Commissioner Kuriyama moved to approve Ms. Le Grande's application for sole proprietor. Commissioner Duncan seconded the motion. The motion was voted on and unanimously carried.

Referrals International, Inc.

After a review of the information submitted by the applicant, Commissioner Kano moved to approve the real estate corporation application of Referrals International, Inc. Commissioner Hirata seconded the motion. The motion was voted on and unanimously carried.

York & Co., Inc.

After a review of the information submitted by the applicant, Commissioner Hirata moved to approve the real estate corporation application of York & Co., Inc. Commissioner Kano seconded the motion. The motion was voted on and unanimously carried.

Committee Reports:

**Education Review Committee**

Upon a motion by Commissioner Hirata, seconded by Commissioner Imamura, it was voted on and unanimously carried to amend the Education Review Committee Report of the February 24, 1993 meeting, as follows:

3. Continuing Education Administration, Curriculum, Courses, Providers, and Instructors
  - a. Applications
    - (4) Robert H. Middleton - Deny recertification, based on insufficient command knowledge and teaching ability in the subject area, §436B-19(8), (11), and (12), Hawaii Revised Statutes.
7. REEA - Annual Conference, May 27 to 29, 1993 - Commissioner Hirata to attend and participate, with Commissioner Dew as alternate.
8. April 29, 1993 Education Review Committee Meeting - Reschedule the April Committee/Commission Meetings as follows:

**April 7, 1993**  
9:00 a.m. - Condominium and Cooperative Review Committee Meeting  
10:30 a.m. - Laws and Rules Review Committee Meeting  
1:00 p.m. - Education Review Committee Meeting

**April 19, 1993**  
9:00 a.m. - Real Estate Commission Meeting

Next Meeting:

Thursday, March 25, 1993  
9 a.m.  
Kuhina Nui Room  
HRH Princess Victoria Kamamalu Building  
1010 Richards Street, Second Floor  
Honolulu, Hawaii

Adjournment: With no further business to discuss, Vice-Chairperson Dew adjourned the meeting at 12:20 p.m.

Reviewed and approved by:

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Calvin Kimura  
Supervising Executive Secretary

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Date