

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

MINUTES OF MEETING

Date: Friday, September 27, 1985

Place: Board Room, 2nd Floor
1010 Richards Street, Honolulu, Hawaii

Present: G. A. "Red" Morris, Chairman
Toru Kawakami, Vice Chairman
Joseph F. Blanco, Member
Gloria J. Damron, Member
Constance B. Smales, Member
Douglas R. Sodemani, Member
Yukio Takeya, Member
Peter N. Yanagawa, Member

Cynthia M. L. Yee, Information Officer
Glenn M. Adachi, Executive Secretary

Virginia Lea Crandall, Hearings Officer
Rodney A. Maile, Hearings Officer
Eileen Luko, HAR Education Director
Brian Thomas,
Dr. Norman Miller, Real Estate Chairholder
Marcus Nishikawa, HAR Representative

Absent: Gregg T. Yamanaka, Member

Call to Order: The meeting was called to order at 9:15 a.m.

Notice of Meeting: The notice of meeting was filed September 20, 1985 in the Office of the Lt. Governor.

Minutes of Previous Meeting: The minutes of the August 30, 1985 meeting were circulated to the Commissioners prior to the meeting. Commissioner Kawakami moved to approve the minutes of the August 30, 1985 meeting as circulated. The motion was seconded by Commissioner Takeya and unanimously carried.

Hearings Officer's Report: RE-85-26 Times Realty, Inc., Walter Tomita

The Hearings Officer reviewed the settlement agreement which was previously distributed to the Commissioners.

Commissioner Yanagawa moved to approve the settlement agreement as submitted. The motion was seconded by Commissioner Blanco and unanimously approved.

RE-83-3, 83-134, 83-178 Julia Y. Sohn

The Commissioners reviewed the Hearings Officer's findings of fact, conclusion of law and recommended decision and the exceptions filed by the staff attorney and by Cowan and Frey. After reviewing the matter, the Commission moved to approve the hearings officer's findings of fact conclusions of law and recommended decision with the amendment that the final decision include the exception stated by the staff attorney in his memo. The motion was made by Commissioner Smales, seconded by Commissioner Kawakami and unanimously approved.

The Hearings Officer also suggested that the Commission amend their rules to include proper zoning under §16-99-3(o) rather than under the definition of place of business.

The Commission also discussed tightening up the rule so licensees would not be using mail drops as an office.

Commissioner Sodetani moved to ask the Hearings Officer and the Regulated Industries Complaints Office to review the rules and suggest recommendations and meet with the Commission to discuss. The motion was seconded by Commissioner Damron and unanimously approved.

Committee Reports: Education Committee

Commissioner Blanco reviewed the recommendations of the Education Committee. Commissioner Blanco moved to approve:

1. Pre-license school application of DRI Realty, Inc.
2. Continuing Education consulting contract.
3. HPR Plain Language consulting proposal.
4. John Reilly's Agency consulting contract for \$12,000.

The motion was seconded by Commissioner Smales and unanimously approved by the Commission.

A question was raised as to whether this is the appropriate time to have a communication consultant in light of the start of the research center. The

consultant, if retained, would review the Commission's publications and make recommendations. The job would include reviewing the Commission bulletin to determine its effectiveness. After discussing the matter, the suggestion was to defer and discuss the matter with Dean Bess.

The Chairman reported that the signing ceremony with the Governor is being scheduled.

Curriculum Committee

Commissioner Smales gave a status report on the activities of the committee. She requested the neighbor island commissioners to compile a list of 4 to 5 brokers from their island to discuss changes to the curriculum. Commissioners Damron and Yanagawa will work on a list for Oahu brokers. Guidelines will be developed with Dr. Miller for discussion with the brokers.

The purpose of these discussions will be to determine their perceptions as to new licensees' strengths and deficiencies under the present curriculum.

Laws and Rules Review Committee

Commissioner Takeya circulated the recommendations of the Laws and Rules Review Committee.

- a. Mandatory Continuing Education. The Committee recommended that if the Ad Hoc Continuing Education Committee can prepare a detailed report to submit to the legislature then the Commission will proceed to support mandatory continuing education. The Committee also recommended that Dr. Robert Allen submit a proposal to prepare a report on continuing education.
- b. Managing Agents; Broker requirements. The Commission reviewed the Committee recommendations for managing agents. After further discussion on the matter, Commissioner Takeya moved to approve the following broker requirements for managing agents.
 1. 2 years full-time experience as a property manager
 2. Management of 10 condominium associations or 240 units or its equivalent as determined by the Commission.

3. Statement from a certified public accountant verifying recordkeeping and accounting procedures meet minimum standard.
4. Provide verification of duties from the employer or condominium association president.
5. Licensed real estate salesman in Hawaii.

The motion was made by Commissioner Takeya, seconded by Commissioner Blanco and unani- mously approved.

New Business:

LICENSING

Corporation

Admiral Real Estate Sales and Management Corp. -
1860 Ala Moana Blvd., #102, Hon.
Melvin C. Perron, pb

Admirals of Hawaii, Ltd. - 1860 Ala Moana Blvd.
Gig Greenwood, pb Grd Flr 1, Hon.

Choko Realty, Inc. - 98-211 Pali Momi St., #615
Dorothy A. Sorayama, pb Aiea

Creative Industries, Inc. - 222 Merchant St.,
Clifford P.K. Sung Shin, pb 2nd Flr, Hon.

Honolulu Land Company, Ltd. - 1188 Bishop St.
John M. Ohama, pb Ste 2604, Hon.

Northern Properties, Inc. - 905 Umi St., #304,
Ernesto Y. Yadao, pb Hon.

Padaken & Ryan Realty, Inc. - 2511 So. Kihei Rd.
Mary T. Ryan, pb Space J

Realty Plus Corporation - 100 N. Beretania St.,
Eric N. Hill, pb Ste 210, Hon.

Resort Brokers, Inc. - 1856 Kalakaua Ave.,
Rex E. Herren, pb Ste 203, Hon.

Waikoloa Land Co., Inc. dba Waikoloa Village
Realty - O.O. Box 3048, Waikoloa
Nelle P. Schultz, pb

Branch Office

Hawaii Land Management, Inc. - 225 Queen St.,
Dorothy L. O'Reilly, bic #100, Hon.

Pua'ahala Realty, Inc. - Ala Malama, P.O. Box 727
Earline W. McGuire, bic Kaunakakai

Tradenname

Bentley Real Estate Service - Ronald R. Bentley,
dba, 2530 Kekaa Dr., #B1, Lahaina

CCIS Brokerage - Raymond R. Sherwood, dba,
1188 Bishop St., #3608, Hon.

Dynamic Realty - Helen Fujita, dba, 2055 N. King
St., Hon.

Emilion Properties - Emilion International, Inc.,
2237 Kuhio Ave., 3rd Flr, Hon.

Glenn O. Hay, Jr. Realtor - Glenn O. Hay, Jr.,
dba, 2435 Kaanapali Pkwy, Ste A3, Lahaina

Jerry Ilar Realty - Cirilo P. Ilar, Sr., dba,
94-229 Waipahu Depot, Waipahu

Max Isaac, Realtor - Max Isaac, dba, 1993 So.
Kihei Rd. #201, Kihei

Sondra Johnson, Realtor - Sondra L. Johnson, dba,
1993 So. Kihei Rd., #204, Kihei

Susan S. Kurisu, Realtor - Susan S. Kurisu, dba,
1216 Waimanu St., Hon.

Ellen Miles Realty - Ellen M. Miles, dba, Old
Volcano Rd., Keaau

Real Estate Investments - Ludwig Kuglmeier, dba,
888 Front St., 2nd Flr, Lahaina

Real Estate Services - Cynthia L. Zapotocky, dba,
1001 Bishop St., #1010, Hon.

Charles Simon Realty - Charles Simon, dba,
307 Lewers St. PH, Hon.

Marian F. Tsue, Realtor - Marian F. Tsue, dba,
1314 S. King St., #616, Hon.

Clara Yokoyama Realtor - Clara Yokoyama, dba,
1150 S. King St., #1101, Hon.

Restorations

Mordecai Melamed
Norman A. Shigemura
James R. Steinwascher
Ward Westlake
Susan L. Cooley

Upon motion made by Commissioner Takeya and seconded by Commissioner Sodetani, the Commission unanimously approved the following conditions for restoration of a forfeited license:

1. That Mordecai Melamed and Ward Westlake be given one opportunity to take and pass the real estate exam. In the event either fails the exam, he must complete an approved licensing course and pass the exam.
2. That Norman A. Shigemura complete the RECCAL course.
3. That James R. Steinwascher and Susan L. Cooley pay the penalty fee.

Questionable Applications

EDMA-JO, INC.

Commissioner Kawakami moved to approve the application for corporate license. The motion was seconded by Commissioner Takeya and unanimously approved.

P & R Cole Corp.

Commissioner Sodetani moved to approve the application for corporate license. The motion was seconded and unanimously approved.

Miscellaneous:

Recovery Fund

Order Directing Payment from the Fund:

1. Lindsey v. Harbinger International Hawaii Marketing, Inc. - Civil No. 79328
2. Robinson v. Harbinger International Hawaii Marketing, Inc. - Civil No. 81002
3. Doxey v. Smith - Civil No. 6062(2)

Upon motion by Commissioner Damron and seconded by Commissioner Smales, the Commission unanimously approved the orders directing payment from the Real Estate Recovery Fund.

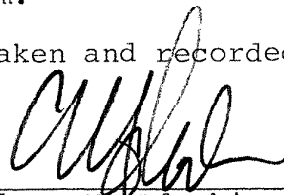
Publication of Laws and Rules Booklet

The Commission discussed publishing the laws and rules in booklet form. Commissioner Kawakami moved to approve publishing the laws and rules in booklet form. The motion was seconded by Commissioner Damron and unanimously approved.

Adjournment:

There being no further business, the meeting was adjourned at 11:30 a.m.

Taken and recorded by:



Glenn M. Adachi
Executive Secretary

11/14/85