

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

MINUTES OF MEETING

The agenda for this meeting was filed with the Lieutenant Governor's Office as required by Section 92-7(b), Hawaii Revised Statutes.

Date: Friday, June 26, 1987

Time: 1:55 p.m.

Place: Pacific Beach Hotel
2490 Kalakaua Avenue
Honolulu, Hawaii

Present: G. A. "Red" Morris, Chairman
Joseph Blanco, Member
Gloria J. Damron, Member
Yoshiko Kano, Kauai Member
Michele Matsuo, Public Member
Douglas Sodetani, Maui Member
Yukio Takeya, Hawaii Member
Peter Yanagawa, Member

Calvin Kimura, Executive Secretary
Cynthia Yee, Information Officer
Russell Wong, Assistant Information Officer
Linda Saito, Condominium Clerk
Irene Kotaka, Secretary
Grant Tanimoto, Deputy Attorney General
Virginia Lea Crandall, Hearings Officer
Lorrin Kau, Attorney for RICO

Marcus Nishikawa, Incoming Commissioner
John Ramsey, Consultant
John Reilly, Consultant
Milton Hirata, Consultant
Nicholas Ordway, Chairholder/Director
Real Estate Research & Education Center

Kamran Hariri, Licensee
Wayne Parsons, Attorney for Mr. Hariri
Norman Hashimoto, Licensee
Marshall Rosier, Licensee

Excused: Constance Smales, Public Member

Call to Order:

The meeting was called to order at 1:55 p.m. by Chairman G. A. "Red" Morris. Quorum was established.

Approval of Minutes:

Upon a motion by Commissioner Matsuo, second by Commissioner Kano, the Commission unanimously approved the minutes of the June 5, 1987 Commission Meeting as circulated. The motion was voted on and unanimously carried.

Hearings Officer's Reports:

KAMRAN HARIRI AND BENEFICIAL REALTY,
RE-84-182 - ORAL ARGUMENT ON EXCEPTIONS

Lorin Kau, RICO Attorney, was present on behalf of the State. Mr. Hariri was represented by Wayne Parsons, Esq.

Mr. Hariri requested that a continuance be granted as he has not had sufficient time to review the documents due to an emergency.

After a discussion with all parties involved, Commissioner Yanagawa moved to defer the oral arguments on the exceptions to the July 23, 1987 Commission meeting with the understanding that it would be the last continuance granted. Commissioner Takeya seconded the motion. The motion was voted on and unanimously carried.

BERT NAGAI, RE-87-39 - RECOMMENDED DECISION

Commissioner Takeya moved to approve the recommended decision. Commissioner Yanagawa seconded the motion. The motion was voted on and unanimously carried.

RICARDO NABARETE, JUDITH NABARRETE, FKA
JUDITH A. VENTURA, AND SUE E. NABARRETE,
RE-84-4 - SETTLEMENT AGREEMENT

Commissioner Takeya moved to accept the settlement agreement. Commissioner Damron seconded the motion. The motion was voted on and unanimously carried.

Recovery Fund Orders:

This matter was deferred to the July 24, 1987 Commission Meeting.

Committee Reports:

Commissioner Yanagawa moved to approve the proposal to conduct additional agency disclosure seminars subject to further review of the details; Commission staff to develop a policy for any materials that the Commission develops or contracts to do, and staff to develop standards relating to the production and coordination of seminars.

The Commission then viewed the Agency Disclosure tape which would be made available to the licensees.

Chairman Morris commended Consultants Hirata and Reilly on the production of the video tape.

Licensing:

Restorations:

Carol M. Ginoza

Salesman

After a review of the information submitted by the applicant, Commissioner Blanco moved that restoration be approved upon successfully passing the real estate licensing examination. Commissioner Damron seconded the motion. The motion was voted on and unanimously carried.

Commissioner Kano moved to amend the motion. Commissioner Kano moved that restoration be approved based on the fact that the applicant has successfully completed an approved licensing course and passed the real estate licensing examination. Commissioner Yanagawa seconded the motion. The motion was voted on and unanimously carried.

Arthur Hambleton

Salesman

After a review of the information submitted by the applicant, Commissioner Matsuo moved that restoration be approved upon successfully passing the real estate licensing examination. Commissioner Damron seconded the motion. The motion was voted on and unanimously carried.

Minutes of the June 26, 1987 Meeting

Norman Hashimoto

Salesman

Mr. Hashimoto appeared before the Commission to request that they reconsider his petition for restoration of license.

Commissioner Matsuo stated that Mr. Hashimoto had contacted her prior to the meeting to discuss the facts of his petition. She inquired if this would be grounds for a possible conflict of interest. The Chairman ruled that this would not be grounds for a conflict of interest and the meeting continued.

Commissioner Kano moved that the petition for reconsideration be denied. Commissioner Damron seconded the motion.

Commissioner Sodemani moved to amend the motion in favor of approval of restoration upon successful completion of a Commission-approved real estate course. Commissioner Yanagawa seconded the motion. The motion was voted on and unanimously carried.

Questionable Applications:

RONOCO, INC. dba The Rosier-North Company

Marshall Rosier was present at the meeting to answer the questions which the Commission had raised at a prior meeting.

After a review of the information presented by the applicant, Commissioner Damron moved to approve the application of RONOCO, INC. dba The Rosier-North Company. Commissioner Yanagawa seconded the motion. The motion was voted on and unanimously carried.

Gresham, Kirkley and Associates, Inc.

William C. Gresham, principal broker, is officer/director and stockholder. John P. Kirkley, a real estate salesman, is officer/director/stockholder. Mr. Kirkley has signed up to take June 27, 1987 real estate brokers examination.

This matter was deferred to the next meeting as Mr. Kirkley may pass the examination.

Thomas Van Rosen

After a review of the information submitted by the applicant, Commissioner Sodetani moved to deny the application for a waiver of the three listing contract requirement for real estate broker's experience certificate. Applicant is solely involved in time-share transactions and submitted 20 time share sales contracts with evidence of escrow closings. Commissioner Yanagawa seconded the motion. The motion was voted on an unanimously carried.

Miscellaneous:

AUGUST 1987 MEETING SCHEDULE

Commissioner Sodetani moved to approve that the August 1987 Commission and Committee meetings be rescheduled on Lahaina, Maui. The Real Estate Commission's Education Committee and the Laws and Rules Review Committee Meeting will be held on Wednesday, September 2, 1987, at 1 p.m. The Real Estate Commission Meeting will be held on September 3, 1987, at 9 a.m.. The Education Fund to fund airfare, per diem, car rental, and incidentals. The motion was seconded by Commissioner Takeya. The motion was voted and unanimously carried.

CLOSING REMARKS BY CHAIRMAN MORRIS

Chairman Morris extended his appreciation to all of the Legislators, Commissioners, staff, and industry members he worked with during his term of office. He thanked the Commission for the support and help that was given to him.

The Commission thanked Chairman Morris for his leadership and guidance during his term on the Commission.

Meeting:

July 24, 1987
Board Room, Second Floor
Kamamalu Building
1010 Richards Street
Honolulu, Hawaii

Adjournment:

With no further business to discuss,
Chairman Morris adjourned the meeting at
4:40 p.m.

Respectfully submitted,


Irene S. Kotaka, Secretary

Reviewed and approved:



Calvin Kimura, Executive Secretary

July 16, 1987
Date