

**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, May 28, 1993

Time: 9:00 a.m.

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

Present: Marcus Nishikawa, Chairperson, Oahu Member  
Theo Butuyan, Public Member  
Yoshiko Kano, Kauai Member  
Stanley Kuriyama, Oahu Member  
Carol Mon Lee, Public Member

Calvin Kimura, Supervising Executive Secretary  
Jan Yamane, Real Estate Specialist  
Russell Wong, Real Estate Specialist  
Benedyne Stone, Condominium Specialist  
R. Victoria Shiroma, Condominium Specialist  
Diane Erickson, Deputy Attorney General  
Irene Kotaka, Secretary

Shari Wong, Special Deputy Attorney General  
Rodney Maile, Senior Hearings Office

Les Brown, Applicant  
Cynthia Yee, Hawaii Real Estate Research & Education Center  
Janis Y. Chun, Licensee  
Gregg Young, Attorney for Janis Chun  
Hiroaki Furukawa, Licensee  
Patricia S. Nielsen, Licensee

Excused: Barbara Dew, Vice Chairperson, Oahu Member  
Francine Duncan, Public Member  
Jerry Hirata, Hawaii Member  
Alvin Imamura, Maui Member

Call to Order: Chairperson Nishikawa called the meeting to order at 9:05 a.m., at which time quorum was established.

Chairperson's Report: No report was presented.

Additional  
Distribution:

The following additional materials were distributed to the Commissioners:

3. Executive Secretary's Report
  - b. Minutes of the April 19, 1993 Real Estate Commission Meeting
4. Chapter 91, Hawaii Revised Statutes, Adjudicatory Matters
  - b. Sammy G. Daily, REC-LIC-92-3
5. Recovery Fund Report  
Nagy v. Shelly, etal. - Defer
6. Committee Reports
  - c. Education Review Committee
7. Licensing and Registration - Ratification
9. Licensing - Questionable Applications  
Richard Takase  
Janis Chun

Adjudicatory Matters:

Chairperson Nishikawa called for a recess from the Commission meeting at 9:05 a.m., to discuss and deliberate on the following adjudicatory matters, pursuant to Chapter 91, Hawaii Revised Statutes.

- a. James S. Kitaguchi, REC-LIC-92-6. Approve Commission's Final Order.
- b. Sammy G. Daily, REC-LIC-92-. Approve Hearings Officer's Findings of Fact, Conclusions of Law and Recommended Order.
- c. Aileen M. Barros, REC 92-94. Approve Settlement Agreement Prior to Filing of Petition for Disciplinary Action and Commission's Final Order.
- d. Century 21 First Pacific Properties, Ltd., John R. Lightbourn and Mario J. Cardone II, REC 91-314-L. Approve Settlement Agreement After Filing of Petition for Disciplinary Action as to Century 21 First Pacific Properties, Ltd., John R. Lightbourn and Board's Final Order.
- e. Marilyn L. Goldman, REC 92-94. Approve Settlement Agreement Prior to Filing of Petition for Disciplinary Action and Commission's Final Order; Appendix "A".

Following the Commission's review, deliberation and decisions in these matters, pursuant to Chapter 91, Hawaii Revised Statutes, Chairperson Nishikawa announced that the Commission was reconvening its scheduled Commission meeting at 9:17 a.m., pursuant to Chapter 92, Hawaii Revised Statutes.

Supervising

The Supervising Executive Secretary announced that the Department will be Executivreimbursing the Commission's inter-island travel with airline coupons only.

Secretary's  
Report:

The Supervising Executive Secretary also announced that a new schedule of availability will be distributed to the Commissioners to complete since problems have arisen regarding establishing quorum.

Recovery Fund  
Report:

Deborah D. Nagy v. Keith Shelly, et al., Civil No. 92-2931-08, First Circuit Court

This matter was withdrawn from consideration pursuant to a request made by the Recovery Fund Counsel.

Licensing:

**Questionable Applications**

Leslie W. Brown

Mr. Brown was present to provide testimony on his own behalf. Mr. Brown stated that his application for a real estate salesperson license was not approved in a timely manner because he answered yes to the question on the application regarding any prior or pending complaints. Mr. Brown stated that he works with Gillette Design. The complaint was filed against Mr. Gillette and is pending investigation. Mr. Brown stated that they work together and Mr. Gillette uses Mr. Brown's license for general contracting work. A complaint was filed against Mr. Gillette for working outside the scope of his license. Mr. Brown stated that he was acting as the RME for Gillette Design. Mr. Brown has been in business for a number of years. Mr. Brown only works with Mr. Gillette in building houses to sell. The manufacturer believes that it is covered by one of the three licenses. He is being told that the types of services offered falls under the fourth type of license.

Mr. Brown provided further information on his 1990 complaint for unlicensed activity. Mr. Brown stated that in 1989 he was contacted by Aden Inc. to act as an auctioneer. Aden Inc. was the real estate broker. Someone sent a letter to RICO, who deemed that he was acting as a real estate salesperson without being properly licensed. There was no intent to defraud. He was not getting paid a commission. He was on an hourly wage.

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

Committee Reports:

**Condominium and Cooperative Review Committee**

Upon a motion by Commissioner Kuriyama, seconded by Commissioner Lee, it was voted on and unanimously carried to approve the report and recommendations of the May 12, 1993 Condominium and Cooperative Review Committee Report, as follows:

1. Accept the minutes of the April 7 meeting, as is.
2. Hawaii Real Estate Research and Education Center Report Distributed Status Report to Commissioners via mail.
  - a. Condominium Association Budget and Reserves
    - (1) Manual - Recent IRS audit activity in San Diego may impact associations' income tax liability; notice in Condo Bulletin is under consideration.
    - (2) Workshops - No new developments; anticipating presenting a fall session on Kauai.

- b. Five Year Education and Research Plan - Awaiting Chairperson's and Supervising Executive Secretary's amendments for finalization.
- c. Hawaii Condominium Bulletin - Spring Issue - Currently being finalized for printing and distribution.
- d. Board of Director's Manual - Working draft of director liability chapter has been circulated for comments.
- e. "Condo Living" Newspaper column - Pending further research.
- f. Condominium Seminars - CAI seminars being coordinated with staff, awaiting final plans regarding speakers from CAI, anticipate July or August 1993 delivery date.
- g. Federal Leasehold Study - Support staff identified. Anticipate mid-May 1993 starting date for at least one support person.
- h. Report on 34th CAI National Conference - Distributed at meeting.
- 3. Budget and Finance Committee Report - Accept CMEF financial statement, March 31, 1993.
- 4. Program of Work
  - a. 1993 Legislative Report #5 - Presented report with brief notation on those bills relevant to condominiums.
  - b. Condominium Association Registration - Only 125 deficient, with 1,000 registered.
  - c. Out-of-State Condominium Projects - Consultant Mitchell Imanaka reported that preliminary research has started.
  - d. Biennial Symposium and Meetings - Scheduled for Thursday, June 3, 1993, Dole Cannery Square. Begin at 7:45 a.m., opening statements, 8:15 a.m. to 10:15 a.m. Condominium and Cooperative Review Committee, followed by Laws and Rules Review Committee, from 10:30 a.m. to 11:30 a.m., then the Education Review Committee, from 2 p.m. to 4 p.m.
  - e. Interactive Participation with Organizations - Condominium Property Regime Committee of the Hawaii State Bar Association.
- 5. Condominium Governance and Management
  - a. New South Wales Government Request for CMEF Information - Due to urgency, reply sent by staff.
  - b. HCAAO Request to Repeal Notarization Requirement on AOA Registration Form - Staff to attempt to address this concern and evaluate the issue, along with other recommendations to next year's AOA registration forms and instructions.
  - c. Individual Apartment Owner Liable for Common Area Mishaps? Discussed potential liability and need for owners to consult project documents and obtain insurance, as necessary.
- 6. CAI Report  
Condominium Specialist, Benedyne Stone, reported on the CAI Conference.
- 7. Next Meeting: Wednesday, June 9, 1993  
Kapuaiwa Room  
HRH Princess Victoria Kamamalu Building  
1010 Richards Street, Second Floor  
Honolulu, Hawaii

#### Does the Definition of CMA Include AOA Bookkeeper?

Condominium Specialist Stone stated that there are a number of smaller self-managed associations who use accountants/bookkeepers. It appears that a bookkeeper/accountant who receives, controls, or signs the checks or deposits money constitute fiscal management. Under the laws and rules fiscal management requires a real estate broker's license. Chances for misappropriation of funds is great. Accountants/bookkeepers are not distinguished under the laws and rules, yet associations have the right to be self-managed.

Upon a motion by Commissioner Kuriyama, seconded by Commissioner Lee, it was voted on and unanimously carried that the Commission's informal interpretation is that a bookkeeper or accountant, who is independently contracted by a condominium association and is not an employee of the condominium association, who does not have access to the association's funds and who does not manage the operation of the property, is not required to register with the Commission as a CMA, subject to submission of an executed board resolution. The definition of "access to funds" includes the receiving or depositing of funds (including checks) or any type of signature authority on the association fund accounts. The resolution shall state that the board of directors of the condominium association is aware, acknowledges, and accepts that the bookkeeper or accountant: is not a currently registered CMA and has no fidelity bond; does not have access to the association funds, including the receiving or depositing of funds (including checks) or any type of signature authority on the association fund accounts; does not manage the operation of the condominium property; and understands that the association's fidelity bond may not cover the bookkeeper or accountant. The resolution shall be executed by the association's board of directors and submitted annually with the annual condominium association registration. The condominium association registration will be considered incomplete if the resolution is not submitted or submitted absent any of the above requirements.

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

Upon a motion by Commissioner Kano, seconded by Commissioner Butuyan, it was voted on and unanimously carried to approve the report and recommendations of the May 12, 1993 Laws and Rules Review Committee meeting, as follows:

1. Approved the minutes of the December 9, 1992 and February 10, 1993 Laws and Rules Review Committee Meetings, as circulated.
2. Accepted the Financial Statements for the Real Estate Recovery Fund - March 31, 1993.
3. HREREC Laws and Rules Manual and Reference Manual - Attempting to sell through the Hawaii Association of Realtors's Bookstore.
4. 11th Planning and Budget Symposium - June 3, 1993, Dole Ballroom, Laws and Rules Review Committee, 10:30 a.m. to 11:30 a.m., see notice.
5. Proposed Program of Work and Budget, FY94 & FY95 - Distributed to all Laws and Rules Review Committee Meeting agenda recipients and others. No comments or recommendations received.

6. Attorney General Opinion on Gifts, Rebates, and Kickbacks - Deputy Attorney General clarified that opinion was limited to Chapter 467, HRS, and its Rules, Chapter 99, HAR. That, any release of such opinion should be caveated that it does not address the application of other State laws, Federal laws, or laws of any other State.
7. Time Share OPC with One Broker While Associated as A Real Estate Salesperson with Another Broker - Staff, with AGO advisement, to respond with the applicable laws and rules that prohibit such an association.
8. DELCOM Corporation, Antenna Site Management - Staff to respond, citing the applicable laws and rules that require licensing.

#### **Education Review Committee**

Upon a motion by Commissioner Lee, seconded by Commissioner Kuriyama, it was voted on and unanimously carried to approve the report and recommendations of the May 27, 1993 Education Review Committee Meeting, as follows:

1. Budget and Finance Committee Report
  - a. Accept the March 31 and April 30, 1993 Real Estate Education Fund Financial Statements.
  - b. Accept DAGS assignment of and initiate contract process with the CPA firm of Ikeda & Wong, CPA, Inc., to perform the financial audit of the Real Estate Education Fund, Recovery Fund for the fiscal years ending June 30, 1992 and 1993.
2. Hawaii Real Estate Research and Education Center Report
  - a. Five Year Education and Research Plan - In finalized state, but not presented.
  - b. HREREC Program of Work and Budget and Condominium Management Education Program of Work and Budget for Fiscal Year 1993-94 draft proposal distributed for review and comment.
  - c. Evaluation System for Schools, Providers, Instructors, and CE Courses - Working draft of evaluation forms for pre-license school and instructor monitoring package distributed for review and comment.
  - d. Examination - ASI Laws and Rules Report, Curriculum Review and Item Writing - ASI completed scheduled item writing session in Hawaii (May 24 to 26, 1993).
  - e. Neighbor Island Outreach - Maui Manual, Maui Community College - Maui manual completed, HREREC has manual on MacIntosh. Manual distributed for review and comment. Discuss printing and distribution at next meeting.
  - f. Continuing Education 1993-94 Core Course - First quarterly revision to the Real Estate Law Update and Ethics 1993-94 continuing education course provided to providers and instructors and distributed to REC/staff for review.
  - g. Continuing Education 1993-94 Three Elective Courses - HREREC waiting for revised draft of continuing education course on property management.

- h. Four Brochures - Fair Housing, Material Facts, Hazardous Conditions, and Consumer Knowledge Gaps - "Consumer Knowledge Gaps" has been renamed "A Real Estate Consumer's Regulatory Protection in Hawai'i" and is ready for distribution. Printing cost is \$1.25 per brochure. Copies distributed to REC/staff for review. Discuss printing and distribution at next meeting.
  - i. Principal Broker and Broker-in-Charge Brochure - PB and BIC brochure incorporated into Startup Kit for New Licensees.
  - j. Startup Kit for New Licensees - Colored mock-up of startup kit presented to REC/staff for review and comment.
  - k. Real Estate Summit I - No progress, no expenditure of budget. Budget allotted to HREREC (\$20,000) still available.
  - l. Professional Responsibility Course - Half of course is completed. Final draft due June 30, 1993.
3. Educator's Forum
- a. Hawaii Real Estate Schools Association - Clarified that association's name is Hawaii Association of Real Estate Schools (HARES).
  - b. Public and Private Institutions of Higher Education - University of Hawaii has maintained both undergraduate and graduate real estate courses, even with budgetary cutbacks.
4. Program of Work and Budget, FY 93
- a. Annual Report, Bulletin and School Files - Bulletin scheduled for June publication. Annual Report has been distributed.
  - b. Instructor's Development Workshop - REC staff report on HAR/REC co-sponsored IDW, May 10 & 11, 1993.
  - c. Biennial Symposium and Meetings - Scheduled for June 3, 1993.
5. Continuing Education Administration, Curriculum, Courses, Providers, Instructors
- a. Approve Hawaii Association of Realtors's elective course, "GRI 501 (Graduate, Realtor Institute)". The portion of the course approved for CE credit will be "Risk Management I: Fair Housing, Antitrust and the Unauthorized Practice of Law."
6. Prelicensing Examination
- a. ASI - EXPro - Hawaii EXPro Exit Survey Results distributed.
7. NARELLO and REEA Report - Acknowledged receipt of accounting of contributions from ASI to NARELLO's Ed Fund.
8. Next Meeting:  
Thursday, June 24, 1993  
9:00 a.m.  
Kapuaiwa Room  
HRH Princess Victoria Kamamalu Building  
1010 Richards Street, Second Floor  
Honolulu, Hawaii

Recess: Chairperson Nishikawa recessed the meeting at 10:00 a.m.

Reconvene: Chairperson Nishikawa reconvened the meeting at 10:25 a.m., at which time quorum was reestablished.

Licensing:

**Questionable Applications**

Bon Jour, Inc.

Ms. Patricia Nielsen, the proposed principal broker of Bon Jour, Inc. was present to answer questions on the real estate corporation application of Bon Jour, Inc.

Realty Systems was established in 1988. Ms. Nielsen was the principal broker for Realty Systems. Since the inception of the company, it was the intent that Ms. Nielsen stay on as principal broker until Mr. Furukawa could get his real estate broker's license. The company is involved in very limited transactions.

Ms. Nielsen was asked if she will be an employee of Bon Jour, Inc. Ms. Nielsen stated that she will be an independent contractor and will be compensated by 95% commissions for the transactions that she handles. She was paid a salary of \$500 a month when she worked at Realty Systems. A year ago, because money was tight, her salary was discontinued. She writes children's books and positive parenting books. She is not involved with another real estate brokerage.

When asked who will have the authority over the trust accounts, Ms. Nielsen stated, Mr. Furukawa and herself. Mr. Furukawa can write checks. They do not have a trust account. All of the checks are made payable directly to the escrow company. They do not have a trust account established. Ms. Nielsen stated that she reviews all of the contracts and has direct management over all of the real estate brokerage affairs of the corporation. No one else will be able to have management over the affairs.

Ms. Nielsen was asked how she handled matters when she goes out of town. Ms. Nielsen stated that her principal place of residence was in Honolulu. However, she does travel to Hilo, she is not gone for more than 14 days at a time and Mr. Furukawa is able to get in touch with her.

When Ms. Nielsen was questioned if she was aware of the risks involved in being a principal broker, Ms. Nielsen stated that Mr. Furukawa always goes to her for advice. He goes over the documents line by line with her.

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

Janis Y. Chun

Ms. Chun and her attorney, Gregg Young, were present to request reconsideration of Ms. Chun's application for a real estate trade name, Evans Realty.

Ms. Chun stated that she is a real estate broker. Evans Realty is a sole proprietorship. Evans Realty has been in existence since 1974. It was started by her father, Evans Yim. She joined the firm in 1974 and she and her father built up Evans Realty. When her father retired, she continued under that name. Since she and her father built up the company together, she would like to continue using the name, Evans Realty. Her father



retired in 1986-88 and she continued to use the name until the present time. Her sister, Merle Yim, just received her real estate broker's license and when she filled out her application, she stated that she would be working with Evans Realty. Ms. Chun received a letter stating that she would need to change her dba name to Evans Realty. Ms. Chun stated that she took the name in 1988 when she became the principal broker. She registered the trade name with the State in 1988. Ms. Chun submitted a letter, dated April 26, 1993, stating why she wants to maintain the name, Evans Realty. Ms. Chun stated that she has not been reported for misconduct. There are no complaints filed against her, her father, or her sister. Evans Realty would consist of two people, her sister and herself. Her father is no longer licensed as a real estate broker.

Ms. Chun was informed that just because her father was a sole proprietor, it did not mean that she had rights to the name. The name always stays with the original sole proprietor.

Mr. Young asked the Commission to use its discretion in granting Ms. Chun's request. He stated that Ms. Chun is not trying to take advantage of someone's good will, but is merely trying to continue where her father left off. They have established a reputation for honesty and a good reputation through their family.

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

Ratification:

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

Brokers

Barbara J. Martinsen dba Bobbie Martinsen REalty  
Marilyn A. Park  
Team Real Estate, Inc.  
Brilhante Properties, Inc.  
Lokelani Construction Corporation dba Lokelani Homes  
Judson Gary Banks, Jr.  
Joanna K. A. Young dba Joanna Young, Realtor  
Newton Y. S. Kim dba Discovery Properties  
Capital Research Group, Inc.  
Richard S. Shipp  
Victoriano B. Bautista  
Dennis Rush dba RESULTS  
Patricia M. Kam dba IBF Realty  
Moku'aina Realty, Inc.  
Island Pacific Realty Incorporated  
Joyce E. Bergemann dba Joyce Bergemann Properties  
George E. Isaacs, Jr. dba George Isaacs Hawaii Realty  
Realty Edge, Inc.  
Bernice Tomoko Harakawa  
Carole DiVitto  
Jay R. Westcott

Branch Office

Consolidated Resorts, Inc. (Lahaina, Hawaii)  
McCormack Referral Service Co., Ltd. (Kihei, Hawaii)  
Bay Realty, Inc, (Kailua-Kona, Hawaii)  
Randy D. Ragon (Koloa, Hawaii)

Site Office

Castle & Cooke Residential, Inc. - Mililani Town Subdivision (Hillsdale Phases I, II, III, & IV)  
Real Estate Systems, Inc. - One Kalakaua Senior Living  
Locations, Inc. - Waiolani at Waikapu  
Tongg Realty, Inc. - Olaloa, Project I and Project II  
Kumai Realty, Inc. - Olaloa, Project I  
Schuler Realty Oahu, Inc. - Fairway Village at Waikele & The Greens at Waikele  
Residential Resource of Hawaii, Inc. - Windward Acres  
SHC-Properties - Waikiki Landmark  
Valley Isle Realty, Inc. - Kua'Aina Ridge  
Finance Realty Company, Ltd. - Royal Maunalani  
Residential Resources of Hawaii, Inc. - Poha Kea Point, Phase IV, Increment 3

Trade Name

James Patrick Lopes dba Hawaii Resort Management  
Beverly K. S. Mau dba Real Estate Magic  
Loyalty Enterprises, Ltd. dba Loyalty Property Management  
Karen "Sue" Kenwolf dba Fireside Realty  
Joy Helen Goodall dba Goodall Properties  
Ralph S. Foulger dba Hawaiian Real Estate Appraiser  
ERA Big Island, Ltd. fka Big Island Holding, Inc.  
Real Estate Gallery Ltd. dba Hawaiian Condo Resorts  
BNB dba Resort Rentals and Sales  
NJ Realty, Inc. fka Century 21 The Realty Corporation  
Lewis Real Estate, Inc. dba Century 21 Lewis Real Estate  
Finance Realty, Ltd. fka Finance Realty Company, Ltd.

Condominium Managing Agents

James Patrick Lopes dba Hawaii Resort Management  
Ruth V. Nettleship dba Ruth Realty

Condominium Hotel Operator

James Patrick Lopes dba Hawaii Resort Management

Condominium Project Registration - Public Reports Issued for March 1993

2341 Date Street, Honolulu (Final)  
The Courtyards at Punahou, Honolulu (Final)  
The Ridge at Launani Valley (Phase II), Honolulu (Preliminary)  
Kilohana Mauka, Kauai (Final)  
1590 Kupau, Honolulu (Final)  
Silva Gardens, Honolulu (Final)  
Lyndan Hawaii, Hawaii (Final)

Dolphin Estates, Kauai (Final)  
843 21st Avenue, Honolulu (Final)  
Nauru Tower, Honolulu (Supplementary)  
Hoalike Estates, Honolulu (Final)  
Koolau Vista Agricultural Condominium, Kauai (Final)  
Ocean View Homes, Hawaii (Final)  
2040 Aupuni Street, Honolulu (Final)  
Aguinaldo Agustin, Honolulu (Final)  
Kohala Estates, Lot 72-A, Hawaii (Final)  
Lihi Estates, Kauai (Final)  
Niku Farms, Kauai (Final)  
No Ka Oi, Kauai (Final)  
Nonou Rise 5, Kauai (Final)  
4545 Sierra Drive, Honolulu (Final)  
Waikiki Landmark, Honolulu (Supplementary)  
3771/3771-A Lurline Drive, Honolulu (Final)  
Nonou Gardens, Kauai (Final)  
Kona Coastview, Lot 31, Hawaii (Final)  
Wale Canney, Honolulu (Final)  
The Greens at Waikele, Honolulu (Preliminary)  
Elima Lani, Kauai (Final)  
Puukapu Homestead Lot 90, Hawaii (Final)  
Opaekaa Stream Estates, Kauai (Final)  
2321 Liliuokalani Street, Kauai (Supplementary)  
Kohala Estates Lot 561, Hawaii (Final)  
Kapahi Condominium, Kauai (Final)  
2423 Rose Street, Honolulu (Final)

Executive Session:

Upon a motion by Commissioner Kano, seconded by Commissioner Kuriyama, it was voted on and unanimously carried to enter into executive session to consider the applications before them at 10:50 a.m., pursuant to Section 92-5(a)(1), "To consider and evaluate personal information relating to individuals applying for professional or vocational licenses cited in section 26-9 or both;"

Upon a motion by Commissioner Kano, seconded by Commissioner Lee, it was voted on and unanimously carried to move out of executive session at 11:35 a.m.

Licensing:

**Restoration of Forfeited Licenses**

Roger W. Wilf

Salesperson

After a review of the information submitted by the applicants, Commissioner Kuriyama 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 Kano seconded the motion. The motion was voted on and unanimously carried.

Barry Lee Castle

Salesperson

Wendell M. K. Chang  
LeeAnn M. Muranaka

Salesperson  
Salesperson

After a review of the information submitted by the applicants, Commissioner Lee 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.

Nancy K. Foos

Broker

After a review of the information submitted by the applicant, Commissioner Butuyan moved to deny Ms. Foos's request for reconsideration and to approve a 90-day extension to the January 22, 1993 decision to take a Commission-approved real estate course and to inform Ms. Foos of the examination option. Commissioner Lee seconded the motion. The motion was voted on and unanimously carried.

#### **Questionable Applications**

Bon Jour, Inc.

After a review of the information presented by the applicant, Commissioner Kuriyama moved to approve the real estate corporation application of Bon Jour, Inc., subject to staff's final review. Commissioner Butuyan seconded the motion. The motion was voted on and unanimously carried.

Leslie W. Brown

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

Tracy M. Carter

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

Beverly A. Dawson

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

Tomio Kikuchi

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

Leon P. Lange

After a review of the information submitted by the applicant, Commissioner Kuriyama moved to approve Leon P. Lange's application for a real estate broker's license. Commissioner Kano seconded the motion. The motion was voted on and unanimously carried.

Ronald Newberry

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

Properties Unlimited East

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

Roy M. Tateishi

After a review of the information submitted by the applicant, Commissioner Lee moved to approve Roy M. Tateishi's application for a real estate sole proprietorship. Commissioner Kuriyama seconded the motion. The motion was voted on and unanimously carried.

Robert A. Lowry

After a review of the information submitted by the applicant, Commissioner Kuriyama moved to deny Robert A. Lowry's application for a real estate salesperson's license as he failed to submit a complete application within 90 days of the examination date. Commissioner Butuyan seconded the motion. The motion was voted on and unanimously carried.

Kevin R. Carney

After a review of the information submitted by the applicant, Commissioner Lee moved to deny Kevin R. Carney's request for an equivalency to ten real estate

transactions, three of which are closed listings and three are closed sales. Commissioner Kuriyama seconded the motion. The motion was voted on and unanimously carried.

Richard Takase

This matter was deferred pursuant to the applicant's request.

Thomas F. Schmidt dba Tom Schmidt Realtors

After a review of the information submitted by the applicant, Commissioner Lee moved to approve a conditional branch office license for Thomas F. Schmidt dba Tom Schmidt Realtors. Commissioner Butuyan seconded the motion. The motion was voted on and unanimously carried.

Karen Y. Matsumura

After a review of the information submitted by the applicant, Commissioner Kano moved to approve the trade name application of "Maya Realty." Commissioner Kuriyama seconded the motion. The motion was voted on and unanimously carried.

South Kohala Management Corp.

After a review of the information submitted by the applicant, Commissioner Kano moved to approve the condominium hotel operator registration of South Kohala Management Corp. Commissioner Lee seconded the motion. The motion was voted on and unanimously carried.

Triad Management, Inc.

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

Janis Y. Chun

Upon a motion by Commissioner Kuriyama, seconded by Commissioner Lee, it was voted on and unanimously carried to defer this matter for advisement from the Attorney General's Office.

Acceptance of Minutes: Upon a motion by Commissioner Kano, seconded by Commissioner Lee, it was voted on and unanimously carried to accept the minutes of the April 19, 1993 Real Estate Commission meeting, as circulated.

Next Meeting: Friday, June 25, 1993  
9 a.m.  
Kuhina Nui Room  
HRH Princess Victoria Kamamalu Building  
1010 Richards Street, Second Floor  
Honolulu, Hawaii

Adjournment: With no further business to discuss, Chairperson Nishikawa adjourned the meeting at 11:40 a.m.

Reviewed and approved by:

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Calvin Kimura  
Supervising Executive Secretary

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Date