

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

MINUTES OF MEETING

Date: Friday, October 25, 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
Douglas R. Sodetani, Member
Yukio Takeya, Member
Peter N. Yanagawa, Member

Cynthia M. L. Yee, Information Officer
Glenn M. Adachi, Executive Secretary
Kevin K. Y. Au, Research Assistant

Virginia Lea Crandall, Hearings Officer
Eileen Luko, HAR Representative
Victoria S. Marks, RICO Staff Attorney
Richard Ishibashi, Attorney representing Ester C.S. Chu

Excused: Constance B. Smales, Member
Gregg T. Yamanaka, Member

Call to Order: The meeting was called to order by the Chairman
at 9:45 a.m.

Notice of Meeting: The notice of meeting was filed at the Lt. Governor's
Office on October 18, 1985.

Minutes of Prior Meeting: The review and approval of the September 27, 1985
meeting was deferred.

Hearings Officer's Report: RE-84-271, 84-161, 84-147, 84-146, 83-269, 83-46,
83-47, 82-124, 81-137 Ester Chu Realty, Inc.,
Esther C. S. Chu

The Hearings Officer presented legal counsel for the State and the Respondents and reviewed the proposed settlement agreement. Richard Ishibashi and Victoria Marks presented their comments on the settlement agreement as proposed. The Commissioners questioned counsel on the terms of the settlement agreement. After questions, the matter was deferred to the end of the calendar.

RE-80-161 Waipio Realty Corporation

The Hearings Officer reviewed her proposed findings of fact, conclusions of law and recommended decision. She expressed the important nature of this case since it would be the first time the Commission would be making a decision on what is a "pertinent fact". She also reviewed the objections filed by the State and the memorandum filed in support by the Respondent. Commissioner Takeya moved to defer this matter to allow the Commissioners time to review the proposed decision. The Chairman requested staff to prepare an analysis of the pertinent fact cases cited in the attorneys' memos and report back to the Commission. The motion was seconded by Commissioner Kawakami and unanimously approved by the Commission.

RE-82-155, 83-168 June B. Linden, Aloha State Realty, Inc.

After reviewing the proposed settlement agreement, Commissioner Blanco moved to approve the agreement. The motion was seconded by Commissioner Takeya and unanimously approved by the Commission.

Committee Reports: Education Committee

Commissioner Blanco reported on the Education Committee meetings held during October. Commissioner Blanco moved to approve the recommendations of the Education Committee contained in the Education Committee report. The motion was seconded by Commissioner Yanagawa and unanimously approved.

Laws and Rules Review Committee

The executive secretary reported on the Laws and Rules Review Committee meeting. Commissioner Takeya moved to approve the committee report. The motion was seconded by Commissioner Blanco and unanimously approved by the Commission. The Commission also requested that the Committee review the issue of a broker's previous experience in the event of a license revocation. The question that needs to be addressed is the conditions under which a broker can reapply for his broker's license.

New Business:

LICENSING

Corporation

Commercial Property Management Corporation -
4747 Kilauea Ave., Ste 107, Hon.
Norman L. Gazzano, pb

Environs Pacific, Inc. - Corner of Opelo &
Kawaihae Rds, Kamuela
Marc E. Duncan, pb

Oceanfront Realty International, Inc. -
Princeville Ctr, #210, Princeville
Donna M. Apisa, pb

Princess Properties & Management, Inc. -
1585 Kapiolani Blvd., #1840
Janlu M. Takane, pb

Branch Office

Kauai Aina Enterprises, Inc. - 5-420 Kuhio Hwy,
Sharon S. Bruin, bic Hanalei

Bill Ramsey, Inc. - 45-596 Kam Hwy, #206
Janice Ahsing, bic Kaneohe

Walter Zane Realty, Inc. - 76-6246 Alii Dr., #101
William E. Jolly, bic Kailua-Kona

Tradenname

A-1 Realty - Jean F. Yamada, dba 2840 Kaihikapu
St., Hon.

Acres Plus - Evelyn V. Chaidez, dba 209 Kinooole
St., Ste 3, Hilo

Aurora Properties - Aurora V. Northern, dba
98-1247 Kaahumanu St., #310a, Aiea

Benjamin & Co. - Benjamin K. Wong, dba, 1600
Kapiolani Blvd., #1300 - Hon.

Numia B. Blackwell, Realtor - Numia B. Blackwell,
dba, 270 Hookahi #211, Wailuku

Ed Chong, Realtor - Edward K.M. Chong, Jr., dba,
2828 Paa St., #3130, Hon.

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Myra W. Chun, Realtor - Myra W. Chun, dba, 350 Ward Ave., #106, Hon.

Alan Curry, Realtor - Alan Curry, dba, 75-5719 Alii Dr., #117, Kailua-Kona

Estate Planning - James A. Shimosono, dba, 1600 Kapiolani Blvd., #300, Hon.

Gillis Realty - Charles M. Gillis, dba, 1154 Fort St. Mall, #303, Hon.

Leslie Hee, Broker - Leslie K. C. Hee, dba, 1131 Union Mall, Ste 1, Hon.

Hawaii Investments - Gary S. Furuta, dba, 681 So. King St., #106, Hon.

Industrial Realty Co. - Jack T. Feaster, dba, 231 Sand Island Acc. Hon.

Stan Koki, Realtor - Stanley K. Koki, dba, 45-1048 Kam Hwy, #201, Kaneohe

Pamela A. Kvicala, Realtor - Pamela A. Kvicala, dba SR 4615 Keaau

Lanex Realty-Terrance W. H. Wong, dba, 1150 So. King St., Ste 602, Hon.

KC Look - Kwai Chan Look, dba, 3207 Martha St., 1st Flr, Hon.

McCormick Realty - Cynthia C. McCormick, dba, 1498 E Lower Main St., Wailuku

REP Management - Wallace J. Oki, dba, 1281 S. King St., #4, Hon.

Pat Reilly Properties - Patricia J. Reilly, dba, 6650 Hawaii Kai Dr., #205C Hon.

Shih Realty - Larry T. Y. Shih, dba, 444 Hobron Ln, Ste 205, Hon.

Roger Vosika Realty - Roger L. Vosika, dba, 910 Honoapiilani Hwy, Lahaina

Gary A. Wilson, Broker - Gary A. Wilson, dba, 567 S. King St., #178, Hon.

Corp. Name Change

Cynthia Black, Inc. - formerly Cynthia Maloney, Inc.

The Commissioners reviewed the list of new corporations, branch offices, tradenames and corporation name change for the month of October.

Restorations

Herman Lee Brandt
Richard A. Brewer
Bradley Erickson
Paul J. Flynn
Dickie H. Goh
John W. Halliday
Michael W. Kwok
Toshiaki Saito

Upon review of the letters submitted in support of each of the restoration, the Commission unanimously approved the following as conditions to restoring the forfeited license:

1. That Herman Lee Brandt, Richard A. Brewer, Bradley Erickson, Paul J. Flynn, John W. Halliday, Michael W. Kwok and Toshiaki Saito be given one opportunity to take and pass the real estate examination. In the event the applicant fails the exam, he must take the licensing course and re-take the examination. The motion was made by Commissioner Takeya and seconded by Commissioner Blanco.
2. That the principal brokers of those applicants who have active licenses be sent a letter of reprimand for allowing these individuals to work without a license. The motion was made by Commissioner Blanco and seconded by Commissioner Damron.
3. Commissioner Blanco moved to approve the restoration of Dickie Goh's broker license provided he take the office management class in the advanced management program at the University of Hawaii Small Business Management Program within one year from the date of this meeting. The motion was seconded by Commissioner Takeya.

Questionable Applications

Dower & Fahrni, Inc.

It was reported that Helen and Leonard Fahrni are principal brokers for two other real estate companies.

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

Toby Hay Realty

It was reported that "Toby" was the nickname for Glenn Hay, Jr. Upon motion by Commissioner Kawakami and seconded by Commissioner Takeya, the Commission unanimously approved the tradename, Toby Hay Realty.

Miscellaneous:

Reconsideration of License Applications

Lee Anderson

The Commission reviewed the letter submitted by the applicant pertaining to her medical problems at the time she was preparing to file her application for license. Upon motion by Commissioner Takeya and seconded by Commissioner Yanagawa, the Commission unanimously approved granting the applicant her real estate license.

David Huffman

The Commission reviewed the documents submitted in support of the reconsideration of the license restoration of David Huffman. The Commission noted that all of Mr. Huffman's experience was outside the State. The Commission, upon motion by Commissioner Yanagawa and seconded by Commissioner Damron, unanimously affirmed its previous action concerning the restoration of Mr. Huffman's license.

Recovery Fund

Rainbow Pioneer v. Hawaii Nevada Investment, Corp., et al., Civil No. SP-85-0058

The Commission expressed its concern that there may be several outstanding claims against the Respondents. Commissioner Kawakami moved to defer this matter to discuss with counsel. The motion was seconded by Commissioner Takeya and unanimously approved.

Ester Chu

Commissioner Takeya moved to reject the settlement agreement. The motion was seconded by Commissioner Damron and unanimously approved.

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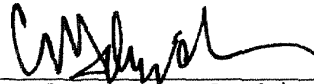
Next Meeting:

November 22, 1985, 9:00 a.m.
Board Room, Kamamalu Building

Adjournment:

There being no further business, the meeting was
adjourned at 12:30 p.m.

Taken and recorded by:



Glenn M. Adachi
Executive Secretary

11/5/85