

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

MINUTES OF MEETING

Date: Friday, May 31, 1985

Place: Exam-Conf. Room, 2nd Flr, 1010 Richards St.
Kamamalu Building, Honolulu, Hawaii

Present: Toru Kawakami, Vice Chairman
Joseph F. Blanco, Member
Gloria J. Damron, Member
Douglas R. Sodetani, Member
Yukio Takeya, Member
Peter N. Yanagawa, Member

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

Virginia Lea Crandall, Hearings Officer
Eileen Luko HAR Education Officer
Marcus Nishikawa, HAR Representative

Excused: G. A. "Red" Morris, Chairman
Constance B. Smales, Member
Gregg T. Yamanaka, Member

Call to Order: There being a quorum present, the meeting was called to order at 9:10 a.m. by Vice Chairman Toru Kawakami.

Notice of Meeting: The notice of meeting was filed in the Office of the Lt. Governor on May 24, 1985.

Minutes: Upon motion by Commissioner Takeya, seconded by Commissioner Damron, the minutes of April 26, 1985 meeting were unanimously approved.

Additions to Agenda: Upon motion by Commissioner Blanco and seconded by Commissioner Takeya, the Commission unanimously approved to add the following items to the agenda:

Edwin Aguiar - requesting reinstatement of suspended license

Walter Jones - requesting waiver of educational requirement

Hearings Officer's Reports:

RE-84-60 Glenna J. Sherman Settlement Agreement

Upon motion by Commissioner Sodetani and seconded by Commissioner Takeya, the Commission unanimously approved the settlement agreement. The Respondent's license is suspended for six months and Respondent is fined \$1,500 and is required to take the RECCAL course.

RE-84-10 and RE-84-252 Robert D. Bolton
Ex Parte Motion for Dismissal

Upon motion by Commissioner Blanco and seconded by Commissioner Sodetani, the Commission unanimously accepted Hearings Officer's recommendations for dismissal without prejudice.

Committee Reports:

Education Committee

Real Estate Education and Research Center

The Commission reviewed the drafted memorandum of agreement between the University and the Commission.

Discussion was held regarding the ownership of materials. Material that's developed from the Center should be available to the general public and due credit be given to the Commission.

Commissioner Damron reported on the selection of advisory council members. This matter will be taken up at the Annual Symposium meeting in June.

Staffing of the Center will be left up to the Advisory Council.

There was a question whether funding should go to RCUH the first year and to the U.H. Foundation the second year. Commission decided to defer until the U.H. reviews this matter.

It was moved by Commissioner Sodetani to approve the memorandum of agreement subject to review by the Attorney General. Commissioner Takeya seconded the motion and it was unanimously carried.

Psychometric Study

Dr. Harold Ayabe submitted a draft of his study report. He recommended that the Commission continue with ETS. This matter will be further discussed at the Annual Symposium.

Education Officer Jan Sevilla announced that the material for the symposium will be mailed to the Commissioners by Monday, June 4.

Upon motion by Commissioner Blanco, seconded by Commissioner Damron, the minutes of the Education Committee meeting of May 3, 1985 were unanimously approved.

Laws and Rules Review Committee

The Commission reviewed the report of the Laws and Rules Review Committee held on May 30, 1985.

It was moved by Commissioner Takeya and seconded by Commissioner Damron to hold a public hearing on the proposed rules pertaining to real estate school bonding. Motion carried unanimously.

Upon motion by Commissioner Takeya, seconded by Commissioner Damron, the Commission unanimously adopted the proposed broker research project.

The following items were deferred:

Administrative Problems with Managing Agent Statutes

Proposed Disclosure of Conflict of Interest Rebates

Survey of Other Hawaii Boards and Commissions as to the Amount of Fines Imposed

Policy Decision on Practice of Using Rebates in Sale of Real Estate

Residency Requirements as a Condition to Licensing

Real Estate Instructors' Certification

Nancy S. Day-Lum (b & s)

Commissioner Sodetani moved to defer this this matter pending further information and

requested that Dy-Lum submit an affidavit certifying that she has not taught any real estate pre-licensing classes. Commissioner Takeya abstained from voting. Motion carried.

Lauren B. Koch (s)

Upon motion by Commissioner Damron and seconded by Commissioner Blanco, the Commission unanimously denied real estate instructor's certification to Lauren Koch. The applicant failed to provide evidence that his sales were closed.

New Business:

LICENSING

Corporation

Aina Hale Realty, Inc. - 1150 So. King St.,
Philip N. Minn, pb Ste 203, Hon.

Albano & Associates, Inc. - 1333 River St.,
Andres Albano, Jr., pb Rm 12, Hon.

Creative Properties, Inc. - 1012 Piikoi St.,
Roger M. F. Young pb Rm 5, Hon.

Estates, Ltd. - 2255 Kuhio Ave., Ste 2200,
Penny Pagliaro, pb Hon.

LeLand Associates, Inc. - 165 So. King St.,
Leland Cheong, pb #1106, Hon.

MPI, Inc. dba Maui Properties International -
48 Market St., Wailuku
Martin B. Lurie, pb

MWJ Corporation - 745 Fort St., Ste 2121, Hon.
Leslie K. C. Hee, pb

Loren Peiterson, Inc. - 900 Fort St. Mall,
Loren Peiterson, pb Ste 905, Hon.

RMT Realty, Inc. - 1637 Republican St., Hon.
Robert M. Taylor, pb

Triad Management, Inc. - 75-5629 P Kuakini Hwy
Thomas O. Metz, pb Kailua-Kona

Partnership

Measel Associates - Princeville Shop. Ctr.
Rm E-202, Kuhio Hwy, Princeville

Branch Office

Hawaii Management Corporation - 33 So. King St.
Rufus L. Carter, bic Ste 201, Hon.

Menefee Management Corporation - 4310 Lower
Honoapiilani Rd., #117, Lahaina
Harold Miller, bic

Tradenname

Nancy Andrade, Realtor - Nancy L. Andrade, dba
2003 Kalia Rd., Exec. Ste 17-D, Hon.

Larry Buskett Realty - Lawrence C. Buskett, dba
1100 Ward Ave., #755, Hon.

Dawn Realty - Gloria McElgunn-Duarte, dba
1105 Kuhio Hwy, #11, Kapaa

Doolittle Associates - Kent Doolittle, dba,
991 Limahana Pl., Unit F4, Lahaina

1st Choice Realty - James F. Davis, dba,
4-356 Kuhio Hwy, Kapaa

Foster Homes - Leolinda J. Foster, dba, 94-144
Farrington Hwy, #113, Waipahu

Anje A. Grimes, Realtor - Anje A. Grimes, dba
333 Keahole St., #202, Hon.

Hale Makai Realty - Thomas D. Barta, dba,
1045 Mapunapuna St., Hon.

Don Lowther Associates - Donald E. Lowther, dba
1993 So. Kihei Rd., #211, Kihei

Bob McKnight Broker- Robert D. McKnight, dba,
Azeka Shop. Ctr, #208, Kihei

Naia Properties - Darlene J. Whipple, dba,
910 Honoapiilani #12, Lahaina

Newhall Realty - Larry Newhall, dba 2333 Kapio-
lani Blvd. #1, Hon.

O'Neill Realty - Maureen J. O'Neill, dba,
1856 Kalakaua Ave., #102, Hon.

Out Island Realty - Dennis O'Shea, dba,
75-5722 Kuakini Hwy, #207, Kailua-Kona

Realty Now - Richard Y. Takahashi, dba, 94-210
Pupukahi St., #208, Waipahu

TJ Realty - Thomas C. Jackson, dba, 910
Honoapiilani Hwy, Ste 11, Lahaina

V I P Village Rentals - Bobby L. Brock, dba,
Azeka Pl. Shop. Ctr. #208, Kihei

The Commissioners reviewed the list of new
corporations, partnership, branch offices
and tradenames for the month of May.

Restorations

David P. Huffman
William A. Kanter
William M. Lane
Timothy Nevin
Joyce K. Reed
Timothy A. Reed
Walter R. Schoch
Richard A. Stellmacher
Laurence M. Moses

The explanation letters of the above restoration
applicants were circulated to the Commission
prior to the meeting. Upon motion by Commis-
sioner Sodetani, seconded by Commissioner
Damron, the Commission unanimously approved
that the above individuals take the RECCAL
course prior to the granting restoration of
license.

Stephen Johnson
Carol A. Jung

Upon motion by Commissioner Sodetani, seconded
by Commissioner Damron, the Commission unani-
mously decided to require the above individuals
to take the pre-licensing examination with waiver
of the education requirement one time only.

Questionable Applications

Barco Enterprises - Gary Bonifacio, dba

It was moved by Commissioner Sodetani and
seconded by Commissioner Takeya, to approve
application of Barco Enterprises. Motion
carried unanimously.

Johnson Klark, Inc.

Upon motion by Commissioner Blanco, seconded by Commissioner Damron, the Commission unanimously approved application of Johnson Klark, Inc.

STA, Inc. dba Poipu Crater Resort

Commissioner Sodetani moved and Commissioner Takeya seconded to approve the above application of STA, Inc. Motion carried unanimously.

Edwin M. Aguiar, Jr.

Edwin Aguiar submitted an application for reinstatement of his suspended license.

Following discussion, it was moved by Commissioner Blanco to approve reinstatement of the suspended license of Edwin Aguiar. The motion was seconded by Commissioner Takeya and unanimously carried.

Walter Jones

Walter Jones, administrator of Jones/Shern School of Real Estate, is requesting waiver of the educational requirement to take the pre-licensing examination.

Following discussion, Commissioner Blanco moved and Commissioner Takeya seconded to waive the educational requirement one time only. Motion carried unanimously.

Miscellaneous:

Real Estate Recovery Funds - Order Directing Payments

Minoru Teruya vs. Clarence Fung
Civil No. 80609

Upon motion by Commissioner Blanco, seconded by Commissioner Sodetani, the Commission unanimously approved payment subject to Sidney Ayabe working out the apportionment. The order directing payment from the Real Estate Recovery Fund is \$20,000.

Tedrick Creative Trophies & Gifts, Inc. v. C. Gary Friedman Civil No. 83160

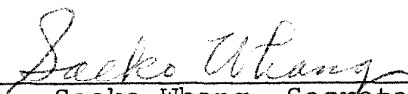
Upon motion by Commissioner Sodetani and seconded by Commissioner Yanagawa, the

Commission unanimously approved the order directing payment of \$25,000 in the above-entitled matter.

Next Meeting: June 28, 1985, 9:00 a.m.
Board Room, Kamamalu Building


Adjournment: There being no further business, the meeting was adjourned at 10:55 a.m.

Taken and recorded by:



Saeko Whang, Secretary

APPROVED:



GLENN M. ADACHI
Executive Secretary