

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

**MINUTES OF MEETING**

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

Date: Friday, January 28, 2000

Time: 9:00 a.m.

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

Present: Alvin Imamura, Chair  
Nora Nomura, Vice Chair  
Charles Aki, Member  
Michael Ching, Member  
Patricia Choi, Member (Late Arrival)  
Alfredo Evangelista, Member (Late Arrival)  
Mitchell Imanaka, Member  
John Ohama, Member  
Iris Okawa, Member

Calvin Kimura, Supervising Executive Officer  
Christine Rutkowski, Executive Officer  
Pamela Garrison, Senior Real Estate Specialist  
Naomi Cole, Real Estate Specialist  
Russell Wong, Real Estate Specialist  
Cynthia Yee, Senior Condominium Specialist  
Gina Watumull, Condominium Specialist  
Shari Wong, Deputy Attorney General (Late Arrival)  
Irene Kotaka, Secretary

Edward A. Neizman  
Paul Horikawa, Attorney for Edward A. Neizman

Call to Order: The Chair called the meeting to order at 9:03 a.m., at which time quorum was established.

Chair's Report: No report was presented.

The Deputy Attorney General arrived.

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

**Additions to the Agenda**

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

4. Committee Reports
  - a. Laws and Rules Review Committee  
Chapter 53 of Title 16, HAR, Request for Approval to Conduct Public Hearing on Proposed Amendments
  - b. Education Review Committee  
Hawaii Association of REALTORS Report to Legislature on Continuing Education
  - c. Condominium Review Committee  
Community Associations Institute – Request for Subsidy Approval “Toxic Mold in Buildings” – February 17, 2000
6. Licensing – Questionable Applications  
Condominium Hotel Operator
  - e. Bay Realty, Inc., Timeshare Resales Hawaii

#### **Minutes of Previous Meetings**

Upon a motion by Commissioner Aki, seconded by Commissioner Ching, it was voted on and unanimously carried to approve the minutes of the January 28, 2000 Real Estate Commission meeting as circulated.

#### Committee Reports:

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

Upon a motion by Commissioner Ching, seconded by Commissioner Okawa, it was voted on and unanimously carried to accept the report of the Laws and Rules Review Committee meeting as follows:

1. Minutes of Previous Meetings – Accept minutes of December 8, 1999.
2. Program of Work, FY00 – Division and Department Programs
  - a. RICO Request for Funding of Investigators Training - **Recommend approval** of the request by RICO to send two investigators to attend the University of Hawaii at Manoa Outreach College Real Estate Salesperson's Prelicensing Course, subject to the following conditions:
    - 1) That the subject investigators will be assigned real estate licensing complaint investigations;
    - 2) That the subject investigators submit a report to the Commission concerning the course and its relevancy to his/her duties;
    - 3) That the subject investigators will participate in the Commission's instructor evaluation program and complete an instructor evaluation form. Prior to attending the course, the subject investigators to contact the Real Estate Specialists for briefing on the instructor evaluation program, receipt of the form and its use;
    - 4) That RICO will handle all arrangements, approvals and purchase orders. The funding will be through the Real Estate Education Fund for fiscal year 2000. The contact person will be Karyn Takahashi; and
    - 5) That due to budgetary constraints, all future requests shall be presented to the Commission for review and approval.

- b. RICO Advisory Committee Membership Lists – **Recommend approval** of the Real Estate Advisory Committee list and the addendum that the Advisory Committee Membership List also include any additional interim appointees that RICO deems necessary to aid in its investigations. The Commission will also forward the names of possible Advisory Committee members from the island of Kauai as soon as they are available.
3. Next Meeting: Wednesday, February 9, 2000  
9:00 a.m.  
HRH Princess Victoria Kamamalu Building  
1010 Richards Street, Second Floor  
Honolulu, HI 96813

### **Education Review Committee**

Commissioner Ohama asked for clarification on whether or not the Land Use and Permit Requirements-Residential Applications course was approved for 3-1/3 hours or 3 hours only. The course will be approved for 3-1/3 hour credits.

Upon a motion by Commissioner Ohama, seconded by Commissioner Nomura, it was voted on and unanimously carried to accept the report of the Education Review Committee meeting, deferring acceptance of item 4., as follows:

1. Minutes of December 8, 1999 meeting - **Accept**.
2. Continuing Education Administration, Curriculum, Courses, Providers, and Instructors – Applications
  - a. 1999-2000 Continuing Education Providers and Courses Ratification List – **Recommend approval** of the attached list.
  - b. Course – “Land Use and Permit Requirements-Residential Applications,” Author/Owner: Philip Hale Wilia and Dower School of Real Estate, (Provider: Dower School of Real Estate), Course Category: Other – Land Use – **Recommend Approval** as a 3 1/3 hour continuing education course provided that the course title be revised to include “City and County of Honolulu,” to delimit the topic.
  - c. Course – “Escrow, Title & Appraisals,” Author/Owner: Abe Lee, (Provider: Abe Lee Seminars), Course Category: Contracts – **Recommend Approval** as a 3 1/3 hour continuing education course.
  - d. Course – “Timeshare Real Estate – I – Introduction,” Author/Owner: Lynn W. Carlson, (Provider: Lynn W. Carlson). Course Category: Investment, Property Ownership and Development, and Other – Timeshare Real Estate – **Recommend Approval** as a 3 hour continuing education course with the following conditions: 1) Course must be advertised as a 3 hour continuing education course; 2) Instructor must announce that the course is a 3 hour continuing education course; and 3) Continuing education certificates of completion must be issued noting 3 continuing education hours.

3. Prelicensing Education Administration, Curriculum, Schools, Instructors, and Equivalency – Applications – 1999-2000 Prelicensing Education Schools and Instructors Ratification List – **Recommend Approval** of the attached list.
4. Post HREREC Contract Termination Administration – Final Accounting – **Recommend Acceptance.**
5. Next Meeting: Wednesday, February 9, 2000  
10:00 a.m.  
Kapuaiwa Room  
1010 Richards Street, Second Floor  
Honolulu, HI 96813

### **Condominium Review Committee**

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

1. Minutes of December 8, 1999 – **Accept** minutes.
2. AOA Registrations – **Recommend approval** to ratify effective dates for AOA registrations for 1999-2001 Registrations through December 31, 1999.
3. Developer's Public Reports, Extensions Issued – **Recommend approval** to ratify issuance of effective dates for developer's public reports and extensions for the month of December 1999.
4. Lanikai Place – Registration No. 1871, Cynthia H. Thielen's Request – **Recommend approval** to accept the developer's request to defer the matter to the March 8, 2000 meeting of the CRC.
5. Land Use Research Foundation – Proposed Legislation – "A Bill Relating To The Sale of Residential Condominiums to Owner-Occupants" (Draft 12/28/99) – staff and the lead Commissioner to meet and work with the proponents of the proposed legislation.
6. Next Meeting: Wednesday, February 9, 2000  
**1:00 p.m.**  
Kapuaiwa Room  
1010 Richards Street, Second Floor  
Honolulu, HI 96813

Community Associations Institute – Hawaii Chapter – Request for Subsidy Approval "Toxic Mold in Buildings" February 17, 2000

Upon a motion by Commissioner Imanaka, seconded by Commissioner Ching, it was voted on and unanimously carried to approve the Community Associations Institute – Hawaii Chapter's request for approval of a Condominium Education Fund subsidy for the seminar, "Toxic Mold in Buildings", to be held on February 17, 2000, according to contract terms.

### **Education Review Committee**

A copy of the Hawaii Association of REALTORS' Report to the Legislature on Continuing Education for Real Estate Licensees was distributed to the Commissioners for their information. The Senior Real Estate Specialist reported that the report concluded that there was no need to offer any legislative changes to the existing continuing education

requirements. HAR conducted a survey among its members and the vast majority prefer to retain the ten hour requirement.

Upon a motion by Commissioner Imanaka, seconded by Commissioner Ohama, it was voted on and unanimously carried to accept HAR's Report on continuing education.

### **Post HREREC Contract Termination Administration – Final Accounting**

The Vice Chair questioned staff on the appearance of additional funds. Real Estate Specialist Wong explained that moneys had been deposited initially with the University of Hawaii Foundation and later the contract was transferred to the Research Center of the University of Hawaii. During the changeover, the funds were left with the University of Hawaii Foundation.

Upon a motion by Commissioner Ching, seconded by Commissioner Ohama, it was voted on and unanimously carried to accept the final accounting.

### Licensing and Registration - Ratification:

Upon a motion by Commissioner Nomura, seconded by Commissioner Aki, it was voted on and unanimously carried to ratify the attached list.

### Licensing – Questionable Applications:

#### **Edward A. Neizman**

The Chair recused himself from the meeting. The Vice Chair presided over the meeting.

Mr. Neizman was asked if he wished to have his application considered in executive session. Mr. Horikawa, Mr. Neizman's attorney, requested that the application be considered in executive session.

### Executive Session:

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

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

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

### Executive Session:

Upon a motion by Commissioner Aki, seconded by Commissioner Imanaka, it was voted on and unanimously carried to enter into executive session, pursuant to Section 92-5(a),(1), HRS, "To consider and evaluate personal information relating to individuals applying for professional or vocational licenses cited in section 26-9 or both;".

The Chair recused himself from the discussion of Edward A. Neizman's application. The Vice Chair presided over the meeting.

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

Commissioner Evangelista arrived.

Commissioner Choi arrived.

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

Chapter 91, HRS,  
Adjudicatory  
Matters:

The Chair called for a recess from the meeting at 10:00 a.m., to discuss and deliberate on the following adjudicatory matters, pursuant to Chapter 91, HRS:

Special Deputy Attorney General Piccolo sent her apologies that she was unable to be present at today's meetings. Haunani Alm, RICO Attorney, was present on behalf of Ms. Piccolo.

**In the Matter of the Real Estate Salesperson's License of Tommy Wen Lin, also known as Wen Lin, REC 99-30-L**

In order to avoid an appearance of impropriety, the Executive Officer will be presenting the information on the Settlement Agreement to the Commission.

Ms. Alm was excused from the meeting.

Upon a motion by Commissioner Ching, seconded by Commissioner Imanaka, 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.

Ms. Alm returned to the meeting.

**In the Matter of the Real Estate Broker's License of Leland H. Y. Louie, dba Hawaii Golden Realty, REC 99-45-L**

Upon a motion by Commissioner Nomura, seconded by Commissioner Aki, 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.

**In the Matter of the Real Estate Broker's Licenses of Bay Realty, Inc., dba Timeshare Resales Hawaii and James A. Moberg, REC 1998-109-L**

Commissioner Ching recused himself from the meeting.

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

Commissioner Ching returned to the meeting.

**In the Matter of the Real Estate Salesperson's License of Thomas E. Caprio, REC 98-122-L**

Upon a motion by Commissioner Imanaka, seconded by Commissioner Okawa, 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.

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 Commission meeting at 10:29 a.m.

The Chair recused himself from the meeting. The Vice Chair presided over the meeting.

Licensing -  
Questionable  
Applications:

**Edward A. Neizman**

After a review of the information presented by the applicant, Commissioner Ching moved to approve the reinstatement of Edward A. Neizman's real estate broker's license and to direct staff to process to approvals the reinstatement application of Kaiman Realty, Inc., subject to ministerial functions only. Commissioner Imanaka seconded the motion. The motion was voted on and carried.

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

**Arthur A. Johnson**

After a review of the information submitted by the applicant, Commissioner Ohama moved to approve the real estate salesperson's license application of Arthur A. Johnson. Commissioner Choi seconded the motion. The motion was voted on and unanimously carried.

**Kinani D. Fitzgerald**

After a review of the information submitted by the applicant, Commissioner Nomura moved to approve the real estate salesperson's license of Kinani D. Fitzgerald. Commissioner Ohama seconded the motion. The motion was voted on and unanimously carried.

**Dorothy J. Jackson**

After a review of the information submitted by the applicant, Commissioner Nomura moved to deny Dorothy J. Jackson's application for a real estate broker's experience certificate, pursuant to §467-9.5(3)(C), HRS. Commissioner Ohama seconded the motion. The motion was voted on and unanimously carried.

**Bay Realty, Inc., Timeshare Resales Hawaii**

Commissioner Ching recused himself from the meeting.

After a review of the information submitted by the applicant, Commissioner Ohama moved to approve the Condominium Hotel

Operator registration of Bay Realty, Inc., Timeshare Resales Hawaii.  
Commissioner Evangelista seconded the motion. The motion was voted  
on and carried.

Commissioner Ching returned to the meeting.

Next Meeting: Friday, February 25, 2000  
9:00 a.m.  
Kapuaiwa 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  
10:31 a.m.

Reviewed and approved by:

/s/ Christine Rutkowski  
Christine Rutkowski  
Executive Secretary

February 25, 2000  
Date

[ X ] Approved as circulated.  
[ ] Approved with corrections; see minutes of \_\_\_\_\_ meeting.

APPROVED APPLICATIONS FOR REAL ESTATE  
 REAL ESTATE COMMISSION MEETING ON JANUARY 28, 2000

<u>Brokers - Corporations and Partnerships</u>	<u>Effective Date</u>
Honolulu Development Corporation Kenneth Nobuta, PB	12/03/99
Crowntree Enterprises, Inc. Mark T. Shklov, PB	11/18/99
Kaneohe Ranch Company, Limited M.M. Mosher-Cates, PB	12/23/99
Kona Village Realty, Inc. Sumio Nakashima, PB	05/28/99
Saturation Point, Inc., Hart of Kona Realty Todd E. Hart, PB	12/10/99
SFC Realty Corporation Scott F. Church, PB	01/05/00
Realty Executives-Big Island Corporation Reese Ernest Libby, PB	01/06/00

<u>Brokers – Limited Liability Companies and Partnerships</u>	<u>Effective Date</u>
Home Managers, LLC Marian E. Kunihisa, PB	12/27/99

<u>Brokers - Sole Proprietor</u>	<u>Effective Date</u>
Jennifer Aquino	11/15/99
Joanne L. Anderson	11/17/99
Ronald T. Okumoto	11/20/99
Ronnie L. Lunsford, Hawaii's Realty Connection	11/30/99
Henry James Correa, Jr., Hank Correa Realty	11/24/99
Katherine A. Ingoglia	12/06/99
Gary M. Yokoyama	12/06/99
Diana Chang, Happy Land Properties	12/08/99
Paul Y. M. Kang	12/13/99
Elton M. Yugawa, Elton M. Yugawa, Realtor	12/14/99
Kathi L. Henry	12/15/99
Keith E. Sakoda	12/17/99
Jared E. Yamamoto	12/17/99
Jack S. Fisher, isleofmaui.com REALTORS	12/20/99
Richard S. Cricchio, Help-U-Sell Honolulu Properties	01/03/00
Sheldon Soosman, S & S Realty	12/28/99

<u>Tradename</u>	<u>Effective Date</u>
Landsman, Inc., Kula Land Company	12/10/99
National Mortgage Real Estate Corp., Marina Apartment Rentals & Sales	12/21/99
Keith Ellison Haruyuki Sakoda, Sakoda Realty	12/28/99

<u>Corporation Name</u>	<u>Effective Date</u>
Realty 1 <sup>st</sup> , Inc. (fka Commercial & Development Realty Corporation)	12/20/99
Kaanapali Resort Realty LLC (fka Kaanapali Alii Realty LLC)	12/30/99

<u>Branch Office</u>	<u>Expiration Date</u>
Consolidated Resorts, Inc. Marcus J. Baricuatro, PB Charles M. Allbritton, BIC	11/24/99
Fred Sands Iwado Realty Inc. Tamio Iwado, PB Denise A. Prosser, BIC	12/07/99
National Mortgage Real Estate Corp., Marina Apartment Rentals & Sales Derek T. Kimura, PB Stephanie MacDonald Lange, BIC	12/21/99
All Islands, Inc., Century 21 All Islands James W. Wright, PB Carol Miller Keale, BIC	12/20/99
<u>Equivalency to Uniform Section of Examination Certificate</u>	<u>Expiration Date</u>
Randolph G. Howard, Jr.	12/15/00
Jeff J. Spaur	12/16/00
Sandra T. Benson	01/06/01
Soledad Archer	01/13/01
Lawrence M. Vied	01/13/01
Joan V. Vied	01/13/01
<u>Education Waiver Certificate</u>	<u>Expiration Date</u>
Amy Wasson	12/02/00
Chasmin Alu Sokoloski	12/07/00
Richard Moreno Rivera	12/07/00
Matthew Justin Ozellie	12/13/00
Heather Kwai Lan Conahan	12/14/00
James Rueter	12/21/00
Mark Christopher Palardy	12/27/00
Sandra Thompson Benson	01/06/01
Coletta A. Edison	01/10/01
James Ledford Bradley	01/10/01
Kathy J. Yap	01/10/01
Randolph George Howard, Jr.	01/18/01
<u>Real Estate Broker Experience Certificate</u>	<u>Expiration Date</u>
Janet Lee Anderson	12/07/00
Junko Yamada	12/08/00
Gwen Herrington	12/13/00
Halleh Kokani	12/17/00
Noranne M. Pang	12/20/00
Anita F. K. Ho	12/23/00
Daniel Espinosa	12/23/00
Mariano S. Apuya	12/30/00
Lynn S. Yuasa	12/30/00
John K. Tse	01/03/01

Real Estate Broker (upgrade)

	<u>Effective Date</u>
Vincent S. Yano	12/08/99
Maureen A. Severson	11/22/99
Alberta Dale Habib	11/30/99
Tulane E. Ebisu	11/22/99
Kathi L. Henry	11/29/99
Young M. McTernan	12/17/99
Steven L. Tam	01/03/00

Restoration of Forfeited Salesperson's License

	<u>Date</u>
Jan Todd	12/01/99
John D. Mowry	11/16/99
Monta R. Koch	11/30/99

Condominium Hotel Operator

	<u>Effective Date</u>
Marc Hotels & Resorts, Inc., Marc Resorts Hawaii	12/3/99
Hawaiian Condo Resorts, Inc.	12/21/99
National Mortgage Real Estate Corp., Marina Apartment Rentals and Sales	12/21/99
Keauhou Property Management, Inc.	12/22/99
The Vermeire Corp., Kona Aloha Property Services	12/23/99
Fred Sands Iwado Realty, Inc.	12/30/99
Sunterra Pacific, Inc.	01/01/00

Condominium Managing Agent

Marc Hotels & Resorts, Inc., Marc Resorts Hawaii	12/03/99
Hawaii Equities, Inc.	11/30/99