

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, October 26, 1995

Time: 9:00 a.m.

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

Present: Barbara Dew, Chair, Oahu Member
Stanley Kuriyama, Vice Chair, Oahu Member
Charles Aki, Hawaii Member (Late arrival)
Theo Butuyan, Public Member (Late arrival)
Michael Ching, Kauai Member (Late arrival)
Alvin Imamura, Maui Member (Late arrival)
Carol Mon Lee, Public Member
Nora Nomura, Public Member

Calvin Kimura, Supervising Executive Officer
Christine Rutkowski, Executive Officer
Lee Ann Teshima, Real Estate Specialist
Russell Wong, Real Estate Specialist
Marlene Young, Special Deputy Attorney General
Shari Wong, Deputy Attorney General
Irene Kotaka, Secretary

Sheryl Nagata, Hearings Officer
Rodney Maile, Senior Hearings Officer
Jerome D. Adrana, Applicant
Matt B. Buckman, Applicant
Donald R. Blum, Applicant
Cameron W. Deal, III, Applicant
David A. Fincher, Applicant
Peter A. Tegan, Applicant
Barry Fong, Coldwell Banker McCormack

Excused: Helen Lindemann, Oahu Member

Call to Order: The Chair called the meeting to order at 9:02 a.m.

Recess: The Chair recessed the meeting due to a lack of quorum.

Commissioners Aki, Butuyan, Ching and Imamura arrived.

Reconvene: The Chair reconvened the meeting at 9:05 a.m., at which time quorum was established.

Executive Officer's Report: **Announcements, Introductions, Correspondence and Additional Distributions**

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

6. Committee Reports
 - a. Condominium Review Committee - Condominium Management Education Fund
 - b. Laws and Rules Review Committee - Real Estate Recovery Fund Budget
 - c. Education Review Committee - Real Estate Education Fund Budget

Minutes of Previous Meetings

Upon a motion by Commissioner Aki, seconded by Commissioner Butuyan, it was voted on and unanimously carried to amend the minutes of the April 28, 1995 and the May 22, 1992 Real Estate Commission meetings as follows:

April 28, 1995, Real Estate Recovery Fund (Page 3)

Fernando and Carolina Agustin v. Alberto Ulibas Ugalino, et al., First Circuit, Civil No. 92-0024-01

"Upon a motion by Commissioner Imamura, seconded by Commissioner Aki, it was voted on and unanimously carried that the Commission not oppose the motion for order directing payment out of the recovery fund for \$50,000, to approve payment of \$50,000 out of the recovery fund for \$50,000 and that the plaintiff assign the judgment to the Real Estate Commission.

Epitacio Urban Garcia, Jr. v. Ranolfo Ugalino, Sr., et al., First Circuit Court, Civil No. 91-2680-08

Upon a motion by Commissioner Imamura, seconded by Commissioner Aki, it was voted on and unanimously carried that the Commission not oppose the motion for order directing payment out of the recovery fund for \$25,000, to approve payment out of the recovery fund for \$25,000 and that the plaintiff assign the judgment to the Real Estate Commission.

May 22, 1992, Adjudicatory Matters (Page 2)

- g. Louis E. Abrams PB and Charlee & Associates, Ltd. dba ERA Charlee & Associates - Approve course as requested by respondent.

Upon a motion by Commissioner Ching, seconded by Commissioner Nomura, it was voted on and unanimously carried to approve the minutes of the May 26, 1995, August 25, 1995 and the September 22, 1995 meetings.

Chair's Report: No Chair's report was presented.

Adjudicatory Matters: The Chair called for a recess from the meeting at a.m., to discuss and deliberate on the following adjudicatory matters, pursuant to Chapter 91, HRS:

The Vacation Store, Inc., John Paulisin, Halford B. Elston, Langsford N. Hooker, David W. Hardy, and James S. Kraft, REC 92-223-L

Upon a motion by Commissioner Ching, seconded by Commissioner Lee, it was voted on and unanimously carried to accept the Hearings Officer's Findings of Fact, Conclusion of Law; accept the Recommended Order with the following amendment: If Respondents fail to make the restitution as ordered by the Commission, payment of the restitution shall be required prior to the issuance of a new or reinstated license to any of the Respondents.

FPP, Ltd. dba Century 21 First Pacific Properties and J. Robert Lightbourn, REC 94-177-L, 94-178-L and 94-179-L

Upon a motion by Commissioner Ching, seconded by Commissioner Butuyan, it was voted on and unanimously carried to approve the Settlement Agreement Prior to Filing Petition for Disciplinary Action and Commission's Final Order.

John Parris Realty, Inc. and John Parris, REC 94-231-L

Upon a motion by Commissioner Kuriyama, seconded by Commissioner Butuyan, it was voted on and unanimously carried to approve the Settlement Agreement Prior to Filing of Petition for Disciplinary Action and Commission's Final Order.

Polly V. Watanabe, REC 93-243-L

Upon a motion by Commissioner Aki, seconded by Commissioner Butuyan, it was voted on and unanimously carried to approve the Settlement Agreement for Disciplinary Action and Commission's Final Order, Respondent to take and successfully pass the prelicense course for real estate salespersons.

Rex D. Johnson, REC 94-64-L

Upon a motion by Commissioner Ching, seconded by Commissioner Lee, it was voted on and unanimously carried to approve the Settlement Agreement as to Rex D. Johnson Prior to Filing of Petition for Disciplinary Action and Commission's Final Order and Respondent to take and complete prelicense course for real estate brokers.

Tolmie Properties, Ltd. and John S. Tolmie, Jr., REC 94-26-L

Upon a motion by Commissioner Ching, seconded by Commissioner Butuyan, it was voted on and unanimously carried to approve the Settlement Agreement Prior to Filing of Petition for Disciplinary Action and Commission's Final Order.

Big Island Land Company, Ltd. and Gregory G. Gadd, REC 94-26-L

Upon a motion by Commissioner Kuriyama, seconded by Commissioner Ching, it was voted on and unanimously carried to approve the Settlement Agreement Prior to Filing Petition for Disciplinary Action and Commission's Final Order.

McCormack Real Estate, Inc. dba Coldwell Banker McCormack Real Estate; Signa Stampe-McCormack; G. Scott McCormack, REC 94-149-L

The Chair was excused from the meeting due to a conflict of interest. The Vice Chair presided over the meeting.

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

The Chair returned to the meeting and resumed presiding over the meeting.

Hawaiian Ensign, Inc., Paul Giles, and John D. Herrington, REC 94-46-L

Upon a motion by Commissioner Ching, seconded by Commissioner Kuriyama, it was voted on and unanimously carried to approve the Settlement Agreement as to Respondents Hawaiian Ensign, Inc. and Paul Giles After Filing Petition for Disciplinary Action and Commission's Final Order.

Kokua for Travel Agents, Inc., REC-LIC 94-3

Upon a motion by Commissioner Kuriyama, seconded by Commissioner Aki, it was voted on and unanimously carried to accept the Hearings Officers Findings of Fact, Conclusions of Law and Recommended Order.

Oahu Area Real Estate, Inc. aka Sutton Group O.A.R.E. and John D. Schleppegrell, and Ronald A. Schleppegrell, REC 92-183-L and REC 92-296-L

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

Following the Commission's review, deliberation and decisions in these matters, pursuant to Chapter 91, HRS, the Chair announced that the Commission was reconvening its scheduled meeting at 9:55 a.m., pursuant to Chapter 92, HRS.

Recovery Fund Report: No report was presented.

Committee Reports: **Condominium Review Committee**

Upon a motion by Commissioner Lee, seconded by Commissioner Ching, it was voted on and unanimously carried to accept the report of the October 4, 1995 Condominium Review Committee meeting, as follows:

1. Minutes of September 13, 1995 Meeting **accepted**.
2. Hawaii Real Estate Research and Education Center Report
 - a) Hawaii Condominium Bulletin - Fall 1995 targeted for November distribution.
 - b) Condominium Board of Directors Guide - Draft copy of insurance guide distributed to committee members and HREREC requests all comments submitted no later than October 25, 1995.
 - c) HREREC Interaction Program - HREREC staff will not attend CAI's 39th National Conference based upon a review of work load and financial considerations. HREREC will attend CAI's 17th Annual Law Seminar in February. **Recommend approval** that HREREC to submit proposal for seminar at CAI's 40th National Conference.
3. Condominium Project Registration, Public Reports and Sales to Owner-Occupants
Recommend approval to ratify issuance of effective dates during September, 1995 and extensions and owner-occupant pre-sale announcements for the first quarter of fiscal year 1996.
4. Program of Work
1995 Legislative Acts and Resolutions - Act 185: Recodification Plan -
Recommend approval that HREREC to be assigned program to develop plan for recodification and that REC recognizes that other HREREC work will be delayed due to its assistance in this project. HREREC to do research and initial drafts with Staff to finalize, print, and distribute. Research should include examination of other DCCA recodification efforts (Insurance and Financial Institutions), what needs to be accomplished by recodification and why, who should do recodification, and how it should be financed. Plan is due to the legislature by January 2, 1996.
5. Next meeting: Wednesday, November 8, 1995
10:30 a.m.
Kapuaiwa Room
HRH Princess Victoria Kamamalu Building
1010 Richards Street
Honolulu, Hawaii

Condominium Management Education Fund (CMEF) Budget

A copy of the CMEF Budget for fiscal years 1994 to 2001 were distributed to the Commissioners for their information.

Upon a motion by Commissioner Lee, seconded by Commissioner Ching, it was voted on and unanimously carried to accept the budget as submitted.

Laws and Rules Review Committee

Upon a motion by Commissioner Kuriyama, seconded by Commissioner Nomura, it was voted on and unanimously carried to accept the report of the October 4, 1995 Laws and Rules Review Committee meeting, as follows:

1. Hawaii Real Estate Research & Education Center Report
 - a. PB and BIC Brochure - third draft comments received from REB staff and working on next draft.
 - b. Professional Responsibility Course - next draft to be submitted to REB staff on October 12, 1995.
 - c. Advertising Brochure - awaiting final direction from REB staff for printing.
 - d. Laws and Rules Manual and Reference Manual - first updated guide for the reference manual, landlord tenant code, going to the printers; second updated guide, client trust accounts, projected for printing during November 1995.
2. Program of Work
 - a. Rule Making, Chapter 99 - **Recommend approval** to include and develop appropriate language in next draft:
 - 1) To repeal that part of the rule, §16-99-11(b), that requires only the full licensed name of the real estate salesperson can appear in advertisements. Continue the requirement and make it clear that the full licensed name of the real estate broker shall appear in all advertisements, excluding inc. and ltd., and that the full licensed name of the real estate broker includes the trade name and any franchise name registered with the commission and business registration division, which may not have to appear with "dba" and may be disjointed for appearance in the advertisement.
 - 2) To repeal that part of the rule, §16-99-11(f), that requires that the licensee specify in advertisements if a broker (B), or salesperson (S), or if a current member of the Hawaii Association of Realtors, Realtor (R) or Realtor-Associate (RA).
 - 3) To repeal that part of the rule, §16-99-11(g)(1), that requires height of lettering; and repeal rules §16-99-11(g)(2) and §16-99-11(h).
 - 4) To repeal rule §16-99-11(i).
 - 5) Continue to require that all licensees named in real estate contracts shall be in full licensed name.
 - b. Application Processing and Forms - Report and Recommendation on Zoning Form - **Recommend approval** to amend Zoning Form and its procedures, subject to any RICO concerns, as follows:
 - to require self certification by principal broker and any successor principal brokers that principal place of business or branch office conforms with the permitted use under the zoning code of the county in which the subject office is situated or that the site office conforms with the respective county requirements pertaining to temporary land use, in lieu of certification by county official presently required, via an amended developed Zoning Form(s) that would include appropriate language from the present conditional real estate broker place of business certification;

- to continue the county official certification requirements for Condominium Hotel Operator who seek a real estate broker exemption via a newly developed CHO real estate broker exemption form;
- staff to research and develop a form or forms, including the feasibility of development within the Change Form, for new and successor principal brokers and brokers-in-charge certification on places of business and site offices including acknowledgement of duties and responsibilities for sole proprietor, corporation, and partnership brokerages; and
- staff to report to this LRRC after the first year usage of the new forms and procedures on any problems, concerns, consumer protection, resource situation, and any recommendations.

This recommendation is based on Deputy Attorney General's advisement that the recommendation does not conflict with and is within the law and rules and that the Commission is acting within authority.

- c. Commissioners Education Program - Real Estate Commission Workshop, Thursday, October 26, 1995, 1:00 p.m. to 4:00 p.m., Commissioners, Staff, RICO, OAH, PVL, AGO

3. Special Issues

- a. Kona Board of Realtors Proposed White Paper on Advertising Rules - **Recommend** staff to review and direct any comments to the Kona Board
- b. Recommendations on Broker Experience Certification - **Recommend approval** to include and develop appropriate amendments for the next rule making draft of Chapter 99 as follows:
 - that the broker experience requirement shall be two years full-time occupation as an active licensed Hawaii real estate salesperson associated with an active licensed Hawaii real estate broker immediately prior to submission of broker experience certificate application;
 - that the principal broker shall certify that the applicant has been actively employed for the length of time certified;
 - repeal all transactions requirements and any equivalents; and
 - repeal all equivalent experience options and experience waivers.

- 4. Next Meeting: Wednesday, November 8, 1995
9:00 a.m.
Kapuaiwa Room
HRH Princess Victoria Kamamalu Building
1010 Richards Street, Second Floor
Honolulu, Hawaii

Real Estate Recovery Fund (RERF) Budget

A copy of the RERF Budget for fiscal years 1994 to 2001 was distributed to the Commissioners for their information.

Upon a motion by Commissioner Kuriyama, seconded by Commissioner Nomura, it was voted on and unanimously carried to accept the budget as submitted.

Education Review Committee

Upon a motion by Commissioner Imamura, seconded by Commissioner Aki, it was voted on and unanimously carried to accept the report of the October 4, 1995 Education Review Committee, as follows:

1. Proposed **1996** Real Estate Commission Meetings Schedule - **Request**
Commissioners submit any conflicts on meeting dates by October 6, 1995.
2. Hawaii Real Estate Research and Education Center Report
 - a. Continuing Education Core Course - Available as of September 25, 1995.
 - b. Continuing Education Elective Courses - Dr. Ordway's Disclosure course (tandem with Seller Disclosure Consumer Guide) will be submitted October 31, 1995 to REB for next ERC meeting mailout. Steve Gilbert's Broker Management course, commented by REB, will be submitted to REB for next ERC meeting mailout. Dr. Ordway's Advertising course awaits the completion of the Advertising Guide.
3. Continuing Education Administration, Curriculum, Courses, Providers, and Instructors - **Recommend approval** of the following applications:
 - Provider reregistration
 - Pence School of Real Estate
 - Instructor recertification
 - Michael B. Pence for "Real Estate Law" (Course Category), "Advertising", "Broker Management", and "Disclosure"
 - Gretchen Duplanty for "Fair Housing" (Course Category)
 - Instructor certification
 - Madeline Jeanne "Madge" Walls for "Contracts", "Dispute Resolution" and "Real Estate Law Update and Ethics"
 - Course certification
 - John Reilly for "Consensual Dual Agency" and "Homeowner's Tax Breaks" (computer courses)
 - Eddie Flores, Jr. for "Homeowner's Tax Strategies" and "Hawaii Landlord-Tenant Code"
4. Prelicensing Education Administration, Curriculum, Schools and Instructors - **Recommend approval** of the following applications:
 - Broker classes
 - Dower School of Real Estate
 - Joint broker/salesperson classes
 - Dower School of Real Estate
 - Salesperson classes at the Bay Club Ownership Resort
 - Century 21 School of Real Estate
5. Prelicensing Examination - effective October 21, 1995, new forms of the state exam will be implemented into the prelicensing salesperson and broker exams.

6. Evaluation of HREREC and Its Future and Division and Department Programs
- **Recommend approval** to appoint Marcus Nishikawa for the following:
 - special master for the Commission on the Evaluation of HREREC and its Future;
 - special master for the Commission on RE Division Status;
 - immediate appointment to the HREREC Advisory Council; and
 - recommend to HREREC Advisory Council that Mr. Nishikawa serve as its Chair.
7. Special Issues - **Recommend** Staff respond to Katharine T. Cannon Eger's letter regarding the Hawaii County Real Property Tax Board Review Request for Assistance on Education.
8. ARELLO, REEA, and Other Organizations Report - 1995 International Education Award for Post Licensing Education Program "Real Estate Summit"
- **Recommend** Staff prepare press release regarding award and send letters of appreciation to all Summit participants.
9. Next Meeting: Wednesday, November 8, 1995, 1:30 p.m.
Kapuaiwa Room
HRH Princess Victoria Kamamalu Building
250 South King Street
Honolulu, Hawaii

Real Estate Education Fund (REEF) Budget

A copy of the REEF Budget for fiscal years 1994 to 2001 were distributed to the Commissioners for their information.

Upon a motion by Commissioner Imamura, seconded by Commissioner Aki, it was voted on and unanimously carried to accept the budget as submitted.

Based on the request of the Professional and Vocational Licensing Division's Licensing Administrator, Commissioner Imamura moved to approve the submission of the supplemental budget request for FY97, in that the CMEF is to fund two condominium specialist positions and the Secretary II position, that RERF to fund a clerical position, and that REEF is to cease funding of the Licensing Branch clerical positions.

Licensing:

Restoration of Forfeited License

Jerome D. Adrana

Mr. Adrana stated that at the time of his inactivation, he was building an apartment building. He had an accident and had back problems and almost lost his foot. Mr. Adrana stated that he would like to continue in the real estate industry.

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

Questionable Applications

Matt B. Buckman

Mr. Buckman was asked if he would like his application to be considered in executive session. Mr. Buckman declined.

Mr. Buckman stated that he had inadvertently checked the box which said that he was convicted of a felony when it was not a felony. In 1993, he was stopped for driving under the influence. He attended driver education classes and Alcoholics Anonymous meetings. He was not involved in an accident.

Mr. Buckman was asked if there was a reason why correspondence between staff and he did not continue when he submitted his first application and he then submitted his second application. Mr. Buckman stated that he really does not know.

Mr. Buckman was asked if, in the past two years, was he convicted of a crime? Mr. Buckman stated that they don't consider a traffic offense a crime.

Mr. Buckman was asked if he could submit more documentation from the courts on his conviction. Mr. Buckman said that he would submit more documentation from the courts regarding his conviction and sentencing.

REB staff routinely requests that the applicant obtain orders from the court and documentation on the terms of sentencing. On April 13 and September 22, 1995, REB staff wrote to Mr. Buckman to request that the documents be submitted. If the letter was unclear to Mr. Buckman, REB staff would have appreciated knowing.

Mr. Buckman had submitted an application for restoration in April 1994. In early 1995, he submitted another restoration application. Mr. Buckman stated that he figured that since he had marked it as a crime and it was not, he submitted another application. Driver education had told him that a DUI is not considered a crime. It is a traffic crime.

Mr. Buckman was advised that he should have contacted staff and communicated with staff, rather than submitting a second application.

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

Donald Blum

Mr. Blum was present to answer any questions the Commission may have regarding his application. No questions were asked.

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

Cameron W. Deal, III

Mr. Deal was asked if he would like to have his application considered in executive session. Mr. Deal declined.

Mr. Deal stated that he had been served notice of the tax lien in person by William Petridas. Mr. Deal stated that he had put a tax payment schedule together in 1993, but both he and the IRS decided that he was not in good shape because he couldn't hold down a job. The IRS has been very cooperative with him. He stated that his account is currently in an uncollectible status.

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

David A. Fincher

Mr. Fincher was asked if he would like to have his application considered in executive session. Mr. Fincher declined.

Mr. Fincher stated that when everything started, he lost his asset base to satisfy the taxes owed. Due to a lot of circumstances, he got on the bad side of the IRS. When he became employed, he attached his wages and it made it difficult for him to progress. In 1989, he got into real estate. He did not have the ability to pay the IRS. Mr. Fincher stated that it is difficult to make a living, do real estate, and make payments. During the last couple of years, he found out, through legal counsel, that he could make an offer and compromise. Since then he has remarried and his wife is committed to helping him solve the problem. He is able to focus more resources towards the liens. He stated that he had paid off the first lien in Hawaii. He has retained an attorney in Los Angeles to help him prepare an offer and compromise. He is still in negotiations with the State of California and the IRS. Mr. Fincher stated that he is working part-time in real estate.

Mr. Fincher was asked if he has tried to work out a payment schedule. Mr. Fincher stated that he tried to do that when he came to Hawaii but he couldn't guarantee that he could make the payments.

Mr. Fincher stated that he had submitted one offer and compromise for the State and one for the IRS. In 1993, he submitted an offer and compromise for \$500 for taxes of \$9,000 and \$1,500 for \$28,000 in taxes.

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

Peter Tegan

Mr. Tegan was asked if he would like to have his application considered in executive session. Mr. Tegan declined.

Mr. Tegan stated that the only area of financial difficulty occurred in the 1980/81 tax year. He stated that he was notified that taxes were due in 1989/90. The person who he entered into a tax planning investment with had signed a waiver with the IRS waiving

any statute of limitation. He stated that he has been in discussions with the IRS since 1993. He originally filed with the San Francisco Office, but was later transferred to the Honolulu Office when and his wife moved to Kauai. He is unable to pay the amount that they are asking for. The majority owed is from interest and penalty.

Mr. Tegan apologized that the information requested was not made available earlier. In the early 1990's, he retained attorneys to discuss with the IRS what they were doing. He asked them why they were coming to them in 1990 for the taxes which were owed in the 1980's.

Mr. Tegan stated that he has not been able to agree on the amount. He hopes to have this matter resolved very soon.

Mr. Tegan was asked if he owned real estate and if there was an encumbrance on it. Mr. Tegan stated that he offered the property to the IRS, but they refused it. The property has been on the market since 1988. The property is located in Sacramento, California. The State of California tax liens were based on the same tax years. Mr. Tegan stated that when the IRS stepped in, California recalculated their information based on the IRS figures. If he settles with the IRS, he anticipates that California will also settle.

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

Executive Session:

Upon a motion by Commissioner Aki, seconded by Commissioner Kuriyama, it was voted on and unanimously carried to enter into executive session pursuant to Section 92-5(b)(1), Hawaii Revised Statutes, "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 Aki, seconded by Commissioner Ching, it was voted on and unanimously carried to move out of executive session.

Licensing:

Restoration of Forfeited License

Richard L. Johnson
Jerome D. Adrana

Salesperson
Salesperson

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

Questionable Applications

Matt B. Buckman

After a review of the information presented by the applicant, Commissioner Ching moved to defer final request for further information. Commissioner Butuyan seconded the motion. The motion was voted on and unanimously carried.

Donald R. Blum

After a review of the information submitted by the applicant, Commissioner Ching moved to approve the real estate salesperson license application of Donald R. Blum. Commissioner Aki seconded the motion. The motion was voted on and unanimously carried.

Dale V. Scharnhorst

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

Cameron W. Deal, III

After a review of the information presented by the applicant, Commissioner Nomura moved to deny Cameron W. Deal, III's application for a real estate salesperson's license, pursuant to Sections 467-8(3) and 436B-19(1), (8) and (12), HRS. Commissioner Butuyan seconded the motion. The motion was voted on and unanimously carried.

David A. Fincher

After a review of the information presented by the applicant, Commissioner Nomura moved to deny David A. Fincher's application for a real estate broker's license, pursuant to Sections 467-8(3) and 436B-19(1), (8) and (12). Commissioner Butuyan seconded the motion. The motion was voted on and unanimously carried.

G. Scott Holder

After a review of the information submitted by the applicant, Commissioner Ching moved to approve G. Scott Holder's application for a real estate broker's license. Commissioner Lee seconded the motion. The motion was voted on and unanimously carried.

Dana Christine Chandler

Upon a motion by Commissioner Ching, seconded by Commissioner Aki, it was voted on and unanimously carried to defer decision making on this application pending further information.

Vivian Huyn Lee dba World Realty

After a review of the information submitted by the applicant, Commissioner Kuriyama moved to approve the real estate sole proprietor application of Vivian Huyn Lee dba World Realty. Commissioner Aki seconded the motion. The motion was voted on and unanimously carried.

Garcia Properties Corporation

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

Vernon York Realty, Inc.

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

Shell Development Corporation - Greens

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

Hualalai Realty, Inc.

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

Kohala Bay Properties, Ltd.

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

David Schlegel, Inc. dba Property Marketing of Hawaii

After a review of the information submitted by the applicant, Commissioner Ching moved to approve the real estate corporation application of David Schlegel, Inc. dba Property Marketing of Hawaii. Commissioner Lee seconded the motion. The motion was voted on and unanimously carried.

Management Consultants of Hawaii, Inc.

After a review of the information submitted by the applicant, Commissioner Aki moved to approve the condominium hotel operator registration and the condominium managing agent registration of Management Consultants of Hawaii, Inc. Commissioner Nomura seconded the motion. The motion was voted on and unanimously carried.

Kauai Paradise Vacations, Inc.

After a review of the information submitted by the applicant, Commissioner Kuriyama moved to approve the condominium hotel operator registration of Kauai Paradise Vacations, Inc. Commissioner Lee seconded the motion. The motion was voted on and unanimously carried.

Gina K. Heidler

After a review of the information submitted by the applicant, Commissioner Nomura moved to approve Gina K. Heidler's request for an equivalency to ten written transactions, three of which are sales closed escrow and three are listings closed escrow (two closed listings). Commissioner Butuyan seconded the motion. The motion was voted on and unanimously carried.

Peter A. Tegan

After a review of the information presented by the applicant, Commissioner Nomura moved to deny Peter A. Tegan's request for reconsideration and to reaffirm the Commission's previous decision, dated July 28, 1995. Commissioner Butuyan seconded the motion. The motion was voted on and unanimously carried.

Licensing and
Registration:

Ratification

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

Brokers

Giles & Duplanty, Inc.
James M. Tateishi
Susan K. Shimamoto dba Shimamoto Realty
Ivan W. K. Auyoung
Koyo Realty, Inc.
Nanette Verla Norman
Suzanne T. Terada dba Ohelo Realty
Creative Properties Realty (CPR) Inc.
Michael S. Baral
Gerald T. K. Wong
Elite Realty, Inc.
Sun and Sea Realty, Inc.

Branch Office

Koll Asia Pacific - Hawaii, Inc.
Urban Management Corp.
Marriott Kauai Ownership Resorts, Inc.
Hannon Realty, Ltd.

Trade Name

Pahio Management, Inc. fka Owner's Management Corporation
The Stahl Group, Inc. fka H J S, Ltd.

Site Office

The Prudential Locations, Inc. - Kahala Kua
Malama Realty Corp. - Kua'Aina Ridge
Malama Realty Corp. - Piilani Village
Realty Executives Hawaii - Waikoloa Village 2A1
Finance Realty, Ltd. - Makakilo Ridge
Pahio Vacation Ownership, Inc. - Pahio at Bali Hai Villas
Company Bruno, a Real Estate Corporation - Sunset Shores
Premier, Inc. - Olaloa
Schuler Realty/Oahu, Inc. - Ma'ili Kai
Schuler Realty/Oahu, Inc. - Pualani By The Sea (Phase 1A)
Aloha Resorts International, Inc. - Kahana Falls
Gentry Realty, Ltd., a Hawaii Corporation - Coronado, Phases A, B, and C
Gentry Realty, Ltd., a Hawaii Corporation - SummerHill
Castle & Cooke Homes Hawaii, Inc. - Mililani Mauka, Unit 116
Marcus & Associates, inc. - Aiea Park Place
Herbert K. Horita Realty, Inc. - Ko Olina Fairways
Herbert K. Horita Realty, Inc. - Pae Ko Gardens, Kapolei Village VI
C. Brewer Homes, Inc. - Halemalu at Kehalani
Properties Unlimited, Inc. - Honuakaha
Kauai Realty, Inc. - Puako Subdivision
Grove Farm Properties, Inc. - Puako Subdivision
Day-Lum, Inc. - Lyman Gardens Senior Community

Next Meeting:

Wednesday, November 22, 1995
9:00 a.m.
Kuhina Nui Room
HRH Princess Victoria Kamamalu Building
1010 Richards Street, Second Floor
Honolulu, Hawaii

Adjournment:

With no further business to discuss, the Chair adjourned the meeting at 12:05 p.m.

Respectfully submitted by:

Christine Rutkowski, Executive Officer

Date