

**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: Thursday, March 24, 2011

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 – early departure  
Frances Gendrano, Broker/Honolulu Commissioner  
Donna Apisa, Broker/Kauai Commissioner  
Carol Ball, Broker/Maui Commissioner  
Walter Harvey, Broker/Honolulu Commissioner  
Scott A. Sherley, Broker/Hawaii Island Commissioner

Neil K. Fujitani, Supervising Executive Officer  
Jon Ellis M. Pangilinan, Executive Officer  
Diane Choy Fujimura, Senior Real Estate Specialist  
Cynthia Yee, Senior Condominium Specialist  
Amy Endo, Real Estate Specialist  
Cheryl Leong, Condominium Specialist  
Benedyne Stone, Condominium Specialist  
Shari Wong, Deputy Attorney General  
Karyn Takahashi, Recording Secretary

Others: Sheryl Nagata, Hearings Officer, Office of Administrative Hearings/DCCA  
David Zinnel

Absent: Stanley Kuriyama, Vice Chair, Broker/Honolulu Commissioner  
Michele Sunahara Loudermilk, Public/Honolulu Commissioner  
Mark Suiso, Public/Honolulu Commissioner

Call to Order: The Chair called the meeting to order at 9:00 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.

Executive Officer's Report: The Executive Officer (EO) informed the Commissioners that the original applications with any original associated documents to be considered at the meeting were available for review.

### **Minutes of Previous Meeting**

Upon a motion by Commissioner Gendrano, seconded by Commissioner Apisa, it was voted on and unanimously carried to accept the minutes of the February 25, 2011, meeting.

Licensing – Ratification: Upon a motion by Commissioner Harvey, seconded by Commissioner Gendrano, 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.

### **Gold Standard Realty, LLC**

In October 2010, the Commission originally denied Gold Standard Realty, LLC's license application. The proposed principal broker disclosed he had outstanding debt obligations to a credit union and the State Department of Taxation. The proposed principal broker has entered into payment plans and has requested a reconsideration of the application denial.

Upon a motion by Commissioner Gendrano, seconded by Commissioner Harvey, it was voted on and unanimously carried to accept the request for reconsideration of the Gold Standard Realty, LLC application.

Mr. David Zinnel, member and proposed principal broker of Gold Standard Realty, LLC, was present. The Chair asked Mr. Zinnel if he wished to have his application considered in executive session. He declined the offer.

When asked what type of real estate Gold Standard Realty, LLC, will conduct, Mr. Zinnel stated residential and some commercial real estate. He stated that he will be the principal broker with one employee.

Mr. Zinnel was asked what he believes the role of a principal broker is. He responded the principal broker looks over transactions, financials, pay taxes and generally makes sure that everything is going as planned.

When asked about his real estate experience, Mr. Zinnel stated that he has been licensed since 1989 and back then he was working for ERA Jones. He stated that he has been a broker since 2007—for four years.

Mr. Zinnel stated that if licensed, he is not planning to hire agents at this time. He stated that he will be looking over Mr. Sheldon Lau (member, Gold Standard Realty, LLC). He stated that Mr. Lau has been a licensed appraiser for approximately 16 years and has his own appraisal company.

Mr. Zinnel was asked what Mr. Lau's duties will be. He responded that Mr. Lau will solicit sales, listings, and buy and sell real estate.

Mr. Zinnel was asked if it will be his policy to not allow Mr. Lau conduct appraisals, as he cannot do both. Mr. Zinnel replied yes.

Mr. Zinnel was asked why he did not have a payment plan in place with the Department of Taxation when he first submitted the application. He replied that the payment plan was in the negotiation stage.

Mr. Zinnel was asked if he thought it was not important to have a payment plan in place prior to coming before the Commission. He replied that he knew that it was very important, but he has made mistakes that he is trying to correct. He chose to pay for his child's school tuition, rather than pay the child support.

Mr. Zinnel was asked if he was current with his Federal taxes. He replied in the negative and stated that at this time, he is working on a payment plan with the IRS. Mr. Zinnel failed to disclose this information with his application. He stated that he owes the IRS approximately \$70,000.00 and he is in "uncollectible" status until such time his income status changes.

Mr. Zinnel was asked about his current license status. He responded that his license was suspended for eight months due to non-payment of child support. Currently, he is not practicing but his license has been active since last year. Mr. Zinnel stated he is currently employed full time with Cole Haan. He added that he needs to have a regular job for the insurance benefits for himself and his daughter. He stated that he plans to continue working full time at Cole Haan and be principal broker of Gold Standard Realty, LLC.

It was pointed out to Mr. Zinnel that many brokers start as sole proprietors as overseeing salespeople is a great responsibility. Mr. Zinnel stated that he has experience as a broker-in-charge while employed with Ohana Realty—he managed seven to ten agents for approximately two years.

In the application, Mr. Zinnel failed to disclose his debt obligations and complaints filed against members of the LLC. He was asked why he answered "no" to the application questions. He replied that he did not read the questions correctly and did not know that the question pertained to all the members of the LLC. As for the complaints against Mr. Lau, Mr. Zinnel stated that he did not know that Mr. Lau had complaints against him.

It was pointed out to Mr. Zinnel that the initial denial was based in part on his history of honesty, truthfulness, financial integrity and fair dealing.

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

Chapter 91, HRS,  
Adjudicatory  
Matters:

The Chair called for a recess from the meeting at 9:23 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 Nemo Realty, Inc., Mikiko Malasek and Vojtech Malasek; REC 2004-92-L**

Sheryl Nagata, Hearings Officer, was present to address the Commissioners' questions regarding this case.

Commissioner Harvey moved to approve the final order. Commissioner Apisa seconded the motion. The motion was voted on and unanimously carried.

**In the Matter of the Real Estate Salesperson's License of David B. Riehle, aka Dave B. Riehle; REC 2010-171-L**

Commissioner Harvey moved to accept the settlement agreement. Commissioner Sherley seconded the motion. The motion was voted on and unanimously carried.

**In the Matter of the Real Estate Licenses of Baron Scott Graham, Donald A. Graham and Graham Realty, Inc.; REC 2010-214-L and REC 2010-298-L**

Commissioner Harvey moved to accept the settlement agreement. Commissioner Gendrano seconded the motion. The motion was voted on and unanimously carried.

**In the Matter of the Real Estate Brokers Licenses of West Maui Resort Partners, L.P. and Cynthia J. Mayo; REC 2008-262-L**

Commissioner Gendrano moved to accept the settlement agreement. Commissioner Sherley seconded the motion. The motion was voted on and unanimously carried.

**In the Matter of the Real Estate Brokers' Licenses of Dorothy S. Hirowatari and Maile Realty Corp.; REC 2004-106-L and REC 2005-179-L**

Commissioner Harvey moved to approve the final order. Commissioner Sherley seconded the motion. The motion was voted on and unanimously carried.

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

Executive Session:

Upon a motion by Commissioner Gendrano, seconded by Commissioner Sherley, 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;" and 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 Harvey, seconded by Commissioner Gendrano, it was voted on and unanimously carried to move out of executive session.

Licensing  
Applications:

**Debra Bagge-Perez**

After a review of the information presented by the applicant, Commissioner Harvey moved to approve the real estate salesperson license of Debra Baage-Perez. Commissioner Gendrano seconded the motion. The motion was voted on and unanimously carried.

**Jennifer Barrows**

After a review of the information presented by the applicant, Commissioner Harvey moved to approve the real estate salesperson license of Jennifer Barrows. Commissioner Gendrano seconded the motion. The motion was voted on and unanimously carried.

**Linda S. Henke**

After a review of the information presented by the applicant, Commissioner Harvey moved to approve the real estate salesperson license of Linda S. Henke. Commissioner Gendrano seconded the motion. The motion was voted on and unanimously carried.

**James Somers**

After a review of the information presented by the applicant, Commissioner Harvey moved to most likely approve the real estate salesperson license of James Somers. Commissioner Gendrano seconded the motion. The motion was voted on and unanimously carried.

**Diane Larson**

After a review of the information presented by the applicant, Commissioner Harvey moved to most likely approve the real estate broker license of Diane Larson. Commissioner Gendrano seconded the motion. The motion was voted on and unanimously carried.

**Gold Standard Realty, LLC**

After a review of the information presented by the applicant, Commissioner Sherley moved to deny the real estate limited liability company license for Gold Standard Realty, LLC, based on Hawaii Revised Statutes sections 467-8(a)(3), 436B-19(1), 436B-19(8), and 436B-19(12). Commissioner Harvey seconded the motion. The motion was voted on and unanimously carried.

Next Meeting:

Thursday, April 28, 2011  
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, the Chair adjourned the meeting at  
10:15 a.m.

Reviewed and approved by:

/s/ Jon Ellis M. Pangilinan  
Jon Ellis M. Pangilinan  
Executive Officer

April 12, 2011  
Date

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

APPROVED APPLICATIONS FOR REAL ESTATE  
REAL ESTATE COMMISSION MEETING ON MARCH 24, 2011

<u>Brokers – Limited Liability Companies and Partnerships</u>	<u>Effective Date</u>
Ocean Wind Realty, LLC K. Kenny Furuki, PB	02/07/11
Hawaiian Home Seekers Real Estate LLC Pamela Sue Roukema, PB	02/07/11
Luning Realty, LLC Frederick J. Luning, PB	02/17/11
Hawaii Island Dreams, LLC Joanie Lehr, PB	03/03/11
Lava Realty, LLC Laure McElwee, PB	03/07/11
H2O Watermark Pacific Properties LLC Christine Kim, PB	03/09/11
Harper Island Realty LLC Robert Harper, PB	03/09/11
<u>Brokers – Corporations and Partnerships</u>	<u>Effective Date</u>
The Howard Hughes Corporation Melisa G. Preus, PB	02/23/11
Hawaii Land and Homes Corp. Charles Raymond Crittenden, PB	03/04/11
R.D. Salyer, Inc. Rick L. Salyer, PB	03/07/11
Aloha Hawaii Real Estate Inc., Kauai Calls! Set Your Heart Free Linda A. Lawhead, PB	03/07/11
Hi End Hawaii Corporation Lisa Kay Maas, PB	03/09/11
KMA Capital Corporation, KBM Hawaii Josh Motto, PB	03/10/11
<u>Brokers – Sole Proprietor</u>	<u>Effective Date</u>
Wayne L. Williams	01/03/11
Richard B. Ferguson	01/03/11
Robert W. Helstowski	01/04/11
Dale J. Scott	01/07/11
Lin Poling	01/13/11
Mary Lou Whitman	01/18/11
Leasa S. Souza	01/18/11
Gary W. Klever	01/21/11
Evelyn A. Takara	01/27/11
Terri Tsung Mok	02/01/11
Sandra Elayne Burrell	02/02/11
Jerald Y. Nakasone, THINC Real Estate	02/09/11
Sandra J. Cornell	02/09/11
Sonia L. Harada	02/10/11
Branden Edward Shumate, Ocean Rock Properties	02/15/11
Nancy Ann Thomas, Thomas Properties	02/23/11
Jack S. Fisher, Jack Fisher REALTOR®	02/23/11
David R. Hill, Tropical Realty	02/24/11
Meghan E. Shively, South Island Realty	03/07/11

<u>Corporation Name</u>	<u>Effective Date</u>
Auction.com fka Real Estate Disposition Corporation	01/28/11
<u>Trade Name</u>	<u>Effective Date</u>
Reuben K. Nemoto, Rainbow Realty Oahu	2/14/11
Paradise Island Realty, LLC, DaKine Homes	02/11/11
<u>Equivalency to Uniform Section of Examination Certificate</u>	<u>Expiration Date</u>
Mary Elizabeth Clary	02/14/13
Jenae Politovich Peckham	02/14/13
Hope L. Harbour	02/14/13
Clifton Edward Allenbach	02/16/13
Susan Mary Des Jarlais	02/23/13
Barbara Jean Quinones	02/25/13
Trisha L. Cruz	02/28/13
Lincoln Henry Gill	03/01/13
Carole Gay Herzog	03/01/13
Richard Cutis Stewart	03/01/13
Drew S. Fishman	03/02/13
Heidi Julie Winkler	03/01/13
Yoshinori Shiraishi	03/02/13
Darren Yhale Scott	03/03/13
James Hall	03/04/13
Jeana Leilani Gamboa	03/07/13
Justin Joseph Brunold	03/07/13
Debbie Lynn Phillips	03/08/13
Karen Cammarota-Keefe	03/08/13
Linda Kay Hamp	03/08/13
Sondra Jean Van Metre	03/08/13
Brett David Danson	03/10/13
Karen Lee Roth	03/10/13
Gabriel Duane Harvey	03/14/13
Myra L. Taylor	03/14/13
<u>Educational Equivalency Certificate</u>	<u>Expiration Date</u>
Mary Elizabeth Clary	02/14/13
Jenae Politovich Peckham	02/14/13
Hope L. Harbour	02/14/13
Clifton Edward Allenbach	02/16/13
Susan Mary Des Jarlais	02/23/13
Race Akamai Randle	02/17/11
Barbara Jean Quinones	02/25/13
Trisha L. Cruz	02/28/13
Bernard Charles Welk	03/01/13
Lincoln Henry Gill	03/01/13
Carole Gay Herzog	03/01/13
Richard Cutis Stewart	03/01/13
Jacquelyn Tryon Esser	03/02/13
Drew S. Fishman	03/02/13
Steven Ryan Gray	03/01/13
Jonathan H.T.Y. Honda	03/01/13
Heidi Julie Winkler	03/01/13
Yoshinori Shiraishi	03/02/13
Phillip Joong Kim	03/03/13
Benjamin James Fisher	03/03/13



<u>Educational Equivalency Certificate</u>	<u>Expiration Date</u>
Darren Yhale Scott	03/03/13
Denise Marie Ballard	03/04/13
James Hall	03/04/13
Jeana Leilani Gamboa	03/07/13
Justin Joseph Brunold	03/07/13
Debbie Lynn Phillips	03/08/13
Karen Cammarota-Keefe	03/08/13
Linda Kay Hamp	03/08/13
Sondra Jean Van Metre	03/08/13
Brett David Danson	03/10/13
Karen Lee Roth	03/10/13
Ashley Ryan	03/10/13
Michael Neal Atkins	03/14/13
Gabriel Duane Harvey	03/14/13
Myra L. Taylor	03/14/13

<u>Real Estate Broker Experience Certificate</u>	<u>Expiration Date</u>
Jenae Politovich Peckham	02/14/13
Hope L. Harbour	02/14/13
Jay Jiro Hiraide	02/17/13
Michael Edward McMahon	02/17/13
Keolani Renee Keawe	02/28/13
Trisha L. Cruz	02/28/13
Lincoln Henry Gill	03/01/13
Richard Cutis Stewart	03/01/13
Drew S. Fishman	03/02/13
Denise Kay Shipley	03/01/13
Susanne Grauwiler Blakey	03/01/13
Zachary Gerard Kawika Oda	03/03/13
Robert James Rupnow	03/04/13
Diane L. Heung	03/07/13
Kathleen M. Funk-Linton	03/08/13
Jessika Gabriella Lawrence	03/08/13
James Makoto Kohara	03/08/13
Marcus Nathan Ken Suzuki	03/08/13
Sondra Jean Van Metre	03/08/13
Melissa Lehna	03/08/13
Casey Kaena Paet	03/10/13
Cynthia Anne Wild	03/10/13
Michiko Wada	03/10/13
Richard F. Pachon	03/10/13
Myra L. Taylor	03/14/13
Mario Riparip Agustin	03/14/13

<u>Real Estate Broker (upgrade)</u>	<u>Effective Date</u>
Amy F. Morrow	02/08/11
David E. Beck	02/14/11
Frederick J. Luning	02/17/11
Robert J. Lundquist	02/22/11
Bill Lamkin	02/22/11
Courtney J. Takai	02/23/11
William A. Carter	02/25/11
Frida Adams	02/28/11
Edwin L. Lilley	03/01/11

Real Estate Broker (upgrade)

Michael Leonard

Christine Kim

Josh Motto

Jay J. Hiraide

Effective Date

03/08/11

03/09/11

03/10/11

03/14/11

Continuing Education Equivalency

Daniel Cho

Effective Date

02/14/11

Restoration – Real Estate Salesperson

Maria-Linda F. West

Effective Date

02/17/11