

**REAL ESTATE COMMISSION**  
Professional & 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: May 26, 1994

Time: 9:00 a.m.

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

Present: Marcus Nishikawa, Oahu Member - early departure  
Alvin Imamura, Maui Member  
Yoshiko Kano, Kauai Member  
Stanley Kuriyama, Oahu Member  
Theo Butuyan, Public Member  
Carol Mon Lee, Public Member

Calvin Kimura, Supervising Executive Officer  
Christine Rutkowski, Executive Officer  
Russell Wong, Real Estate Specialist  
Lee Ann Teshima, Real Estate Specialist  
Shari Wong, Deputy Attorney General  
Tammy Norton, Recording Secretary

Steve Gilbert, Hawaii Real Estate Research and Education Center  
Nicki Ann Thompson, Hawaii Association of Realtors  
Euihong Lee, applicant  
Donald J. Emigh, applicant  
Kay Matsui, applicant  
Phillip L. Lopez, applicant  
Barry Fong

Excused: Barbara Dew, Oahu Member  
Jerry Hirata, Hawaii Island Member

Call to Order: Chair Nishikawa called the meeting to order at 9:07 a.m.

Chair's Report: No report was presented.

Executive Officer's Report: Executive Officer Rutkowski reported that Commissioners Dew and Hirata have been excused from today's meeting.

#### Additional Distribution

The following were distributed to the Commissioners for their consideration:

3. Executive Officer's Report
  - b. Minutes of Previous Meeting
6. Committee Reports
  - c. Education Review Committee

#### Additions to Agenda

Upon a motion by Commissioner Kano, seconded by Commissioner Butuyan, it was voted on and unanimously carried to accept the following as additions to the agenda:

8. Licensing - Restoration of Forfeited Licenses  
Under Two Years - Salesperson  
Linda Berard  
Hubert K. Ishimoto  
Laura A. Sakamoto
9. Questionable Applications  
Euihong Lee  
Mark J. Parker

#### Licensing:

##### Restoration of Forfeited License

##### **Kay Matsui**

Ms. Matsui was present to answer any questions the Commission may have regarding her application for restoration of her forfeited real estate license.

Ms. Matsui stated that she was licensed since 1988. Her license expired in 1990. She applied for restoration of her real estate license in 1993. She has since taken her continuing education courses. The letter which the Commission sent to her in 1993 was delivered to Ms. Matsui's neighbor who was out of town for 6 months. Ms. Matsui was given the letter from her neighbor upon the neighbors return which was after the 6 month expiration date of the restoration approval.

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

##### **Donald J. Emigh**

Mr. Emigh was present to answer any questions the Commission may have regarding his application for restoration of forfeited real estate license.

Executive Officer Rutkowski reported that the Commission decision of May 11, 1994 requires Mr. Emigh to complete the prelicense course by November 1994. Mr. Emigh requests reconsideration of his application and that he be permitted to continue real estate activity.

Mr. Emigh stated that his license has been forfeited since 1992. He submitted all documents requested including his continuing education certificates and payment check to the Real Estate Commission. He stated that he never received anything back from the Commission and believes that his renewal application along with check and CE certificates were somehow lost in the system. He further stated that his check has never been cashed.

Mr. Emigh further stated that he did not find out that his license was forfeited until February 1994 when he was changing brokers. He stated that he has done nothing wrong or illegal. He has been operating for one year without a license unknowingly.

It was stated that real estate is his livelihood and that he is an honest licensee. His peers elected him to the Maui Board of REALTOR's Board of Director. Mr. Emigh stated that he wants his license reinstated. He has started taking the brokers prelicense course, is currently taking the continuing education courses and requests that his license be reactivated immediately.

Chair Nishikawa informed Mr. Emigh that the real estate laws and rules does not allow operating without a current and active real estate license. Chair Nishikawa informed Mr. Emigh that he cannot do business until all requirements have been met and he is relicensed. The Commission is not able to allow him to do any real estate business without a current and active real estate license. Chair Nishikawa further stated that the responsibility of being current and actively licensed falls upon the individual licensee.

Commissioner Kuriyama questioned when Mr. Emigh was originally licensed.

Mr. Emigh replied that he was licensed five or six years ago.

Commissioner Kuriyama related that Mr. Emigh submitted two separate copies of his checking account activity summaries. On the statements, the bank normally places an asterisk next to a check showing that the previous check is missing. Commissioner Kuriyama questioned whether Mr. Emigh questioned his bank as to the missing check.

Mr. Emigh stated that he balanced his first checking account summary up until check #270. He then balanced his second statement when it was received. He balanced his checking account starting with check number 272, not noticing that check #271 which should have been included on one of the statements was missing. He further stated that he feels that he has done nothing wrong.

Commissioner Kano asked Mr. Emigh when, in balancing his check book, does he not verify the previous statement and the current statement with his check register, that this is the way to balance a check register. Mr. Emigh said that it was simply an oversight.

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

Questionable Applications

**Euihong Lee**

Mr. Lee was present to answer any questions the Commission may have regarding his application for real estate salesperson. Mr. Lee waived his rights to provide testimony in executive session although information discussed would be personal in nature.

Real Estate Specialist Teshima reported that Mr. Lee answered "yes" to question 1.b. relating to disciplinary action against a real estate license.

Mr. Lee stated that his California real estate salesperson license was suspended in May 1993 for failure to complete the required continuing education courses. To date he has not completed the continuing education courses.

Executive Officer Rutkowski informed Mr. Lee that the notice from the California is addressed to Bob E. Lee, not Euihong Lee.

Mr. Lee replied that his legal name is Euihong Lee and has been using his non-legal name of Bob E. Lee in California. He chose to use the name of Bob instead of Euihong because of the difficulty of pronouncing his legal first name. Mr. Lee further reported that he is currently in the process of changing his name legally to Bob E. Lee. He has submitted the affidavit to the Lt. Governor's office. He is also a Citizen of Korea and has been granted a green card to work in the United States.

Executive Officer Rutkowski informed Mr. Lee that until his name is legally changed and the proper documents submitted to the office for processing and assuming that the Real Estate Commission approves his application, his license will be issued under his present legal name, Euihong Lee.

Mr. Lee replied that he understood.

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

#### **Phillip L. Lopez**

Mr. Lopez was present to answer any questions the Commission may have regarding his application for real estate salesperson license.

Supervising Executive Officer Kimura informed Mr. Lopez that the matters discussed may be personal in nature and that Mr. Lopez has the right to request that his application be discussed in executive session.

Mr. Lopez waived his rights to discuss his application with the Commission in executive session.

Supervising Executive Officer Kimura stated that any application that requires discretionary powers need to be approved by the Real Estate Commission. Further, that no staff member of the Real Estate Commission is authorized to approve such applications.

Mr. Lopez said that initially he thought that the executive officer was authorized to issue

a license, but now he understands the authority is with the Real Estate Commission.

Mr. Lopez has submitted an additional handout for the Commission's review. He reported that the applicant answered "yes" to question 2 regarding conviction of a crime. The Supervising Executive Officer asked Mr. Lopez to explain the Real Estate Commission about the events leading up to the conviction.

Mr. Lopez explained that prior to November 1984 he was drinking heavily and going through major issues in his life. He makes no excuses. He is presently on parole, and since 1989 has gone through regular polygraph testing and random urinalysis testing. He stated that he has abstained from any form of alcohol for going on four years in October. He further stated that alcohol contributed to his behavior problem. He had no prior conviction record as an adult.

Mr. Lopez further stated that he has maintained a solid lifestyle. He is currently required to go through therapy with Dr. Joseph Geovinetti at which time they discuss the mentality of all issues. He further stated that everyone has a map in their head which is formulated from a very young age. How he reads his map is how he motivates himself and also how it affects his thought process towards women and people in general. Prior to his crime he was never required to deal with these issues. At the time he perceived his life in general as if he were God and could do what he wanted when he wanted.

Since the crime, Mr. Lopez stated that he has been in therapy and it has brought his behavior problems to his attention. He is now doing what he should be doing, when he should be doing it. He further stated that he has informed every employer with whom he has been employed of his crime. He has tried to be a fair person by informing his employers of his crime.

SEO Kimura questioned Mr. Lopez whether he knew the victim.

Mr. Lopez replied that he did know the victim. They use to drink a lot together on Hotel Street.

SEO Kimura stated that Mr. Lopez's maximum incarceration time was to be 20 years but only served 2 years before being released on parole. Mr. Kimura asked Mr. Lopez to explain his early release.

Mr. Lopez stated that there was a lot of mitigating evidence, no physical evidence. He admitted to having sexual intercourse with the victim but that it was consensual sex and not rape. The woman attempted to stab Mr. Lopez and Mr. Lopez in turn hit her. It was his word against hers. Mr. Lopez accepts responsibility for what happened and believes that he did cross the line.

He further stated that the first time that he went up for parole, parole was granted. After being paroled, he spent time at Eureka House which is a residential long term treatment home where he spent 365 days. At the Eureka House he lived with people 24 hours a day, worked with the same individuals and held meetings to address the issues which your peers have against you. This program is handled through the Salvation Army.

SEO Kimura asked Mr. Lopez if there are any other conditions besides the terms and

conditions of parole which he submitted to the Commission.

Mr. Lopez replied that he is required to meet with his parole officer once a month. There are also special conditions which are attached to his terms and conditions of parole form. The parole officer can also amend in any means and/or form the terms and conditions of parole.

Mr. Lopez further reported that he also needs to submit to random drug testing and regular polygraph testing, which tests for negative behavior in general. Mr. Lopez also stated that he does see a clinical psychologist on his own. There is a condition as to the location of where he is prohibited from going.

He reported that he has been seeing Dr. Joseph Geovinetti on and off since 1988. The clinical psychologists which he sees on his own is Dr. Amanda Armstrong. Dr. Armstrong deals with relationship issues. Mr. Lopez stated that he has spoken to both of his doctors about wanting to obtain his real estate license.

SEO Kimura asked Mr. Lopez if he would be able to get a written statement from his therapists as to his rehabilitation and character.

Mr. Lopez replied that he would be able to obtain the written statements from his therapists but did not feel that the therapists were qualified to say whether he's able to perform as a real estate agent.

Mr. Kimura stated that a letter was submitted to the Commission by Mr. Lopez's parole officer.

Mr. Lopez stated that his parole officer, Julie Foos, cannot make a statement attesting to his honesty, etc. He further stated that his parole officer does know that his proposed principal broker, Virginia Sprinkle is aware of his conviction. If offered an employment position, his parole officer, doctor and employer would need to meet to discuss the nature of the crime and how it may relate to his position.

Chair Nishikawa asked Mr. Lopez if he is granted a real estate license, will his employment be with Century 21 Kahala Hale?

Mr. Lopez replied in the affirmative.

SEO Kimura questioned whether Mr. Lopez's doctors have imposed any special conditions upon him.

Mr. Lopez replied that his doctors have made him deal with what has happened.

SEO Kimura asked Mr. Lopez what he was doing prior to the act.

Mr. Lopez stated that the act occurred in 1984. Prior to the act, he was going to school and cruising around. He came to Hawaii in 1975. In 1977 he went to Los Angeles then returned back to Hawaii. In 1978 he went to Washington and attended school, but began drinking and doing drugs. He then returned back to Hawaii. At that time he stopped using cocaine but continued drinking. In 1985 he was arrested and convicted in

1986. He was released on early parole in 1988 and began working with Patt Limited. Patt Limited was run by family friends and therefore it did not help him with his drinking problem. His supervisors at the time were Derrick Derbin and Steve Raymond. In 1990, 14 months after being paroled, he was caught drinking beer which was a violation of his parole. He was paroled again in July 1991 and spent time at Eureka House which is a rehabilitation home until June 1992. From June 1992 through January 1994 he was employed with Loyalty Enterprises, Ltd. He started at Loyalty Enterprises as an occupational specialist. He took over the department after 4 months. At the time of his employment, he informed his immediate supervisor of his crime, parole and his current treatment. After working there for six months he received a good evaluation report. At that time his supervisor was promoted. He was now working with a new supervisor and was under the impression that the original supervisor had informed the new supervisor of the conviction. After the new supervisor found out of Mr. Lopez's conviction, the original supervisor denied ever being informed by Mr. Lopez of his conviction. Mr. Lopez took a polygraph test and it showed no negative reactions.

In his position at Loyalty Enterprises, Ltd., he facilitated and generated all paperwork. He further stated that the resident managers of the projects went over the applications with their clients then sent the information to Mr. Lopez. When it was necessary to select a tenant, he would verify the information on the application and send out a standard verification form. He would then go over with the tenants the terms of HUD.

Mr. Lopez did not collect rent money. If complaints were made in regards to miscalculation of rent charged, Mr. Lopez would look into the problem and make the necessary adjustments. Other complaints were handled by the resident manager and account executive.

The properties were managed by Loyalty Enterprises, Ltd. Mr. Lopez maintained tenant's rents and security deposits respective to their incomes in compliance with federal, state and local regulations.

Mr. Lopez stated that he presently has a suit against Loyalty Enterprises, Ltd. Mr. Lopez reported that the company promoted the receptionist to Mr. Lopez's old position and the woman worked under Mr. Lopez. The receptionist could not handle the workload so Mr. Lopez began to give the woman less work. Mr. Lopez's supervisor took the woman away from Mr. Lopez's supervision. Mr. Lopez was then forced to turn over 2 projects to the woman. During the time which the woman handled the two projects, reports were constantly late. Mr. Lopez openly vented that he needed someone who could handle the job and the workload. The accounts were also being mismanaged. The woman quit her position in August of 1993. In December 1993 Mr. Lopez estimated that there would be an overage of about \$10,000 for the projects which the woman had handled, the audit showed that there had actually been an overage of about \$12,500. The company needed to find a scape goat, and Mr. Lopez felt as if he were it and that his background had affected the situation.

Mr. Lopez was terminated in January 1994. He was given the opportunity to resign, but by resigning, Mr. Lopez felt that it would be an admission of guilt. He therefore did not resign and was terminated. Since January 1994 Mr. Lopez has been unemployed and attending a prelicense real estate course.

Mr. Lopez stated that if he is licensed he would be working with Virginia Sprinkle in part-time sales. He further stated that he is a sponge for education and needs the opportunity which being licensed would offer him. In three months Mr. Lopez will file for discharge of parole.

Mr. Lopez asked that the Real Estate Commission give him a chance.

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

Committee Reports:

**Condominium and Cooperative Review Committee**

Upon a motion by Commissioner Kuriyama, seconded by Commissioner Imamura, it was voted on and unanimously carried to accept the report and the recommendations of the May 11, 1994 Condominium and Cooperative Review Committee meeting as follows:

4. Hawaii Real Estate Research and Education Center Report
  - b. Hawaii Condominium Bulletin
    - (2) Summer 1994 Issue - REC requested that an additional issue go out this fiscal year. Center says there is no money and no time to do another issue. Condominium Specialist Stephen Okumura to follow up on the accounting matter with the Center.
  - c. Condominium Board of Director's Guide - Center reports that comments have been received on the proxy chapter.
  - d. Condominium Survey - Center has had consultations with three potential surveying companies.
  - f. Media Educational Articles - Center is looking at the feasibility of this project given the condominium column in the two daily newspapers.
  - g. HREREC Interaction Program - Center has received a request from the sponsors of the annual condominium expo to subsidize a mainland speaker. REC has asked that the Center provide more specific information before a decision is made.
  - i. Five Year Education and Research Plan - To be finalized at the next meeting. Commissioner Stan Kuriyama to meet with REC condominium staff to discuss the upcoming program of work.
5. Condominium Governance and Management
  - a. Hawaii Council of Association of Apartment Owners Meeting, May 12, 1994 - Supervising Executive Officer to be a featured speaker.
  - b. South Maui Condominium Council Report - The council submitted a newspaper article on their recent seminar on reserves.
7. Program of Work
  - b. Rule-making, Chapter 107
    - (2) Comprehensive
      - (a) Development - Specialist Shiroma discussed unresolved issues from draft 5B. Commissioner Kuriyama to assist with remaining issues from current draft.

- c. Condominium Mediation and Arbitration Program - Mediation Services of Maui provided an update on their recent mediation activities through an informational memorandum.
  - q. Interactive Participation with Organizations
    - (2) CAI Report - Specialist Stone reported on the CAI National Conference.
  - v. Condominium Reference Library - Specialist Okumura requested \$27,000 for additional books and materials. Commissioners asked that Specialist Okumura get some idea of how much the present books are being utilized before ordering any materials and to report back to the Commissioners.
9. Next Meeting: Wednesday, June 8, 1994  
9:00 a.m.  
Kapuaiwa Room  
HRH Princess Victoria Kamamalu Building  
1010 Richards Street, Second Floor  
Honolulu, Hawaii

### **Laws and Rules Review Committee**

Upon a motion by Commissioner Kano, seconded by Commissioner Imamura, it was voted on and unanimously carried to accept the May 11, 1994 report and recommendations of the Laws and Rules Review Committee meeting as follows:

1. HREREC Report
  - Agreed that Advertising Brochure and PB/BIC Brochure are to be stand alone brochures and removed from the Licensee Guide.
  - Agreed that the Licensee Guide is intended for new licensees and the Center will work with REB Staff to finalize balance of the guide for the June 15, 1994 Summit I.
  - Recommend that REB Staff work with HREREC Staff and provide an accounting to REC of the budget and work done on the Licensee Guide, Advertising Brochure, and the PB/BIC Brochure.
  - Professional Responsibility Course. Submission to REB Staff 3rd week of May.
  - Broker Experience Certification. Initial draft to be submitted in June.
  - Real Estate Summit I update.
  - Real Estate Seminars. Working on another proposal.
2. Next meeting:  
Wednesday, June 8, 1994  
10:30 a.m.  
Kapuaiwa Room  
HRH Princess Victoria Kamamalu Building  
1010 Richards Street  
Honolulu, Hawaii

### **Education Review Committee**

Upon a motion by Commissioner Imamura, seconded by Commissioner Lee, it was voted on and unanimously carried to accept the report and recommendations of the May 25, 1994 Education Review Committee meeting as follows:

1. HREREC Report
  - a. Advisory Council
    - 1) Recommend staff follow up on sending current letters to ex-officio members of the HREREC Advisory Council.
  - b. Program of Work and Budget, FY94
    - 1) Five Year Education and Research Plan
      - a) Request final clean copy of plan for printing.
    - 2) Real Estate Summit I
      - a) Recommend that the Real Estate Commission approve the evaluation form, program and future summit sites and dates, subject to recommended changes by staff.
      - b) Recommend that the Real Estate Commission approve the Request for Additional Funding for the Development of the Real Estate Summits (Total of 5 events) and that \$25,000 from the Education Fund's

- 1993 budget be transmitted to the HREREC.
- 3) Four Brochures - Fair Housing
    - a) Revised and in printing.
  - c. University of Hawaii Request for Extension of HREREC Funding
    - 1) Recommend approval of HREREC's Request for Extension of the "Agreement Regarding the Hawaii Real Estate Research and Education Center" for the period July 1, 1994 through June 30, 1996.
  2. Prelicensing Examination
    - a. Administration
      - 1) Recommend that Staff initiate a letter to the candidate who was the subject of an ASI security report, requesting a written explanation of the incident. The matter will be placed on the agenda of the June 23, 1994 Education Review Committee meeting unless the candidate requests earlier consideration. If requested, the matter will be considered at the June 8, 1994 Laws and Rules Review Committee.
  3. Program of Work and Budget, FY94
    - a. Instructor's Development Workshop
      - 1) Recommend approval of the Hawaii Association of REALTOR's request for cosponsorship of the one-day instructor development workshop on July 25, 1994 under the terms of the existing contract with HAR.
  4. Next meeting: Thursday, June 23, 1994  
Kapuaiwa Room  
HRH Princess Victoria Kamamalu Building  
1010 Richards Street, Second Floor  
Honolulu, HI 96813

Licensing:

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

Real Estate Branch Office

Whalers Realty, Inc. - Lahaina, Hawaii

Real Estate Site Office

Herbert K. Horita Realty, Inc. - Kulana Knolls Phase I  
Kapalua Realty Co., Ltd. - Plantation Estates  
Gentry Realty, Inc. - Coronado, Phases A-G  
Bradley properties, Ltd. - Maliu Ridge Phase Ii  
Chaney Brooks Realty, Inc. - The Masters at Kaanapali Hillside, Phases B, C, D, E  
The Prudential Locations - Hale Makalei

Change of Corporate Name

A A Oceanfront Condominium Rentals, Inc. fka A & K Valley Corporation

Condominium Project Registration - Public Reports Issued March 1994

Maluhia Kula (Final)  
Puulima I (Final)  
Puulima II (Final)  
Puulima III (Final)  
Kahalelauniu (Final)  
Kulana Knolls-Phase I (Preliminary)  
O'oma Hale (Final)  
Kekaha Alii Condominium (Final)  
Lawai Valley Farms (Final)  
Lindsey Condominium (Final)  
2848 Booth Road (Final)  
Kahinu Condominium Project (Final)  
Aliomanu Estates II Condominium (Final)  
Aliomanu Estates III Condominium (Final)  
Aliomanu Estates I Condominium (Final)  
De Rego (Final)  
Farias (Final)  
Parkside Terrace (Final)  
Puulima IV (Final)  
Puulima V (Final)

Recess: Chair Nishikawa recessed the meeting at 10:22 a.m.  
Reconvene: Chair Nishikawa reconvened the meeting at 10:35 a.m.

Executive Session: Upon a motion by Commissioner Kano, seconded by Commissioner Kuriyama, it was voted on and unanimously carried to enter into executive session pursuant to Section 92-5(a)(1)(4), "To consider and evaluate personal information relating to individuals applying for professional or vocational licenses cited in section 26-9 or both" and "To consult with the board's attorney on questions and issues pertaining to the board's powers, duties, privileges, immunities, and liabilities".

At this time the Commissioners reviewed the discussed the matters which have come before them for decision making.

Upon a motion by Commissioner Butuyan, seconded by Commissioner Imamura, it was voted on and unanimously carried to move out of executive session.

Chair Nishikawa was excused at 11:00 a.m.  
Commissioner Kuriyama presided over the remainder of the meeting.

Recovery Fund Report: After a review of the information presented, Commissioner Butuyan moved to approve to settle up to \$3,000.00 subject to verification/confirmation that the fund is able to settle before judgement in the matter Barbara Hogan v. Irene Fragiao, et al., First Circuit Court, Civil No. 92-1110-03. Commissioner Imamura seconded the motion. The motion was voted on and unanimously carried.

Licensing: **RESTORATION APPLICATIONS**

<b>Jeffrey B. Blair</b>	<b>Laura A. Sakamoto</b>
<b>Jeannette M. Chai</b>	<b>Hubert K. Ishimoto</b>
<b>Koichi Isayama</b>	<b>Linda A. Berard</b>
<b>Brooke H. Moore</b>	<b>Eugene Allan Punzal</b>
<b>Tadashi Taomae</b>	

After a review of the information submitted by the applicant, Commissioner Butuyan 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 unanimously carried.

#### **Kay Matsui**

After a review of the information submitted by the applicant, 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 Lee seconded the motion. The motion was voted on and unanimously carried.

#### **Donald J. Emigh**

After a review of the information submitted and presented by the applicant, Commissioner Kano moved to deny the request for reconsideration and that the decision of the May 11, 1994 meeting is the decision of record (REC course). Commissioner Lee seconded the motion. The motion was voted on and unanimously carried.

#### **Howard A. Pryor**

After a review of the information submitted by the applicant, Commissioner Lee moved to accept proof of passage of examination although all documents were submitted beyond the required 30 days of course completion and approve continuing process of restoration of license. Delegate to staff to continue processing restoration application in cases in which applicant has completed course or examination requirement, submits all necessary documents complete beyond the required 30 days (of completion of course or exam) **and** with the 6 month period following approval of restoration application. Commissioner Kano seconded the motion. The motion was voted on and unanimously carried.

#### **QUESTIONABLE APPLICATIONS**

##### **Karen B. Meyers**

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

**Ernette H. Scanlan**

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

**Phillip L. Lopez**

After a review of the information submitted and presented by the applicant, Commissioner Lee moved to defer decision making on the application for real estate salesperson and request that Mr. Lopez submit written statements from his therapist, parole officer and Eureka House as to his rehabilitation and character. Commissioner Kano seconded the motion, the motion was voted on and unanimously carried.

**Henry J. Correa, Jr.**

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

**Richland (USA) Incorporated**

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

**PRD Realty Group, Inc.**

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

**Shell Development Corporation - Lawai**

After a review of the information submitted by the applicant, Commissioner Imamura moved to approve the application for real estate corporation with an effective date of July 1, 1994. Commissioner Lee seconded the motion. The motion was voted on and unanimously carried.

**The James Group, Inc.**

After a review of the information submitted by the applicant, Commissioner Butuyan moved to approve the application for real estate corporation. Commissioner Imamura seconded the motion. The motion was voted on and unanimously carried.

**Howard A. Pryor**

After a review of the information submitted by the applicant, Commissioner Imamura moved to approve the application for real estate sole proprietor. Commissioner Kano seconded the motion. The motion was voted on and unanimously carried.

**Pamela D. Bearce**

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

**Robyn E. J. Downer**

After a review of the information submitted by the applicant, Commissioner Butuyan moved to deny the broker experience certificate application and equivalency of property management experience to 3 closed listings and 3 closed sales. Commissioner Lee seconded the motion. The motion was voted on and unanimously carried.

**Agnes C. Staab**

After a review of the information submitted by the applicant, Commissioner Imamura moved to deny the broker experience certificate application and equivalency of property management experience to 3 closed listings and 3 closed sales. Commissioner Kano seconded the motion. The motion was voted on and unanimously carried.

**Euihong Lee**

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

**Mark J. Parker**

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

Adjudicatory Matters: The Chair called for a recess from the Commission meeting at 11:30 a.m. to discuss and deliberate on the following adjudicatory matters pursuant to Chapter 91, Hawaii Revised Statutes:

**Robert H. Middleton, REC-LIC-93-1**, Hearing Officer's Findings of Fact, Conclusions of Law and Recommended Order, Petitioner's Statement of Exceptions of Hearings Officer's Findings of Fact, Conclusion of Law and Recommended Order Filed on March 30, 1994, Statement in Support of Hearing's Officers Findings of Fact, Conclusion of Law and Recommended Order.

Upon a motion by Commissioner Kano, seconded by Commissioner Lee, it was voted on and unanimously carried to approve the Hearings Officer's Final Order. The motion was voted on and unanimously carried.

Following the Commission's review, deliberation and decisions in these matters, pursuant to Chapter 91, HRS, the Chair announced that the Commission was reconvening to its scheduled Commission meeting at 11:55 a.m., pursuant to Chapter 92, HRS.

Minutes: Upon a motion by Commissioner Kano, seconded by Commissioner Lee, it was voted on and unanimously carried to approve the minutes of the March 24, 1994 Real Estate Commission meeting.

Next Meeting: June 24, 1994  
9:00 a.m.  
Kuhina Nui Room  
HRH Princess Victoria Kamamalu Building  
1010 Richards Street  
Honolulu, Hawaii 96813

Adjournment: Acting Chair Kuriyama adjourned the meeting at 11:20 a.m.

Respectfully submitted by:

---

Christine Rutkowski  
Executive Officer

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Date