

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

MINUTES OF MEETING

Date: Friday, August 26, 1983

Place: Board Room, Kamamalu Building  
1010 Richards Street, Honolulu, Hawaii

Present: G. A. "Red" Morris, Chairman  
Edwin H. Shiroma, Vice Chairman  
Joseph F. Blanco, Member  
Gloria J. Damron, Member  
Toru Kawakami, Member  
Constance B. Smales, Member  
Yukio Takeya, Member  
Ralph S. Yagi, Member  
Gregg T. Yamanaka, Member

Janice B. Sevilla, Education Officer  
Cynthia T. Alm, Information Officer  
Glenn M. Adachi, Executive Secretary  
Saeko Whang, Secretary

Dr. Nicholas Ordway, Present Chairholder  
Rae Linqvist, Hawaii Association of Realtors  
Robert Alm, Hearings Officer  
Virginia Lea Crandall, Hearings Officer  
Kazuhisa Abe, Attorney representing Dorothy Gibson  
Dorothy Gibson, Applicant for license  
Ruth Tsujimura, RICO attorney  
Russell Lum, Deputy Attorney General  
Calvin Ontai, Applicant for license  
Sheila Lau, Director, SBMP, Univ. of Hawaii

Call to Order: The meeting was called to order by Chairman  
G. A. "Red" Morris at 9:10 a.m.

Notice of Meeting: The notice of meeting was filed with the Lt.  
Governor's office on August 22, 1983.

Minutes: Upon motion by Commissioner Yagi and seconded  
by Commissioner Damron, the Commission unanimously  
approved the minutes of July 29, 1983 as circulated.

Hearings Officer  
Report: Hearings Officer, Virginia Lea Crandall, summarized  
the following cases which were previously heard  
and for which findings of fact, conclusions of  
law and recommended orders were presented to  
the Commission for their review and action.

Hearings Officer  
Report:

RE-LIC-83-18 Dorothy L. D. Gibson

Dorothy Gibson, through her attorney, Kazuhisa Abe, filed written exceptions to the Hearings Officer's Findings of Fact and Recommended Order. Ruth Tsujimura, RICO staff attorney, filed a motion to support the Hearings Officer's Findings of Fact and Recommended Order.

Oral arguments were heard from Petitioner's counsel and state counsel.

Executive  
Session:

At 10:10 a.m., Commissioner Shiroma moved and Commissioner Blanco seconded to go into executive session to consult with Deputy Attorney General Russell Lum on the matter. Motion carried unanimously.

Out of Executive  
Session:

At 10:30 a.m., Commissioner Shiroma moved and Commissioner Takeya seconded to move out of the executive session and into regular meeting. Motion carried unanimously.

Following discussion, Commissioner Yamanaka moved, seconded by Commissioner Yagi and unanimously carried to accept the Hearings Officer's Findings of Fact, Conclusions of Law and Recommended Order.

RE-LIC-83-10 Calvin Ontai

Petitioner Calvin Ontai represented himself on this matter. Oral arguments were heard from Petitioner and state counsel, Ruth Tsujimura.

After discussion, Commissioner Smales moved and Commissioner Blanco seconded to refer the case for further evidence and request Petitioner to submit evidence concerning his fund balance in his checking account at the time of the check being returned for insufficient funds. The Commission remanded the matter to the Hearings Officer. Motion carried unanimously.

RE-80-30 Adele Braun

Hearings Officer recommended to dismiss because Respondent fully reimbursed the Complainant and Complainant withdrew the complaint.

RE-80-164 and RE-80-174 Broker Associates,  
Dennis Grady

To dismiss without prejudice because of prior revocation. Broker Associates and Dennis Grady's

licenses had been revoked earlier through the payment from the Real Estate Recovery Fund.

Following discussion, Commissioner Blanco moved and Commissioner Yagi seconded to accept Hearings Officer's Findings of Fact, Conclusions of Law and Recommended Order on the above case reports. Motion carried unanimously.

RE-LIC-83-21 Joel Hemington  
RE-LIC-83-22 Judy Henderson  
RE-LIC-83-24 Timothy Trotta

Upon motion by Commissioner Blanco and seconded by Commissioner Yagi, Commission unanimously adopted the Hearings Officer's Findings of Fact, Conclusions of Law and Recommended Order on the above cases.

#### Consulting Position for Resource Center

Upon motion by Gloria Damron, seconded by Commissioner Smales and unanimously carried, the above matter was added to the agenda.

Commissioner Damron distributed a four-page copy of the proposal by Robert Fishman for a consulting position in reviewing the establishment of a resource center and for implementation of the recommendations of his study.

Following discussion, Commissioner Yagi moved and Commissioner Smales seconded to approve the proposal, a 3-month study by Robert Fishman, submitted through Gloria Damron, contingent upon having the Education Committee clarifying the tasks that has to be done. Motion carried unanimously.

#### Committee Reports: Introduction of Dr. Nicholas Ordway, Visiting Chairholder

Introduced by Commissioner Blanco, the present Chairholder, Dr. Ordway, said that he is looking forward to working with the Commissioners.

#### Real Estate Education Committee Report

Jan Sevilla, Education Officer, reported on her activities for the month of August. A copy of her report was distributed to the Commissioners at the meeting.

Second Quarter Budget

After a lengthy discussion, Commissioner Blanco moved and Commissioner Shiroma seconded to add to the second quarter budget \$2,000 in October and another \$2,000 in November and the \$5,000 that was allotted for Dr. Wooten be reallocated strictly for the Resource Center. Motion carried unanimously.

Seminar Topics for 1984

Upon motion by Commissioner Blanco, seconded by Commissioner Shiroma, the Commission unanimously approved the 1984 seminar topics as recommended by the Education Committee.

Registration Fees for 1984 Seminars

Commissioner Blanco moved and Commissioner Yagi seconded to charge licensees late registration fee of \$5.00 and to non-licensees late registration fee of \$15.00 Motion carried unanimously.

Restoration Education Requirement

Commissioner Blanco moved and Commissioner Yagi seconded to waive the fee for those people who have been waiting for the rule tape in order to restore their forfeited license one time only. Motion carried unanimously.

Commissioner Kawakami moved and Commissioner Smales seconded that all licensees who were required to listen to the tapes and still waiting the additional requirement should be waived and their licenses restored. This encompasses about 12 people. Motion carried unanimously.

Commissioner Blanco recommended that the people who just had their licenses restored on the previous motion to attend the RECCAL course which will be made available.

Commission Meetings on Neighbor Islands

Commissioner Shiroma moved and Commissioner Takeya seconded to hold a meeting in Hilo,

Hawaii at the same time when a seminar is scheduled when Mr. Ordway is the guest speaker. Motion carried unanimously.

Certificate of Appreciation

Commissioner Blanco moved and Commissioner Shiroma seconded to nominate Dr. Jerome Dasso, Hiromu Yamanaka and William Young to receive the certificate of appreciation. Commissioner Damron will present the certificate of appreciation to Dr. Jerome Dasso on behalf of the Commission at the meeting in Ohio. Motion carried unanimously.

Laws and Rules Review Committee Report

The minutes of the Laws and Rules Review Committee Report of August 25, 1983 meeting were circulated.

Guidelines for Suspended Licensees

Commissioner Kawakami moved and Commissioner Shiroma seconded to approve the guidelines for suspended licensees. Motion carried unanimously.

Staff to work on the language and a check list will be drafted.

Amended Rules

Tentative schedule for a public hearing on the amended rules for adoption will be held in October.

Status Reports on Work Program by Committees

Upon review of the status reports on program of work by the Committees, Commissioner Kawakami moved and Commissioner Yagi seconded for the adoption of the Committee work. Motion carried unanimously.

Real Estate School and Instructors

W. H. (Bill) Eisenhart - (s)

The Information Officer, Cynthia Alm, summarized the application of Mr. Eisenhart.

Following discussion Commissioner Takeya moved and Commissioner Shiroma seconded to approve Bill Eisenhart's application for certification as a real estate salesman instructor. Motion carried unanimously.

New Business:

LICENSING

Corporation

A & K Valley Corporation dba Valley Real Estate Co. - Azeka Place Shopping Ctr, Ste 222  
Albert Valley, pb Kihei

C.E.F., Ltd. - Maui Mall Shopping Ctr. #F-6  
Karl Heyer, III, pb Kahului

Century 21 Kailua-Kona, Inc. - 75-5689 Alii Dr.  
William J. Crockett, pb Kailua-Kona

Foster Properties, Inc. - 629-A Kailua Rd.,  
Melvin E. Foster, pb Ste 111, Kailua

Hawaiian Referral Specialists, Inc. - 960 N.  
Kalaheo Ave., #C-114, Kailua  
Rita Minogue, pb

Henthorn & Associates Realty, Inc. - 350 Ward  
Taesoon Henthorn, pb Ave. #106, Hon.

Mitsui Land (USA) Incorporated - 1585 Kapiolani  
Charles G. Friedman, pb Blvd. #1254, Hon.

National Realty Corporation - 333 Queen St.,  
Francis H. Yano, pb Ste 601, Hon.

Ocean View Service & Supply, Inc. dba Bob  
Carlson Realty - Star Rte Box 6302, Capt. Cook  
Robert V. Carlson, pb

Pacific General Services, Inc. - 688 Kinooole St.  
Masayo Kaneoka, pb Rm 111, Hilo

Prime Equities & Development Corporation -  
1314 So. King St., #702, Hon.  
George R. Kishi, pb

PRY, Inc. - 1240-C Waimanu St., Hon.  
Duke T. Kawasaki, pb

Mitsuo Shimizu, Inc. - 3538 Waiialae Ave., Rm 205  
Mitsuo Shimizu, pb Hon.

TRI Investments, Ltd. - 98-084 Kam Hwy, Ste 302  
Roy I. Matsumoto, pb Aiea

Utah-Waikiki-Real Estate Corporation - 226  
Lewers St., #120, Hon.  
Arthur J. Sonen, pb

Eric M. Watanabe Realty, Inc. - 765 Kam Hwy,  
Eric M. Watanabe, pb #102A Pearl City

Western Business Property Management, Inc. -  
700 Bishop St., #808, Hon.  
F. Mitchell Wright, pb

Branch Office

Hawaiiana Investment Co., Inc. dba Brewer  
Realty Company - Old Mamalahoa Hwy, Papaikou  
Mildred Mosher, bic

Tradenname

Carol Dias Realty - Caroline M. Dias, dba

Kathleen A. Hayward, Realtor - Kathleen A.  
Hayward, dba

Hughes Realty Company (HRC) - Donald W. Hughes,  
dba

G. Hisae Ishii - Gayle H. Ishii, dba

Island Sales & Rentals - John T. Graver, III,  
dba

Donald A. Kessler, Realtor - Donald A. Kessler,  
dba

Lagoon Realty - Lagoon Investments, Ltd., dba

M.C.T. Realty - Maura C. Tacderan, dba

Richard M. Ogasawara, Realtor - Richard M.  
Ogasawara, dba

Florence Suzuki, Realtor - Florence Suzuki,  
dba

Tarbell Realtors - Abigail L. Rose, dba

John Wong, Broker - John J. H. Wong, dba

Albert Young Realty - Albert S.N. Young, dba  
Corp. Name Change

Gentry Realty, Ltd. - formerly Waipio Realty  
Corporation

DBA Name Change

KCS Realty - formerly KCS Rentals

Sandy Padaken Realty - formerly Sandcastle  
Properties

The Commission reviewed the list of new corporations, branch office, tradenames, corporate name change and DBA name changes for the month of August.

Executive Secretary was requested to check on corporation name Mitsui Land (US) Incorporated. The Commission discussed whether or not Commission should have authority to deny questionable corporation names and decided to pursue legislation on the matter.

Restorations

Mike Miyashiro

Upon motion by Commissioner Shiroma, seconded by Commissioner Yamanaka, the Commission unanimously approved Mike Miyashiro's application for restoration.

Elizabeth Montei

Upon motion by Commissioner Shiroma, seconded by Commissioner Yamanaka, it was unanimously decided that the application for restoration be approved only upon passing the real estate licensing examination one time only and that the education requirement be waived.

Robert James Rupnow

Upon motion by Commissioner Yamanaka, seconded by Commissioner Shiroma, the Commission unanimously decided the application of Robert Rupnow be approved



only upon passing the real estate licensing examination on the first try and that the Commission waive the education requirement.

Alyce Patterson

Upon motion by Commissioner Shiroma, seconded by Commissioner Yamanaka, the Commission unanimously approved Alyce Patterson's application for restoration.

Miscellaneous: Dorothy Gibson - Waiver of 10 transactions

After discussion, Commissioner Yagi moved and Commissioner Blanco seconded to deny Dorothy Gibson's request for waiver of the 10 transactions. Motion carried unanimously.

Ken Zwern )  
Stephen Ozimec) - Waiver of Education Requirement

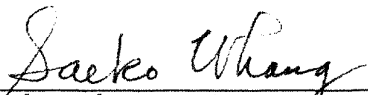
Zwern and Ozimec are both licensed salesman in California and requested waiver of the education requirement. They have taken and passed the Hawaii real estate licensing examination.

Following discussion, Commissioner Yamanaka moved and Commissioner Kawakami seconded to deny their requests. Motion carried unanimously.

Next Meeting: September 30, 1983

Adjournment: There being no further business to transact, the meeting was adjourned at 1:30 p.m.

Taken and recorded by:

  
Saeko Whang, Secretary

APPROVED:

  
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GLENN M. ADACHI  
Executive Secretary