

**REAL ESTATE COMMISSION**  
Professional and Vocational Licensing Division  
Department of Commerce and Consumer Affairs  
State of Hawaii  
[www.hawaii.gov/hirec](http://www.hawaii.gov/hirec)

**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, March 28, 2008

Time: 9:00 a.m.

Place: Queen Liliuokalani Conference Room  
King Kalakaua Building  
335 Merchant Street, First Floor  
Honolulu, Hawaii

Present: Trudy Nishihara, Chair, Broker/Honolulu Commissioner  
Stanley Kuriyama, Vice Chair, Broker/Honolulu Commissioner (Late Arrival)  
Louis Abrams, Broker/Kauai Commissioner  
Carol Ball, Broker/Maui Commissioner  
Frances Gendrano, Broker/Honolulu Commissioner  
Michele Sunahara Loudermilk, Public/Honolulu Commissioner  
Mark Suiso, Public/Honolulu Commissioner

Neil Fujitani, Acting Supervising Executive Officer  
Diane Choy Fujimura, Senior Real Estate Specialist  
Amy Endo, Real Estate Specialist  
David Grupen, Real Estate Specialist  
Cynthia Yee, Senior Condominium Specialist  
Cheryl Leong, Condominium Specialist  
Benedyne Stone, Condominium Specialist  
Lei Fukumura, Special Deputy Attorney General  
Irene Kotaka, Secretary

Ronald Michioka, Esq., Ayabe Chong Nishimoto Sia & Nakamura  
Craig Uyehara, Hearings Officer  
Esther Ervin, Esq., Regulated Industries Complaints Office  
David Minkin  
Anthony V. Frank Denton, Member Advantage Hawaii Inc., dba Denton Real Estate

Absent: William S. Chee, Broker/Honolulu Commissioner  
Annette Aiona, Broker/Hawaii Island Commissioner

Call to Order: The Chair called the meeting to order at 9:02 a.m., at which time quorum was established.

Chair's Report: The Chair announced that the Commission may move into executive session to consider and evaluate personal information relating to individuals applying for licensure in accordance with Section 92-5(a)(1), HRS, and/or to consult with the Commission's attorney on questions and issues pertaining to the Commission's

powers, duties, privileges, immunities, and liabilities in accordance with Section 92-5(a)(4), HRS.

The Chair reported that a certificate of appreciation was presented to Calvin Kimura, former Supervising Executive Officer of the Real Estate Branch, on March 2, 2008. Mr. Kimura retired on December 28, 2007.

Acting Supervising  
Executive Officer's  
Report:

The Acting Supervising Executive Officer informed the Commissioners that the original applications with any original associated documents to be considered at the meeting were available for review.

Commissioner Kuriyama arrived.

**Minutes of Previous Meeting**

Upon a motion by Commissioner Ball, seconded by Commissioner Suiso, it was voted on and unanimously carried to approve the minutes of the February 29, 2008 meeting.

Committees and  
Program of Work:

**Education Review Committee**

CE Administration, Curriculum, Courses, Providers and Instructors – Applications – Course – “Selling High Performance Homes;” Author/Owner: Energy & Environmental Building Association (EEBA); Provider: EEBA; Course Categories: Risk Management, Technology and the Licensee, and Other – Building Science; Clock Hours – 3 – Commissioner Ball provided a chronological summary of the EEBA’s course application. The original submission was denied at the February 13, 2008 Education Review Committee meeting. The provider subsequently submitted a new course on February 29, 2008, which was denied at the March 12, 2008 Education Review Committee meeting. The provider was asked twice if the course had been changed and each time, the response was that it had “changed quite a bit.” The ERC denied the course application at their March 12, 2008 meeting because the course was substantially the same as what had been submitted previously. Two days prior to the March 12 meeting, the provider had faxed another version of the course to the Division, not the Real Estate Branch. In looking at the outline, the current outline is different from the ones that were previously submitted. The Committee needs to insure that the course follows academic guidelines and that the information provided in the course is based on fact, not opinion. The Committee has concerns that the course may be offered from the advocacy standpoint.

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

**Condominium Review Committee**

Sunrise Report: Condominium Commission – A copy of the Sunrise Report on the Condominium Commission was distributed to the Commissioners for their information. The Auditor did not find any justification to warrant the forming of a Condominium Commission.

Senior Condominium Specialist Yee reported that Millie Kim, a researcher for the Auditor's Office, had attended some of the condo seminars and she had found it very helpful.

Chair Nishihara thanked the condo staff for doing a good job.

Upon a motion by Commissioner Abrams, seconded by Commissioner Suiso, it was voted on and unanimously carried to accept the Sunrise Report.

Licensing –  
Ratification:

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

Licensing –  
Applications:

The EO informed the Commissioners that the information provided to the Commissioners is related only to the issue that is before the Commission for consideration. The other materials submitted are available for the Commissioners review should they desire to review it. If the applicants have an issue, which is personal in nature, they have the right to request that their application be considered in executive session.

**Member Advantage Hawaii, Inc. dba Denton Real Estate**

Anthony V. Frank Denton was present to answer any questions the Commission may have regarding his application for a real estate broker's license. Mr. Denton was asked if he wished to have his application considered in executive session. He declined the offer.

Mr. Denton informed the Commissioners that he has been involved in car and equipment leasing in Hawaii since 1973. He has had his real estate license since 1974.

Mr. Denton said that he had three unlicensed activity complaints filed against him over three years. All involved car sales. There is no license required for leasing cars. In the first complaint, a car dealer thought that he was selling cars but he was not. In the second complaint, he sold a car to an off-lease car dealer who turned around and sold it to the buyer without a jack. The off-lease car dealer was unable to prove that he was entitled to be charged the 1/2% resale tax, so they charged him the 4% GET. It was ruled that the sale was considered to be a retail sale. They were not licensed to transact retail sales. They were fined \$500, which he paid. The third complaint was that he was selling trucks. Mr. Denton said that he would register as a leasing company if there was such a requirement.

Mr. Denton was asked when he began actively selling real estate. Mr. Denton answered that he has been actively practicing real estate since 1999.

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

Recovery Fund  
Report:

**Gary Rosenblatt v. Carol A. Bucauto, Country Lands & Homes, and Country Lands & Homes, Inc.; Civil No. 07-1-0093(1), Circuit Court of the Second Circuit, State of Hawaii**

**Karen Jeffery dba Pacific Island Investments**

Executive Session:

Upon a motion by Commissioner Loudermilk, seconded by Commissioner Ball, it was voted on and unanimously carried to enter into executive session, pursuant to Section 92-5(a)(4), HRS, "To consult with the board's attorney on questions and issues pertaining to the board's powers, duties, privileges, immunities, and liabilities;"

Upon a motion by Commissioner Loudermilk, seconded by Commissioner Kuriyama, 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 9:32 a.m., to discuss and deliberate on the following adjudicatory matters, pursuant to Chapter 91, HRS:

**In the Matter of the Real Estate Brokers' Licenses of SVC – Hawaii, L. P. and Gretchen I. Watson-Kabei; REC 2004-268-L**

Esther Ervin, RICO attorney, and David Minkin, Respondent's attorney, was present at the meeting.

Commissioners Kuriyama and Loudermilk recused themselves from the meeting.

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

Commissioners Kuriyama and Loudermilk returned to the meeting.

**In the Matter of the Real Estate Broker's License of Nathan H. Suzuki; REC 2005-110-L**

Commissioner Loudermilk, moved to approve the Hearings Officer's Findings of Fact and Conclusions of Law and to issue the Commission's Proposed Final Order. Commissioner Ball seconded the motion. The motion was voted on and carried. Commissioner Kuriyama voted against the motion.

**In the Matter of the Real Estate Salesperson's License of Shawn R. Fransen; REC 2005-197-L**

Commissioner Ball moved to approve the Hearings Officer's Findings of Fact and Conclusions of Law and to issue the Commission's Proposed Final Order. Commissioner Loudermilk seconded the motion. Commissioners Nishihara, Ball, Loudermilk, Gendrano and Suiso voted in favor of the motion. Commissioners Kuriyama and Abrams voted against the motion. The motion was 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 its scheduled meeting at 10:12 a.m.

Executive Session:

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

Committees and  
Program of Work:

**Education Review Committee**

CE Administration, Curriculum, Courses, Providers and Instructors – Applications – Course – "Selling High Performance Homes;" Author/Owner: Energy & Environmental Building Association (EEBA); Provider: EEBA; Course Categories: Risk Management, Technology and the Licensee, and Other – Building Science; Clock Hours – 3 – After a review of the information submitted by the applicant, Commissioner Suiso moved to deny the certification of "Selling High Performance Homes: based on Hawaii Administrative Rules, Section 16-99-101(3) and (7) and HAR 16-99-87. The course does not meet the definition of continuing education as determined by the Commission and appears to fall into the salesmanship category. The Commission also expressed concerns that the course presented a personal point of view.

Licensing –  
Applications:

**Melanie A. Chinen**

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

**Janelle Y. Drapesa**

After a review of the information submitted by the applicant, Commissioner Abrams moved to deny Janelle Y. Drapesa's application for a real estate salesperson's license unless within 60 calendar days Ms. Drapesa submits written proof of payment, written proof of discharge, or an approved written payment plan from the Internal Revenue Service. Commissioner Suiso seconded the motion. The motion was voted on and unanimously carried.

**Member Advantage Hawaii Inc. dba Denton Real Estate**

After a review of the information presented by the applicant, Commissioner Abrams moved to approve the real estate corporation application of Member Advantage Hawaii Inc. dba Denton Real Estate. Commissioner Gendrano seconded the motion. The motion was voted on and unanimously carried.

Recovery Fund  
Report:

**Gary Rosenblatt v. Carol A. Bucauto, Country Lands & Homes, and Country Lands & Homes, Inc.; Civil No. 07-1-0093(1), Circuit Court of the Second Circuit, State of Hawaii**

Upon a motion by Commissioner Abrams, seconded by Commissioner Kuriyama, it was voted on and unanimously carried to approve the recommendation of counsel to pay out \$11,065.41 to Gary Rosenblatt, against the accounts of Carol A. Bucauto, Country Lands & Homes, and Country Lands & Homes, Inc.

**Karen Jeffery dba Pacific Island Investments**

Upon a motion by Commissioner Abrams, seconded by Commissioner Gendrano, it was voted on and unanimously carried to approve the recommendations made by Ronald Michioka, Esq., Real Estate Recovery Fund counsel.

Next Meeting: Friday, April 25, 2008  
9:00 a.m.  
Queen Liliuokalani Conference Room  
King Kalakaua Building  
335 Merchant Street, First Floor  
Honolulu, Hawaii

Adjournment: With no further business to discuss, Chair Nishihara adjourned the meeting at 10:34 a.m.

Reviewed and approved by:

/s/ Neil K. Fujitani  
Neil Fujitani, Acting Supervising Executive Officer

April 17, 2008  
Date

[  ] Approved as circulated.  
[  ] Approved with corrections; see minutes of \_\_\_\_\_ meeting.  
NKF:isk/080415

APPROVED APPLICATIONS FOR REAL ESTATE  
REAL ESTATE COMMISSION MEETING ON MARCH 28, 2008

<u>Brokers – Limited Liability Companies and Partnerships</u>	<u>Effective Date</u>
Transworld Realty LLC Mike May, PB	02/19/08
Malu Realty LLC James E. Nishimoto, PB	02/22/08
2020 International Real Estate LLC Stanley Ching, PB	02/22/08
Realty West, LLC Michael L. Smith, PB	02/25/08
Ridge Properties LLC June Ann Lee, PB	02/28/08
Asian Pacific Investments, LLC Ken C. Lee, PB	03/07/08
Eufrasia Realty & Development, LLC Pacifica S. Upton Edenfield, PB	03/14/08
Mauna Kea Resort Services, LLC Alan Brooks Bram, PB	03/17/08
ERG Legacy LLC, 'Ewalu Realty Group Velma L. Arkangel, PB	03/18/08

<u>Brokers – Corporations and Partnerships</u>	<u>Effective Date</u>
Zillow, Inc. Russell W. Rodgers, PB	01/28/08
Adams & Company Inc. Richard Waldo Adams, PB	02/12/08
MMark Real Estate Services, Inc. Michael Surprenant, PB	02/22/08
50 <sup>th</sup> State Management Corporation Aaron Scherman, PB	02/27/08
Koko Resorts, Inc. Steven David Larson, PB	02/29/08
Ola Properties, Inc. Larry E. Oldfield, PB	03/07/08

<u>Trade Name</u>	<u>Effective Date</u>
ResortQuest Real Estate of Hawaii, LLC, Maui Condo and Home Vacations	02/19/08
Kenneth D. H. Chong, Ken Chong Realty	02/28/08
JV Pacific, Inc., Lee International Properties	03/01/08
Sell-EZ-1 LLC, Sell-EZ-1 Realty	02/22/08

<u>Brokers – Sole Proprietor</u>	<u>Effective Date</u>
Martin Quigley	02/05/08
Albert T. Keliikuloa	02/11/08
Lorrin K. W. Ching	02/13/08
Mei Tam, Hawaii Resort Realty	02/14/08
Kenneth D. H. Chong	02/15/08
James P. Conahan	02/19/08
Velma L. Arkangel	02/19/08
Vojtech Malasek	02/22/08
Kim T. Nguyen	02/22/08
Chalres F. Fasi, Charles and Associates	02/29/08
Joseph G. Blackburn, II, Maui Land Broker	02/29/08
Sharon D. Kessner, Knutson & Associates	03/12/08
Jill McGowan, Molokai Land and Homes	03/14/08

<u>Equivalency to Uniform Section of Examination Certificate</u>	<u>Expiration Date</u>
Robert Steven Williams	02/21/10
Katsumi Kobayashi	02/22/10
Matthew C. Larson	02/22/10
Trisha Louise Cruz	02/22/10
Guy T. Fong	02/25/10
James Paul Furar	02/25/10
Gregory Allen Smith	02/25/10
Kathy Ann Ortega	02/26/10
Pamela Ann Rosumny	02/28/10
Raymond John Ruddy, III	03/03/10
Sidney Daniel Harkins	03/03/10
Kristin M. Winship	03/03/10
Phyllis Abrams	03/03/10
Michael E. Ertem	03/04/10
Allen Bruce Cox	03/05/10
Glenn Tadashi Kashiwamura	03/06/10
Kevin Tobias Rochlitz	03/06/10
Philip Grady Smith	03/06/10
James Stanley West	03/07/10
Marc Antony Albino	03/14/10
Yoshiyuki Fujii	03/14/10
Robert Armando Nye	03/14/10
Michael David Crane	03/14/10
Gino Capomaccio	03/17/10
Mark Howard	03/18/10
Dori Ann Sooniem Alagao	03/17/10

Equivalency to Uniform Section of Examination Certificate  
Brian Anthony Delbenes

Expiration Date  
03/17/10

Educational Equivalency Certificate

Bradley Martin Knowles  
Robert Steven Williams  
Katsumi Kobayashi  
Trisha Louise Cruz  
Matthew Ragudo  
Guy T. Fong  
James Paul Furar  
Gregory Allen Smith  
Stephen Roy McFarland  
Randi Euer Flinn  
Kathy Ann Ortega  
Pamela Ann Rosumny  
Raymond John Ruddy, III  
Sidney Daniel Harkins  
Kristin M. Winship  
Phyllis Abrams  
Christina M. Krueger  
John Patrick Moss  
Michael E. Ertem  
Glenn Tadashi Kashiwamura  
Kevin Tobias Rochlitz  
Philip Grady Smith  
James Stanley West  
Marc Antony Albino  
Mike John Hermanns  
Yoshiyuki Fujii  
Robert Armando Nye  
Michael David Crane  
Gino Capomaccio  
Mark Howard  
Dori Ann Sooniem Alagao  
Brian Anthony Delbenes

Expiration Date  
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03/17/10

Real Estate Broker Experience Certificate

Bradley Martin Knowles  
Robert Steven Williams  
Katsumi Kobayashi  
Patti Dee Nakagawa  
Patricia Morgan-Dupuis

Expiration Date  
02/21/10  
02/21/10  
02/22/10  
02/22/10  
02/22/10

Real Estate Broker Experience Certificate

	<u>Expiration Date</u>
Daniel Vincent Loo	02/22/10
Trisha Louise Cruz	02/22/10
Jennifer Claire Gaura	02/25/10
Guy T. Fong	02/25/10
James Paul Furar	02/25/10
Kathy Ann Ortega	02/26/10
Pamela Ann Rosumny	02/28/10
Raymond John Ruddy, III	03/03/10
Susie Ruthann Wood	03/03/10
Kelly Ann Lee	03/03/10
Christina M. Krueger	03/03/10
Michael E. Ertem	03/04/10
Judy Chi Ling Lee	03/05/10
Glenn Tadashi Kashiwamura	03/06/10
Kevin Tobias Rochlitz	03/06/10
Philip Grady Smith	03/06/10
Judy Emi Kumano	03/14/10
Casey Hina Wade	03/14/10
Robert Armando Nye	03/14/10
Michael David Crane	03/14/10
Brian Anthony Delbenes	03/17/10
Sylvia L. Lee	03/17/10

Real Estate Broker (upgrade)

	<u>Effective Date</u>
Deborah Davis	01/09/08
Lisa Miller	02/15/08
Monique I. Peacock	02/19/08
Tina Triano	02/21/08
Michael Surprenant	02/22/08
Lori Smallwood	02/22/08
Rebecca Hirsch-Keliioomalua	02/25/08
Clifford Woo	02/26/08
Nancy A. Kanna	02/27/08
Steven David Larson	02/29/08
Marcus Hester	03/03/08
Sheila Kawakami	03/06/08
Ken C. Lee	03/07/08
Jill McGowan	03/14/08
Sandra A. Patton	03/10/08
Michelle L. Mossman	03/10/08

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Restoration – Real Estate Broker  
Pacifica S. Upton Edenfield

Effective Date  
3/14/08