

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

MINUTES OF MEETING

Date: Friday, November 16, 1984

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

Present: G. A. "Red" Morris, Chairman
Gloria J. Damron, Member
Constance B. Smales, Member
Douglas R. Sodetani, Member
Yukio Takeya, Member
Gregg T. Yamanaka, Member
Peter N. Yanagawa, Member

Janice Sevilla, Education Officer
Cynthia Yee, Information Officer
Glenn M. Adachi, Executive Secretary
Sacko Whang, Secretary

Virginia Lee Crandall, Hearings Officer
Rodney A. Maile, Hearings Officer
Eileen W. Luko, HAR Education Director
Dr. George Ikeda, Consultant
Violet King, Observer

Excused: Joseph F. Blanco, Member
Toru Kawakami, 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 in the Office
of the Lt. Governor on November 9, 1984.

Minutes: Upon motion by Commissioner Sodetani, seconded
by Commissioner Smales, the Commission unanimously
approved the minutes of October 26, 1984.

Additions to Agenda: The following items were added to the agenda:

RE-82-139 Thomas Atwill

RE-80-148 and 82-26 Robert Bolton (Settlement
Agreement)

Upon motion by Commissioner Takeya, seconded by
Commissioner Smales, the above items were added
to the agenda. Motion carried unanimously.

Disciplinary
Actions:

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

This matter was deferred to the December meeting.

Hearings Officers' Reports

1. RE-82-130 Helen Deangelo, Thomas Atwill
Professional Rental Management
Corporation (Recommended Decision
as to Respondent Helen Deangelo)

The Commission reviewed the Hearings Officer's proposed Settlement Agreement as to Respondent Helen Deangelo.

Upon motion by Commissioner Sodetani, seconded by Commissioner Smales, the Commission unanimously amended the proposed Settlement Agreement and requested that the Respondent be required to take the complete RECCAL course in addition to paying the fine of \$500 within thirty days of the final order.

RE-82-130 Helen Deangelo, Thomas Atwill
Professional Rental Management
Corporation (Decision as to
Respondent Thomas Atwill)

Upon motion by Commissioner Takeya, seconded by Commissioner Sodetani, the Commission unanimously adopted Hearings Officer's findings and conclusions that Respondent Atwill's real estate broker's license be suspended for one year and that he pay a fine of \$1,000 within 60 days of the final order. If Atwill fails to pay within the allotted time, his broker's license will be suspended for a period of two years and his relicensure to be contingent upon his paying the fine.

2. RE-80-148, 82-26 Shiretoko Fudosan
Kabushiki Kaisha, A Division
of Shiretoko Corporation,
Marianne M. Maruyama, and
Covy E. Blackmon

Following a lengthy discussion, Commissioner Sodetani moved and Commissioner Takeya seconded to accept the proposed Settlement Agreement. Commissioner Yamanaka opposed. Motion carried.

Inasmuch as the Commission did not understand the rationale why so many cases were being settled as opposed to a hearing, the Commission requested that staff attorney, Vicky Marks, be present at the next Laws and Rules Review Committee meeting to discuss the matter.

Commissioner Damron moved and Commissioner Sodetani seconded to set up a meeting with RICO representative to discuss the procedures in reviewing and settling disciplinary cases. Motion carried unanimously.

3. RE-80-178, S-80-001, S-80-002, RE-80-68
Island Resort Management, Inc.
Thomas F. Schmidt, dba Tom Schmidt
and Linda Kurosawa (Settlement
Agreement)
4. RE-81-77, RE-82-160 - Thomas F. Schmidt, dba
Tom Schmidt Realtors B-1, and B-2,
Thomas F. Schmidt and Linda Kurosawa
(Settlement Agreement)

After a lengthy discussion, Commissioner Sodetani moved and Commission Damron seconded to amend the proposed Settlement Agreement as follows:

Respondent Island Resort Management, Inc. to pay \$5,000 of which \$2,500 be paid to the Real Estate Commission education fund and the other \$2,500 to the compliance resolution fund.

Respondents Tom Schmidt Realtors B-1 and Thomas F. Schmidt to pay the restitutions and fine plus interest no later than January 2, 1985. No extension shall be granted. If full payment is not made on time, there will be an automatic revocation of Respondents' licenses and as a condition to reinstatement, all fines with interest must be made. Motion carried unanimously.

Committee Report: Education Committee

Education Officer Jan Sevilla reported that there was no meeting for this month and summarized her activities for the month.

RECCAL Courses

Eileen Luko, HAR Education Director, spoke on some of the concerns for holding RECCAL classes. She requested that for scheduling purposes, registration must be completed at least one week in advance to hold reservations.

Real Estate Research and Education Center

Commissioners reviewed and discussed the October 11, 1984 letter from Dean David Bess. Dean Bess has requested a meeting with the Education Committee and Commissioner Damron for discussion to clarify the scope of work and a rewrite of Bob Fishman's report.

Following discussion, the Commission decided to form an Ad Hoc Committee comprised of Oahu members to meet with Dean Bess. Prior to the December meeting, the Commission should come up with a revised report with Bob Fishman's help.

Laws and Rules Review Committee

Laws and Rules Review Chairman Takeya moved to adopt two items discussed at yesterday's meeting - conversion as a violation of licensing laws and a new rule clarifying principal broker's responsibility. The motion was seconded by Commissioner Sodeyani and unanimously carried.

S.R. 158

Dr. George Ikeda gave a progress report on the study being prepared by Dr. Robert Allen and himself in response to S.R. 158, an update of the 1981 study. A preliminary draft was distributed earlier.

The final draft will be prepared for the December 1984 meeting.

New Business:

LICENSING

Corporation

Global Pacific Realty, Inc. - 631-D Keeaumoku
John H. Kuh, pb St., Hon.

Pacific International Investment Corporation
dba Mark Paulson Realtors - 350 Ward Ave., Ste
Mark D. Paulson, pb 106, Hon.

Pac Shore Properties, Ltd. - 841 Bishop St.
Philip N. Minn, pb #1614, Hon.

Sun Estates Referrals, Inc. - 94-210 Pupukahi St.
John J. Ennis, pb #204, Waipahu

Wakano Kona, Inc. - 150-A Kinooole St., Hilo
Virgie R. Burkard, pb

Branch Office

Hale Koa Realty Inc. dba Hale Koa Realty Inc./
Better Homes & Gardens - 970 No. Kalaheo Ave.
Josephine Brooks, bic #A-100, Kailua

Hale Koa Realty Inc. dba Hale Koa Realty Inc./
Better Homes & Gardens - 99-016 Ham Hway, Aiea
Jo Jean Schieve, bic

Betty J. Ho, Inc. dba ERA Magnum Properties -
980211 Pali Momi St., #700, Aiea
Yvonne L. Gasper, bic

Robert H. Middleton dba Century 21 Aloha Kauai -
3252 Kuhio Hwy, #1, Lihue
Wayne L. Williams, bic

Tradenname

Cameron Realty - William M. Cameron, dba

Christa Feeney Realty - Christa E. Feeney, dba

Melvyn Ho & Associates - Melvyn S. C. Ho. dba

Maui Dream Brokers - Tracy S. Stice, dba

Kit Moran Realty - Kit Moran, dba

Real Estate Associates of Hawaii - Raymond Y.
Ifuku, dba

Real Estate Investments - Edwina A. L. Wong, dba

Royal Hawiian Company - Michelle W. J. Kagimoto,
dba

Systems Management & Realty - Eleanor L. Bentley,
dba

J. Yokoyama Realty - Jean Yokoyama, dba

Corporation Name Change

Locations Management, Inc. - formerly State Management, Inc.

Restorations

John W. Aldrich
Eric R. Alpert
Jean H. Gaston
Ralph J. Gaston
Roy M. Guilao
Gary D. Mabry
Maryann Post

Upon motion by Commissioner Takeya, seconded by Commissioner Sodetani, the Commission unanimously required the above applicants to take the RECCAL course as a condition for reinstatement of their licenses within 6 months or by the next available course.

Michael R. Salling

On motion by Commissioner Takeya, seconded by Commissioner Sodetani, the Commission unanimously waived the RECCAL course for Michael Salling based on his experience as an attorney and his extensive work in the area of real estate.

Miscellaneous:

Recovery Fund

Civil No. H82-5499, Kenneth Curry v. Gerald Wong

Commission received an order directing payment from the Recovery Fund.

On motion by Commissioner Takeya, seconded by Commissioner Sodetani, the Commission unanimously approved payment of \$6,548.83 from the Real Estate Recovery Fund.

NARELLO Western District Meeting

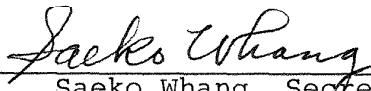
Executive Secretary received an inquiry from the NARELLO Western District meeting program chairman and asked for suggestions for program material to be held on July 10-12, 1985.

The suggestions should be routed through Commissioner Takeya.

Next Meeting: December 21, 1984, 9:00 a.m.
Board Room

Adjournment: There being no further business, the meeting
was adjourned at 12:00 noon.

Taken and recorded by:



Saeko Whang, Secretary

APPROVED:



GLENN M. ADACHI
Executive Secretary