

REAL ESTATE COMMISSION
Professional & Vocational Licensing Division
Department of Regulatory Agencies
State of Hawaii

MINUTES OF MEETING

Date: Friday, December 18, 1981

Place: Davies Pacific Center, 20th Flr Conference Room
841 Bishop St., Honolulu, Hawaii

Note: Notices of change of meeting places
were posted on Conference Room and
Board Room, Kamamalu Building, 1010
Richards St.

Present:

G. A. "Red" Morris, Chairman
Edwin H. Shiroma, Vice Chairman
Joseph F. Blanco, Member
Gloria J. Damron, Member
Tadayoshi Ishizu, Member
Toru Kawakami, Member
Constance B. Smales, Member
Gregg T. Yamanaka, Member

Sandy Holck, Real Estate Education Specialist
Glenn M. Adachi, Acting Executive Secretary
Saeko Whang, Secretary

Dr. George Ikeda, SSRI, Univ. of Hawaii
Robert Allen, SSRI, Univ. of Hawaii
William R. Wood, WRW, Inc.
Mary Shern, Jones/Spalding & Mary Shern School
of Real Estate
Wayne Nakashima, applicant for real estate salesman
license
Ronald J. Lashier, applicant for restoration of
real estate salesman license
Jeffrey Miles, applicant for real estate salesman
license
Iris Chang, broker

Absent: Ralph S. Yagi, Member

Call to Order: There being a quorum present, Chairman G. A. "Red"
Morris called the meeting to order at 9:30 a.m.

The Executive Secretary apprised that the agenda
for today's meeting was duly filed on Monday,
December 14, 1981, at the Lt. Governor's office
in compliance with the Sunshine Law.

Minutes: Toru Kawakami moved and Tadayoshi Ishizu seconded
to approve the minutes of September 25, 1981
as circulated. Motion carried unanimously.

Committee
Reports:

Real Estate Education Advisory Council

Real Estate Education Specialist Report

Home Study Program

Mary Shern indicated that she would like to know whether or not the Commission will continue to remove the hardship restriction for home study courses as stated in memorandum August 11, 1980.

After a lengthy discussion, Edwin Shiroma moved and Gloria Damron seconded to reinstate the hardship cases and also to request an opinion from the Attorney General's office as to guidelines. Motion carried unanimously.

RELE Schools

Sandy Holck reported that he, "Red" Morris and Glenn Adachi attended the Hawaii Ass'n of Real Estate School convention meeting and each spoke on a matter relating to real estate.

At its meeting new officers were elected as follows:

President - Norma Jones
Vice Pres. - Arden Moore
Sec.-Treas. - Hilda Morse

Real Estate Educational Expenditure

Joseph Blanco moved and Gloria Damron seconded to appropriate \$50.00 for educational supply expenditure. Motion carried unanimously.

Change of School Name

Sandy Holck reported that Bob Pennington School of Real Estate applied for a name change to ERA Hawaii State of Real Estate. He noted that the school had advertised under the new name without first clearing with DOE and Real Estate Commission.

Following discussion, Edwin Shiroma moved and Joseph Blanco seconded to approve change of school name to ERA Hawaii State of Real Estate subject to approval from DOE. Motion carried unanimously.

March Seminar

Edwin Shiroma moved and Constance Smales approved the seminar proposed for March and the submittal of Dr. Wofford's subject matter "Survival Financing Briefing". Motion carried unanimously.

Real Estate Education Plan

Dr. George Ikeda appeared before the Commission with Dr. Robert Allen, who was introduced to the members of the Commission. Dr. Ikeda gave a progress report on the project and circulated an outline clarifying the nature, scope and organization of the real estate education plan.

He suggested that a mini-conference be held during the week of January 23-24 with members of the real estate industry and Commissioners for review and discussion and to place priorities on the items submitted. Dr. Ikeda stated that SSRI would like to come up with recommendations by January 31.

Laws and Rules Review Committee

Executive Secretary reported that the proposed amended rules were in the process of being reviewed by the Legislative Reference Bureau and the Attorney General's office. Hopefully the rules with its comments should be back about mid-January.

Business Out
of Minutes:

Questionable Applications

Ronald J. Lashier

After a lengthy discussion, Edwin Shiroma moved and Constance Smales seconded to restore Ronald Lashier's real estate salesman license subject to his taking and successfully completing the prelicense course with S.B.M.P. (Univ. of Hawaii) within the one year period. Also that payment on the renewal must be paid no later than December 31, 1981. The motion was later amended to include penalty of \$200. Motion carried unanimously.

Jeffrey Miles

As requested Joseph Blanco moved and Tadayoshi Ishizu seconded to add this matter to the agenda. Motion carried unanimously.

Following discussion, Gloria Damron moved and Toru Kawakami seconded to approve Jeffrey Miles' real estate salesman license. Motion carried.

Edwin Shiroma abstained on this matter due to possible conflict of interest.

Wayne Nakashima

Wayne Nakashima appeared before the Commission to discuss his application.

Following the question and answer period, Joseph Blanco moved and Edwin Shiroma seconded to approve Wayne Nakashima's application for real estate salesman license. Motion carried.

Gloria Damron abstained on this matter for possible conflict of interest.

Investigations:

Edwin Shiroma moved and Joseph Blanco seconded to accept the recommendations of the Complaint Review Committee for the following cases:

RE-81-11 Toru Nagayama

To accept ETS Irregularity Report. Furthermore, that future irregularity reports be presented to the Commission and not referred to investigation.

RE-81-12 Sinfioriano & Lynn Transfiguracion

To accept ETS Irregularity Report.

RE-81-29 Harold Sakoda; Locations, Inc., Carlton & Lois Agena, J. M. Urner, Inc.

The Executive Secretary explained to the Commission that this case was reopened because of objections raised by the Complainant.

The case be dismissed. Based on the statements of witnesses, it could not be concluded that the tub was defective, although the tub surface was not rigid. A physical inspection by the investigator did confirm that the tub had soft spots.

RE-81-62 Andrew K. Aiu

To dismiss complaint on basis that the house was being rented out at the time of the sale and

Respondent had no knowledge of the extent of the repairs that were necessary.

RE-81-132 Broker Associates Realty, Inc.;
Dennis Grady

To hold a hearing for alleged violation of §467-14(12), H.R.S., and Rules §§16-99-3(6) and 16-99-3(7).

RE-81-137 Ester Chu Realty, inc.

Proceed to a hearing for alleged violation of §467-14(1) and (8), H.R.S., and Rule §16-99-3(1) and (2).

RE-81-143 Prosser Realty, Inc.

Dismiss complaint on basis that there was insufficient evidence to substantiate a licensing law violation and that the security deposit was withheld for non-payment of rent and for damage to the unit. Suggested that the Canadian government be informed of these complaints since they threatened to take complaint to the newspapers.

RE-81-153 Peter Vana

Case be dismissed. There was insufficient evidence to substantiate a violation of the licensing law.

Joseph Blanco abstained on this matter.

RE-81-77 Tom Schmidt Realtors

To hold a hearing for alleged violation of Rule §16-99-5(b)(1) and (2).

Motion carried.

RE-81-172 Realty Management & Sales Corporation

Constance Smales moved and Gloria Damron seconded to send a letter of warning to Respondent inasmuch as Realty Management acted without having a written management contract. Motion carried unanimously.

New Business:

LICENSING

Corporation

Buena Vista Realty, Inc. - 1200 College Walk
Mauro T. Goze, pb #108, Hon.

C and H Properties, Inc. - Corner of Kawaihae
Rd & Opelo Rd, Kamuela
Stephen Hurwitz, pb

Vernon N. K. Chock Realty, Inc. - 733 Bishop
St., Ste 1475, Hon.
Vernon N. K. Chock, pb

Diamond Head Properties, Ltd. 1110 Richards
Eugene K. Despain, pb St., Hon.

Glenn Corporation - 1525 Rycroft St., #116
Glenn H. Uyehara, pb Hon.

Mel Lum Realty, Inc. - 81 S. Hotel St., #2004 B
Glenn H. Uyehara, pb Hon.

Lynne Investment Company, Ltd. - 98-1247
Kaahumanu St., Ste 305A, Aiea
Merlin S. Concepcion, pb

Darrell W. Mattos & Associates, Inc. - 600
Kapiolani Blvd., Rm 206, Hon.
Darrell W. Mattos, pb

Pac III, Ltd. - 250 Ward Ave., Ste 220, Hon.
Philip R. Broms, pb

John J. Rousseau, Ph.D., Ltd. - 1164 Bishop
St., Ste #1005, Hon.
John J. Rousseau, pb

Max Sherley and Associates, Ltd. - 21 So. Hana
Max Sherley, pb Hwy, Kahului

Partnership

Hawaii Properties, Listed - 828 Front St.,
Karon Lee Anglin, pb Lahaina

Upon motion by Edwin Shiroma, seconded by
Gloria Damron, the Commission unanimously
ratified staff's action in approving the
applications for corporation and partnership.

Tradenames

Rex Bickford Properties - Rex M. Bickford, dba

Martin Chen Realty - Martin Ming-Tze Chen, dba

ERA Stott Real Estate - George W. Stott, Jr.,
dba

Edwin Shiroma moved to ratify the tradename applications. The motion was seconded by Constance Smales and unanimously carried.

Restoration - past 2 years

Hideo Kuniyoshi
Stanley Y. H. Siu

Edwin Shiroma moved and Constance Smales seconded to approve restoration of real estate salesman licenses to Hideo Kuniyoshi and Stanley Siu. Motion carried unanimously.

Luke & Luke Realty, Inc. (Branch office #2)

Following discussion, Edwin Shiroma moved and Gloria Damron seconded to approve restoration of branch office to Luke & Luke Realty, Ltd. with a penalty payment of \$200 and renewal fee payable before December 31, 1981. Motion carried unanimously.

Questionable Applications

Fullservice Realty Maui, Inc.

Joseph Blanco moved and Edwin Shiroma seconded to approve the application of Fullservice Realty Maui, Inc. Motion carried unanimously.

Walter Sung Cho Sur

Gloria Damron moved and Edwin Shiroma seconded to approve Walter Sur's application for real estate salesman license. Motion carried unanimously.

Sharon Y. West

Gloria Damron moved and Edwin Shiroma seconded to approve Sharon West's application for real estate salesman license. By a vote of Ayes - 5 and Nays - 3, the motion was carried. Gregg Yamanaka, Joseph Blanco and Constance Smales voted against the motion.

Miscellaneous:

Anthony Cerrone

At the previous meeting, Cerrone was requested to provide statements on his character reference from his probation officer and landlord.

After discussion, Joseph Blanco moved to defer action until further information is obtained and authorized the Executive Secretary to make the final determination. Motion was seconded by Edwin Shiroma and unanimously carried.

Request to send Investigator to Real Estate School

Michael Cochran, RICO Investigator in Hilo, requested approval from the Commission to take a real estate prelicense course in Hilo, funded by the Real Estate Education Fund.

Following discussion, Toru Kawakami moved and Edwin Shiroma seconded to allow Cochran to attend Vitousek School of Real Estate. Motion carried unanimously.

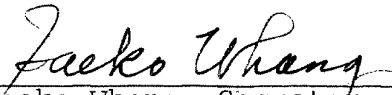
Date of Next Meeting:

January 29, 1982

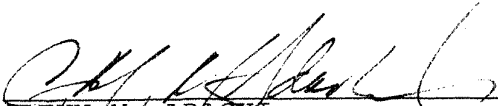
Adjournment:

There being no further business to transact, Chairman Morris declared the meeting adjourned at 12:15 p.m.

Taken and recorded by:


Saeko Whang, Secretary

APPROVED:


GLENN M. ADACHI
Acting Executive Secretary