

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

MINUTES OF MEETING

Date: Friday, July 27, 1984

Place: Board Room, 1010 Richards St.
Kamamalu Bldg, Honolulu, HI

Present: G. A. "Red" Morris, Chairman
Toru Kawakami, Vice Chairman
Joseph F. Blanco, Member
Gloria J. Damron, Member
Douglas R. Sodetani, Member
Yukio Takeya, Member
Gregg T. Yamanaka, Member
Peter N. Yanagawa, Member

Cynthia T. Alm, Information Officer
Saeko Whang, Secretary

Virginia Lea Crandall, Hearings Officer
Rodney A. Maile, Hearings Officer
Robert Alm, Deputy Director
Ronald J. Verga of John Edmunds Office, representing
Mike McCormack
Ward Jones, Special Deputy Attorney General
Louis Agard, Council of Hawaiian Organizations
Fred Romanchack, Applicant for Restoration
Ann Botticelli, KITV Reporter
Russell Lum, Deputy Attorney General
Randall Y. Iwase, Deputy Attorney General

Absent: Constance B. Smales, Member

Call to Order: The meeting was called to order at 9:15 a.m.
by Chairman G. A. "Red" Morris.

Notice of Meeting: The notice of meeting was filed at the Lt.
Governor's Office on July 20, 1984.

Minutes: Upon motion by Commissioner Takeya, seconded by
Commissioner Damron, the minutes of June 29, 1984
meeting were unanimously approved.

Deputy Director's Report: Report of Changes in the P&VL Division
Deputy Director Robert Alm apprised the Commission
of some of the changes that had taken place in
the Licensing Division. To rejuvenate the

executive secretaries, they were reshuffled to handle other boards and programs. He spoke of getting additional staff in the licensing, condominium and examination areas. The department will request the Dept. of Personnel Services to change the Information Officer's position to a civil service position. He stated that the licensing and records section will convert its present system to a computerized system starting from the second quarter. Inasmuch as the P&VL Division does not have sufficient funding for overtime payments and contract personnel, he requested support from the Commission. A formal request will be forthcoming.

Hearings Officers' Report:

Appointment of Rod Maile, Hearings Officer

The Commission and staff welcomed Rod Maile on board as Hearings Officer.

Upon motion by Commissioner Takeya and seconded by Commissioner Kawakami, the Commission unanimously approved the appointment of Rod Maile as Commission's Hearings Officer.

RE-80-68, 80-178, S-80-001 and S-80-002 In Re Island Resort Management, Inc., Thomas F. Schmidt, dba Tom Schmidt Realtors B-1, Thomas F. Schmidt and Linda Kurosawa

Upon motion by Commissioner Yanagawa and seconded by Commissioner Takeya, the Commission unanimously approved Hearings Officer's Recommended Order for a Settlement Agreement of Linda Kurosawa which stipulates a revocation of her broker's license. The matter of Respondents, Island Resort Management, Inc., Thomas F. Schmidt, dba Tom Schmidt Realtors B-1 and Thomas F. Schmidt will proceed to a hearing.

RE-82-93 In Re Lily Tang, Earl Nishimoto and Earle F. Shiroma

Upon motion by Commissioner Blanco and seconded by Commissioner Takeya, the Commission unanimously accepted Hearings Officer's Recommended Order for an Ex Parte Motion to Withdraw Petition for Disciplinary Action against Earl Nishimoto. The matter of Lily Tang and Earle F. Shiroma will go to a hearing.

CON-77-17 In Re McCormack Corporation, McCormack Management Group, Ltd., and Michael T. McCormack

Chairman "Red" Morris relinquished the Chair to Vice Chairman Toru Kawakami and disqualified himself on this matter.

Attorney Ron Verga requested the Commission to hold this matter in executive session under Chapters 92 and 92E for reason that he did not want public access to his client's records.

Following discussion, Commissioner Yamanaka moved and Commissioner Takeya seconded to deny request to hold this matter in closed session. Motion carried unanimously.

Attorney Verga then requested that the Commission to continue this matter at the next Commission's meeting so that he could submit written memoranda.

Ward Jones, Special Deputy Attorney, stated that the State had no objection to continue this matter.

Commissioner Yamanaka moved and Commissioner Blanco seconded to deny the continuance. Commissioner Yamanaka stated there are no grounds for postponing and that this is not a hearing or a fact finding session. Motion carried unanimously.

Following further discussion, Commissioner Blanco moved and Commissioner Yamanaka seconded to reject the proposed settlement and direct the case for a hearing provided the parties are not precluded from proposing a settlement agreement in the future. Motion carried unanimously.

Committee Reports: Education Committee Report

Education Committee Chairman, Joseph Blanco, reported on the following activities for the month of July.

Computerization Study

Computerization study has been deferred.

Proposed Budget for 1984-85

Upon motion by Commissioner Blanco and seconded by Commissioner Damron, the Commission unanimously adopted the real estate education

fund budget for fiscal year 1984-85 less \$15,000 for the Leasehold Conversion Study which was tabled.

Annual Symposium Report

Upon motion by Commissioner Blanco and seconded by Commissioner Takeya, the Commission unanimously adopted the revised annual symposium report.

Staff Transfer

This matter has been deferred until Jan Sevilla's status is known.

NARELLO Survey

Education Officer requests comments or input from members of the Commission for the NARELLO survey.

Honorarium Fee

One of the speakers for the Leasehold Conversion seminar, Prof. David Callies, requested \$210 honorarium fee.

Following discussion, Commissioner Yanagawa moved and Commissioner Takeya seconded to draft a letter stating that he is a state employee and to ask Harvard Club for honorarium fee. Motion carried unanimously.

Center Directors and Chairholders Association

Upon motion by Commissioner Sodetani and seconded by Commissioner Takeya, the Commission unanimously selected Commissioner Blanco to attend the above conference in Washington, D.C. on September 6-7, 1984.

Leasehold Conversion Seminar

Louis Agard, Council of Hawaiian Organizations, came to express the Council's concern regarding the Commission sponsored seminar to be held at the Hawaiian Regent Hotel on Tuesday, June 31, 1984. Main speaker Laurence Tribe will speak on the significance of the U.S. Supreme Court's decision upholding Hawaii's Land Reform Act. Mr. Agard stated that the

seminar is one sided and requested permission to circulate materials at the seminar.

Following discussion, Commissioner Sodehani moved and Commissioner Yamanaka seconded that Commission request the staff to add a question in the seminar evaluation sheet whether or not the participants would like to hear the other side of the topic at another seminar. The Council of Hawaiians were granted permission to distribute materials at the seminar. Motion carried unanimously.

Laws & Rules Review Committee

The minutes of the Laws & Rules Review Committee meeting were circulated to the members.

Upon motion by Commissioner Takeya, seconded by Commissioner Sodehani, the Commission unanimously approved the minutes of July 26, 1984 and its recommendations contained therein.

Personal Appearance

Fred Romanchak

Fred Romanchak requested reconsideration of restoration of his broker license which was subject to completion of the RECCAL course. He requested waiver of the RECCAL course based on education and experience.

Upon motion by Commissioner Takeya, seconded by Commissioner Blanco, the Commission unanimously reaffirmed its previous action. Romanchak is to complete the RECCAL course by December 31, 1984; if not he will be treated as a new applicant and required to take the examination.

New Business:

LICENSING

Corporation

Berger Realty, Inc. - 3030 Waiialae Ave., Hon.
Johanna M. Berger, pb

Day-Lum, Inc. - 169-D Keawe St., Hilo
Nancy S. Day-Lum, pb

McCain & Assocs, Inc. - Kawaiahe Rd., Kamuela
Eugene A. McCain, Jr., pb

Nevels & Associates Realty, Ltd. - 95-390
Kuahelani Ave., Mililani
Joel Nevels, pb

PDI-III, Inc. dba The Cliffs Club Vacation
Sales - 2155 Kalakaua Ave., #304, Hon.
Nancy Lee Gerfen, pb

Pedco Realty, Inc. - 1314 S. King St., #616
Roger Y. Shigaki, pb Hon.

Properties Unlimited, Inc. dba Properties
Unlimited - 4510 Salt Lake Blvd., Ste B4, Hon.
Marion M. Joy, pb

Turn Key Properties, Inc. - 1152 Waimanu St.
Alan D. Brown, pb Ste 200, Hon.

Branch Office

CPA Realty, Inc. - The Cliffs at Princeville
Sterling M. Nii, bic

Paxton Enterprises, Inc. dba Paxton Properties -
22 So. Hana Hwy, Kahului
John W. Stephens, bic

Prestige Resorts, Ltd. - 745 Fort St. #2118
Tom W. Street, bic Hon.

Sharon Tanonaka dba J and S Properties -
792 Alua St., Ste 202, Wailuku
Dorothy Kuromoto, bic

Theo Davies Realty, Inc. dba Maui Uplands -
744 Front St., Lahaina
Jacqueline C. Helton, bic

Tradenname

Nita Bonner Realtor - Juanita J. Bonner, dba

Mabel Chang Realty - Mabel C. S. Chang, dba

Hew Company - Randall Y. T. Hew, dba

Island Properties - Timothy A. Harris, dba

Laura Light Realtor - Laura C. Light, dba

Stan Lizama, Realtor - Stanley F. Lizama, dba
Maui Uplands - Theo Davies Realty, Inc. dba
George T. Nomura, Realtor - George T. Nomura,
dba

Pacific Ocean Properties - Sheldon S. H. Zane
Development & Realty Co., Inc.

David Pang, Realtor - David T. W. Pang, dba
Seahorse Real Estate - W. John S. Taylor, dba
Town & Country Realty - James R. Hill, dba

DBA Name Change

Manor Properties - formerly Kuhio Properties
(Emil V. Carreira, dba)

The Commission reviewed the list of new
corporations, branch offices, tradenames,
and dba name change for the month of July.

Restorations

Lynne L. Chase	Franklin C. Tong, Jr.
Michael A. Kahapea	Robert S. Rogers
Craig A. Parker	Masahiro Tsuchiya
Carolyn M. Watada	Charline B. Wilson

Upon motion by Commissioner Sodetani, seconded
by Commissioner Kawakami, the Commission
unanimously approved restoration of licenses
for the above applicants subject to paying
back fees and fines (if over 2 years) and
taking the RECCAL course by December 31, 1984;
if not, they will be considered new applicants.

Harry Y. H. Kim

Upon motion by Commissioner Sodetani, seconded
by Commissioner Kawakami, the Commission
unanimously approved restoration for Harry
Kim subject to his taking and passing the
licensing examination.

Rex D. Johnson

Upon motion by Commissioner Sodetani, seconded
by Commissioner Damron, the Commission

unanimously approved Rex Johnson's restoration subject to his paying back fees and fine.

Commissioner Takeya suggested that as a policy from hereon, Commission should write a letter of reprimand to the principal brokers if they fail to check the pocket ID cards of their salesmen and brokers.

Reconsideration of Arthur Johnstone

Upon motion by Commissioner Takeya, seconded by Commissioner Blanco, the Commission unanimously added the above applicant to the agenda.

Arthur Johnstone restoration of license is contingent on this taking the RECCAL course. He is requesting waiver of the RECCAL course by substituting comparable courses taken in Oregon.

Upon motion by Commissioner Damron and seconded by Commissioner Kawakami, the Commission unanimously denied Johnstone's request and reaffirmed its previous decision.

Questionable Application

Michael's Realty & Management, Inc.
Mitsuo Murakami, pb

Upon motion by Commissioner Blanco and seconded by Commissioner Sodetani, the Commission unanimously approved the use of nickname "Michael" for corporate license.

Miscellaneous:

Certificate of Appreciation

Upon motion by Commissioner Yanagawa and seconded by Commissioner Takeya, the Commission unanimously approved to provide Paul Tom, Director of Hawaii Housing, a certificate of appreciation.

Recovery Fund

Civil No. SCD-83-2892 Chappel v. Fung

The Commission received an order directing payment of \$3,353.09 from the real estate recovery fund and approved by Sidney Ayabe, real estate recovery fund counsel.

Upon motion by Commissioner Blanco and seconded by Commissioner Yamanaka, the Commission unanimously approved payment from the real estate recovery fund.

Civil No. 81784 Medeiros v. Mendoza

No action required at this time.

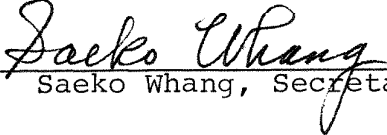
Next Commission's Meeting:

August 24, 1984 - Board Room at 9:00 a.m.

Adjournment:

There being no other business, the meeting was adjourned at 12:25 p.m.

Taken and approved by:



Saeko Whang, Secretary

APPROVED:



GLENN M. ADACHI
Executive Secretary