

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

MINUTES OF MEETING

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

Date: Friday, August 31, 1990

Time: 9:00 a.m.

Place: Kuhina Nui Room
HRH Princess Victoria Kamamalu Building
1010 Richards Street, Second Floor
Honolulu, Hawaii

Present: Peter Yanagawa, Chairman
Theo Butuyan, Public Member
Barbara Dew, Member
Yoshiko Kano, Kauai Member
Stanley Kuriyama, Member (Late Arrival)
Carol Mon Lee, Member
Marcus Nishikawa, Member
Yukio Takeya, Hawaii Member

Calvin Kimura, Executive Secretary
Christine Rutkowski, Executive Secretary
Cynthia Yee, Real Estate Specialist
Glenn Grayson, Deputy Attorney General
Irene Kotaka, Secretary

Rodney Maile, Senior Hearings Officer
Richard Marshall, Hearings Officer
Richard Young, RICO Attorney
Gary Au Young, Recovery Fund Counsel
John Ramsey, Consultant

John Reilly
Joy Jeffus, Hawaii Association of Realtors
Margaret P. Daily, Applicant
Bill Cusimano, Chaney Brooks
Susan Gillette, Licensee
Aldan Mike Soon, Licensee
Richard Kuitunen, Licensee
Darryll Goodman, Licensee
Barbara Humphrey, Licensee
Joseph Kinoshita, Licensee
Susan Hansen, Licensee
George T. Lacey, Licensee
Karen Fitzgerald, Licensee

Terri Goo, Applicant

Excused: Douglas Sodetani, Maui Member

Call to Order: Chairman Yanagawa called the meeting to order at 9:15 a.m., at which time quorum was established.

Chairman's Report: No report was presented.

Executive Secretary's Report: No report was presented.

Additions to the Agenda: Upon a motion by Commissioner Nishikawa, seconded by Commissioner Takeya, it was voted on and unanimously carried to add the following items to the agenda:

8. Licensing - Restoration of Forfeited Licenses
Over Two Years - Salespersons
Lynette T. Kim
William J. Medeiros
Juliette A. Rodrigues

Under Two Years - Salespersons
Eric K. Martinson
Sandra J. Ross

Reconsideration
Deborah Stowell-Buffkin

9. Licensing - Questionable Applications
Paradise Coast
United International Realtors, Inc.
Irene E. Sevenau
George T. Lacey
Phylleen P. Jackson
Susan Gillette
John C. Paulachak
Kathryn A. Rigdon
Lisa M. Fong
Maria Ho
Barbara Evarts
Aldan Mike Soon
Pamela J. Kitzler
Karen T. Fitzgerald

Reconsideration
Melody J. Bixler

Chairman Yanagawa stated that he would be considering the agenda items out of order.

Committee
Reports:

EDUCATION REVIEW COMMITTEE

Upon a motion by Commissioner Nishikawa, seconded by Commissioner Takeya, it was voted on and unanimously carried to approve the recommendations of the August 8, 1990 Education Review Committee Meeting, as follows:

1. Approve the fund balances of the Real Estate Education Fund and the Real Estate Recovery Fund, as of May 31, 1990.
2. Approve the investment of short term certificates of deposit (30 to 60 days) until a procedure for transfer of funds and a plan of investment with Dean Witter Reynolds is developed. Approve the investment, as follows:
 - a. Education Fund, 30 days, \$ 400,000 and 60 days, \$400,000
 - b. Recovery Fund, 30 days, \$500,000 and 60 days, \$400,000
3. Retain the services of consultant, John Ramsey, to write, at a total cost of \$6,885 plus 4% general excise tax, both the 1990 and 1991 Real Estate Commission's Annual Reports. The printing and mailing of the 1990 and 1991 annual report shall be done by bid outside of John Ramsey's contract.
4. Approve funding, from the Cooperative Education Program, for June Kamioka, Executive Secretary, to attend the NARELLO Annual Meeting.
5. Approve funding, from the Cooperative Education Program, for one investigator from RICO to attend the NARELLO Investigator Training Course.
6. Approve the attendance of Commissioners and staff to the NARELLO Annual Meeting, subject to substitution. Commissioners Nishikawa, Sodetani, Takeya, Kano, and the Executive Secretary to attend the Annual Meeting.
7. Approve Clarence Chun as continuing education instructor for the Laws and Ethics module. The Committee strongly recommends that Mr. Chun attend an instructor workshop. Deny Mr. Chun's application for continuing education instructor for the Contracts and Finance modules due to the lack of specific command knowledge of the subject matters.
8. Defer Jon Hudson's application for continuing education instructor for the Contracts and Finance modules to the September Education Committee Meeting and request Mr. Hudson's appearance at the meeting.

9. Approve Ana A. Bennett as a prelicensing mathematics instructor.

INSTRUCTOR WORKSHOP - REQUEST BY JOY JEFFUS

Ms. Jeffus was present at the meeting to request that the Commission consider the Hawaii Association of Realtor's request to subsidize a portion of the instructor's workshop to be held on September 28 and 29, 1990.

Upon a motion by Commissioner Takeya, seconded by Commissioner Dew, it was voted on and unanimously carried to take this matter under advisement.

Recovery Fund: ROCHELEAU V. LEE GREENBAUM REALTY, INC., ET AL. CIVIL NO. H89-4038

Claimants are the owners of an apartment unit located in Pearl City, Hawaii. On June 10, 1988, Claimants entered into a property management agreement with the licensees, Lee Greenbaum Realty, Inc. and Lee Greenbaum, to manage their apartment. Although the licensees collected rent for the apartment, the licensees failed to turn over all of the rent to the Claimants. As a result, the Claimants filed a lawsuit on August 3, 1989, against the licensees claiming breach of contract, fraud, misrepresentation, deceit and breach of fiduciary duty.

The licensees failed to answer the Complaint and an entry of default was entered against them. On September 17, 1989, a proof hearing was held in which the Honorable Marilyn Carlsmith entered a judgment against the licensees in the amount of \$9,228.92. Based on the judgment, Claimants filed a Motion for Order Directing Payment from Real Estate Recovery Fund. Recovery Fund Counsel objected because there was no finding that the licensee committed fraud, misrepresentation, or deceit as required under §467-18, Hawaii Revised Statutes. The Claimants withdrew their motion and requested that the Court enter findings of fact and misrepresentations to the Claimants. The Findings of Facts and Conclusions of Law were entered on April 23, 1990, and the Claimants again filed a Motion for Order Directing Payment from Real Estate Recovery Fund.

At the hearing on the motion, Recovery Fund Counsel advised the Court that there may be insufficient funds to satisfy all of the pending claims against the licensees because there was one potential claim against the licensees for \$127,000. It was later discovered that the claim for \$127,000 had been resolved and that there was sufficient funds to satisfy all of the claims. The Court entered an Order Directing Payment Out of the Fund in the amount of \$9,220.92. An unfiled copy is enclosed for your records and files.

Upon a motion by Commissioner Takeya, seconded by Commissioner Kano, it was voted on and unanimously carried to approve the payment of \$9,220.92, out of the Real Estate Recovery Fund, against Lee Greenbaum Realty, Inc. and Lee Greenbaum.

KAREN ROSE D'AGUSTO AND STEPHEN J. BERNASCONI V. BRENDA SUE UNO, S.P.

NO. 89-0226

In November, 1985, the licensee, Brenda Sue Uno, entered into a management agreement with the Claimants to manage their house, located at 95-121 Kaalolo Place, Mililani Town, Hawaii. Although the licensee collected rent from the tenants, she failed to pay for all of the expenses and withdrew the remaining balance of approximately \$3,792.98 from the joint checking account with the Claimants and the licensee.

In March 1987, the licensee filed a Chapter 7 Bankruptcy petition and listed the Claimants as creditors. The Claimants subsequently filed a Complaint for Exception to Discharge claiming that this debt was nondischargeable. On January 30, 1989, a Stipulated Agreement, Judgment and Order was entered in which the Bankruptcy Court issued a judgment against the licensee in the amount of \$4,900.00, plus reasonable costs not to exceed \$2,600.00.

Based on the judgment entered in the Bankruptcy Court, Claimants filed a special proceeding in the Circuit Court of the First Circuit. Claimants then filed a motion for certification of judgment and for payment from the Fund. Recovery Fund Counsel objected because the Claimants did not substantiate that they suffered costs of \$2,600.00. Claimants filed an affidavit indicating that they suffered costs of \$6,938.90, not including the attorney's fees for the Hawaii attorney. On August 27, 1990, the Honorable Robert G. Klein entered an Order directing payment of the Fund in the amount of \$7,500.00.

Upon a motion by Commissioner Takeya, seconded by Commissioner Dew, it was voted on and unanimously carried to approve the payment of \$7,500.00 from the Real Estate Recovery Fund, against Brenda Sue Uno.

Licensing:

Margaret P. Daily

Ms. Daily had submitted a request for reinstatement of her suspended license. She had filed for bankruptcy and stated that as a result of the bankruptcy, she was not able to pay the fine that was due. She requested that the Commission reinstate her license.

Mr. Richard Young, RICO Attorney, stated that the fine against Ms. Daily should not be discharged. He requested that RICO be allowed to collect the fine that was due prior to the Commission's consideration of reinstating Ms. Daily's suspended license.

Upon a motion by Commissioner Takeya, seconded by Commissioner Nishikawa, it was voted on and unanimously carried to take this matter under advisement.

Committee
Reports:

LAWS AND RULES REVIEW COMMITTEE

Upon a motion by Commissioner Takeya, seconded by Commissioner Dew, it was voted on and unanimously carried to approve the recommendations of the August 30, 1990 Laws and Rules Review Committee Meeting, as follows:

1. A public hearing was held on August 15, 1990, at 9:00 a.m. in the Kuhina Nui Room, Department of Commerce and Consumer Affairs. Public notice of the hearing was published on July 13, 1990, in the Honolulu Star Bulletin, Kauai Times, Maui News, Hawaii Tribune Herald, and the West Hawaii Today newspapers.

After a review of the comments submitted, the Real Estate Commission determined that the rules should be adopted, subject to non-substantive changes, per the Attorney General's advisement, as follows:

Section 16-99-11[(e)](f) All advertising materials, including but not limited to business cards shall identify the licensee with the licensee's brokerage firm or employing broker, and specify whether the licensee is a broker (B) or salesperson (S), or if a current member of the Hawaii Association of Realtors, Realtor (R) or Realtor-Associate (RA).

Approve the subject rules be approved with the non-substantive changes and that the Commission take into consideration the comments submitted at the public hearing for future rule making amendments.

2. Commission staff to work with Brian Thomas in coordinating meetings between the Director, Licensing Administrator, and the Insurance Commission to discuss the errors and omissions insurance study.
3. Approve the proposed administration bill, relating to Chapter 467, Hawaii Revised Statutes, regarding financial integrity, branch and site offices, and housekeeping measures.

4. Refer the matter of clarification in the Real Estate Bulletin, regarding Stanley M. Fujimoto, to staff to make a retraction/correction in the Real Estate Bulletin and the Annual Report.
5. Reschedule the October Education Review Committee Meeting to October 25, 1990, immediately following the Condominium and Cooperatives Review Committee Meeting.
6. Approve Marvin Greenberg's request to omit his name as plaintiff in the real estate recovery fund payout against Lawrence Sheller, in the Commission's Annual Report and the Real Estate Bulletin.
7. Commission staff to complete the NARELLO License Examination Certification Program Survey on behalf of the Commission.
8. Commissioner Takeya to be in charge of the NARELLO Meeting door prizes and the Aloha Spirit participation at the NARELLO Annual Meeting in Quebec City, Quebec, Canada.
9. Defer distribution of the NARELLO Western District Meeting Report to a later date.

HUD/NARELLO FAIR HOUSING AGREEMENT

Upon a motion by Commissioner Kano, seconded by Commissioner Takeya, it was voted on and unanimously carried to approve the HUD/NARELLO Fair Housing Agreement, subject to the approval of the Director.

CONDOMINIUM AND COOPERATIVE REVIEW COMMITTEE

Upon a motion by Commissioner Lee, seconded by Commissioner Kano, it was voted on and unanimously carried to approve the recommendations of the August 30, 1990 Condominium and Cooperative Review Committee Meeting, as follows:

1. Program of Work - Rule Making, Chapter 107

Retain Kenneth Chong to draft the rules for the project development part of the statute, and Grant Tanimoto be retained to draft the rules for the condominium governance part of the statute; and that the contracts for each consultant be drafted to give the Commission the option to request additional redrafting of the rules to incorporate any changes made during the 1991 Legislative Session.

2. **IREM Seminar Proposal**

Defer action on the seminar proposal of the Institute of Real Estate Management (IREM).

3. **Condominium Governance Project**

Defer action on the proposed structural study of condominium governance alternatives until the Commissioner assigned to the project can meet with staff and develop specific proposals for the study.

4. **The Queen Victoria Residence**

Although the Committee has serious doubts about the process used to develop a reservation list for prospective owner-occupants of the project, recommend that the Commission defer any further action at this time because: (1) no complaints about the process have been received; and (2) the developer has represented that all those who participated in the process and wished to reserve an owner-occupant unit were able to do so.

5. **JPS Hawaii Inc. - Owner-Occupant Reservation Process**

Approve the proposed reservation process as presented to the Committee, provided that the reservation affidavits and deposits of prospective owner-occupants are taken in the exact order that they originally receive their reservation numbers.

6. **Use of Owner-Occupant Procedures by Exempt Projects**

Projects which the statutes precludes from using the owner-occupant process shall not be allowed to use it.

7. **Republishing of Owner-Occupant Reservation Notices**

Effect on Reservations Already Accepted - If projects must republish owner-occupant notices because they fail to comply with the statutory requirements, the project developer must disregard any reservations already taken under the defective notice and being a new reservation list.

8. **One-sixth Shared Ownership - Supplementary Report**

Without deciding if a supplementary report is required of someone proposing to sell one-sixth interest in condominium units, Mr. Sakai shall be permitted to submit a supplementary report for that purpose.

9. **3337 Waialae**

The developer be informed that the Commission will not accept a condominium project registration which designates a driveway and lot as the "apartment", unless the developer also provides plans and a construction contract for a structure to be built on the lot and designates the proposed structure as part of the apartment.

10. Accountants as Managing Agents

Accountants who wish to act as fiscal managing agents for an association must register with the Commission and obtain a fidelity bond but need not obtain a real estate broker's license.

11. 1260 Richard Lane

Grant the association a partial bonding exemption on the condition that it:

- a. Have an annual audit and a cash verification;
- b. Have separate operating and reserve accounts and require two signatures on each;
- c. Require the board to review monthly statements of account from the financial institution where the association accounts are kept.

12. CMA and Association Fidelity Bonds with Conviction Riders

The Commission shall not accept fidelity bonds with conviction riders or endorsements.

13. CAI National Conference

Approve John Morris's attendance at the CAI National Conference in Nashville, Tennessee, with funding from the Condominium Management Education Fund.

**Approval of
Minutes:**

Upon a motion by Commissioner Takeya, seconded by Commissioner Nishikawa, it was voted on and unanimously carried to approve the minutes of the June 22, 1990 and July 27, 1990 Real Estate Commission Meeting, as circulated.

Licensing: **QUESTIONABLE APPLICATIONS**

Susan Gillette

Ms. Gillette was present to request that the Commission grant her request for an equivalency for 17.2 months full-time Hawaii salesperson experience, 10 transactions, 3 listings, and 2 sales contracts that have closed escrow.

Ms. Gillette stated that her Change Form was never received at the Licensing Branch. This was not brought to her attention until she applied for her real estate broker's license. She stated that she was present to prove that she was employed with Bali Hai Realty for the past two years.

Upon a motion by Commissioner Takeya, seconded by Commissioner Nishikawa, it was voted on and unanimously carried to take this matter under advisement.

Disciplinary
Case Report: **SIMEON C. RAMOS, JR., AKA BUTCH RAMOS, DBA OHIA
REALTY & DEVELOPMENT CO., RE 89-29 AND 89-52**

Upon a motion by Commissioner Takeya, seconded by Commissioner Dew, it was voted on and unanimously carried to approve the Hearings Officer's Findings of Fact, Conclusions of Law and Recommended Order.

LEONA I. GREENBAUM, LEE GREENBAUM REALTY, INC., RE 89-111, ET AL.

Commissioner Kuriyama arrived.

Richard Young, RICO Attorney, presented RICO's exceptions to the Hearings Officer's Findings of Fact, Conclusions of Law, and Recommended Order. Based on the evidence presented, Mr. Young stated that the respondent should be subject to 31 consecutive two-year terms of revocation, in addition to a fine of \$31,000.

Upon a motion by Commissioner Takeya, seconded by Commissioner Nishikawa, it was voted on and unanimously carried to amend the Hearing's Officers Recommended Order, and to require that the respondent be subject to 31 consecutive two-year terms of revocation, a fine of \$31,000, and that restitution be made to the injured parties.

ZOLTAN RUDOLICS, RE 89-95

Upon a motion by Commissioner Takeya, seconded by Commissioner Kano, it was voted on and unanimously carried to approve the Hearings Officer's Findings of Fact, Conclusions of Law, and Recommended Order.

YOSHIYUKI SUENISHI DBA YOSHI SUENISHI REALTY, RE 87-242

Upon a motion by Commissioner Takeya, seconded by Commissioner Dew, it was voted on and unanimously carried to approve the Hearings Officer's Recommended Order Granting Motion for Order Imposing Sanctions for Failure to Comply with the Commission's Order.

JULIA SOHN, RE-LIC-89-1

Upon a motion by Commissioner Dew, seconded by Commissioner Kano, it was voted on and unanimously carried to approve the Hearings Officer's Findings of Fact, Conclusions of Law, and Recommended Order.

JAMES M. LOWSON, RE 89-405

After a review of the information submitted by Mr. Lowson, Commissioner Takeya moved to approve Mr. Lowson's request to complete the GRI 401 course. Commissioner Dew seconded the motion. The motion was voted on and unanimously carried.

CONFIRMATION OF SHERYL NAGATA AS HEARINGS OFFICER

Upon a motion by Commissioner Kano, seconded by Commissioner Dew, it was voted on and unanimously carried to confirm Sheryl Nagata as Hearings Officer.

Licensing:

QUESTIONABLE APPLICATIONS

Aldan Mike Soon

Mr. Soon was present to request an educational waiver based on the Certified Commercial Investment Member (CCIM) designation and also to request that the Commission recognize the ten transactions that he submitted and also to grant him an equivalency to 1 month and 24 days.

Mr. Soon stated that in order to obtain a CCIM designation he had to attend five classes and pass a final examination. He also had to submit written reports in the different areas of investment transactions. He received his CCIM designation in 1981.

Mr. Soon also stated that he has 15 years experience in the real estate business as a broker. He owned a real estate, mortgage finance and property management business. He was given the opportunity to be the Sales Manager at Kapalua Realty. He has been with Kapalua Realty since June 1, 1990. Prior to that, he was with Sullivan Properties. The Change form which released him from Sullivan Properties on June 1, 1990 and signed him on with Kapalua Realty was not received by the Licensing Branch until July 24, 1990. He stated that the ten transactions that he submitted took place between June 1, 1990 and July 24, 1990.

Upon a motion by Commissioner Takeya, seconded by Commissioner Dew, it was voted on and unanimously carried to take this matter under advisement.

Darryll Goodman

Mr. Goodman was present to request an equivalency for three listing contracts and three sales contracts that have closed escrow.

Mr. Goodman stated that he has been with Chaney Brooks for three years, starting as a rental agent and becoming an assistant manager of the department. He oversees 1,000 rental units, and three staff members. He prepares lease agreements and property management agreements with the owners. He is working towards his Real Property Administrator (RPA) designation. He also stated that he helps Chaney Brooks teach a class at the University of Hawaii on property management. He stated that he has not had any sales or listing contracts. His only experience is in property management.

Upon a motion by Commissioner Takeya, seconded by Commissioner Kano, it was voted on and unanimously carried to take this matter under advisement.

Richard Kuitunen

Commissioners Takeya and Yanagawa were excused from the meeting due to a conflict of interest.

Commissioner Nishikawa, Chairman Pro Tem, presided over the meeting.

Richard Fahrenwald of Fahrenwald, Inc., and Mike Furutani were present on Mr. Kuitunen's behalf to request an equivalency for 1-1/2 months salesperson's experience.

Mr. Kuitunen has a law degree and a Bachelor's degree in Business Administration and is currently enrolled in the CCIM courses. He is requesting a waiver to be allowed to sit for the September 1990 examination.

Upon a motion by Commissioner Kuriyama, seconded by Commissioner Dew, it was voted on and unanimously carried to take this matter under advisement.

Barbara Humphrey

Commissioner Takeya returned to the meeting.

Ms. Humphrey was present to request an equivalency to the two closed sales requirement.

Ms. Humphrey stated that she was licensed in 1985 and that in 1986 she was recognized as the Rookie of the Year. She is currently taking CCIM courses. She stated that most of her experience is in leasing and that she is responsible for over 30 lease transactions.

Upon a motion by Commissioner Takeya, seconded by Commissioner Dew, it was voted on and unanimously carried to take this matter under advisement.

Joseph Kinoshita

Chairman Yanagawa returned to the meeting and resumed presiding over the meeting.

Mr. Kinoshita was present to request an equivalency for six months real estate salesperson's experience.

Mr. Kinoshita stated that he is a licensed attorney and as such would receive 18 months salesperson's experience automatically and would be waived from the ten transaction requirement. He requested that the Commission waive an additional six months of salesperson's experience. Mr. Kinoshita stated that he has been in private practice for over 20 years and that he has been involved in real estate property transactions. Mr. Kinoshita stated that his sales license has never been activated.

Upon a motion by Commissioner Takeya, seconded by Commissioner Kano, it was voted on and unanimously carried to take this matter under advisement.

Karen Fitzgerald

Ms. Fitzgerald was present to request an equivalency to three listings and three closed sales transactions.

Ms. Fitzgerald stated that she was employed by Mike McCormack and Charlee & Associates. She said she is constantly taking courses offered by the Kauai Board of Realtors. She did have a few sales transactions in 1986. She was going to place her license on inactive status and move to Sudan, so she discarded the copies of her sales transactions. She said that she later moved to Oahu and has been a rental manager.

Upon a motion by Commissioner Nishikawa, seconded by Commissioner Takeya, it was voted on and unanimously carried to take this matter under advisement.

Susan Hansen

Ms. Hansen was present to request an equivalency to three weeks salesperson's experience and three listing contracts.

Ms. Hansen stated that she has had her sales license for two years. She has been involved in the 1015 Wilder project and is currently involved in the development of the Pan Pacific Plaza.

Upon a motion by Commissioner Takeya, seconded by Commissioner Dew, it was voted on and unanimously carried to take this matter under advisement.

Terri L. Goo

Ms. Goo was present to request that the Commission approve her application for real estate salesperson's license.

Ms. Goo stated that two weeks prior to the examination date, she received a phone call that her father was dying of leukemia. She took and passed the April 21, 1990 exam. On April 26, 1990, her father passed away. As his only living relative, she was travelling back and forth between the mainland and Hawaii and failed to file her application within 90 days of the examination date.

Upon a motion by Commissioner Takeya, seconded by Commissioner Dew, it was voted on and unanimously carried to take this matter under advisement.

Executive Session: Upon a motion by Commissioner Nishikawa, seconded by Commissioner Kano, it was voted on and unanimously carried to enter into executive session at 12:00 p.m., pursuant to Chapter 92-5(a)(1), "To consider and evaluate personal information relating to individuals applying for professional or vocational licenses cited in section 26-9 or both;".

Upon a motion by Commissioner Nishikawa, seconded by Commissioner Takeya, it was voted on and unanimously carried to move out of executive session at 12:45 p.m.

Ratification: Upon a motion by Commissioner Takeya, seconded by Commissioner Nishikawa, it was voted on and unanimously carried to ratify the following applications:

Real Estate Brokers

Woodstock Properties, Inc.
Wailea Vacation Rentals, Inc.
Real Estate Affiliates, Inc.
Pacific Equity Growth & Management, Inc.
Island Fudohsan, Inc.
Hawaii Real Estate Network, Inc.
INPAC Realty, Inc.
Nathan G. Kwee
Jeffco Realty, Inc.
Arudy Realty Co. Ltd.
Martha A. Jones dba Eden Realty
Maui Land Company, Inc.
Pacific Island Properties, Inc.
Hawaii Realty Management Corporation
USA Hawaii Realty, Inc.

Real Estate Branch Office

Landmark Hawaii, Inc. (Kailua-Kona)

Trade Names

Raymond R. Sherwood dba CCIS Brokerage
Steven S. Saito dba BY Realty Mgmt. & Sales
Edward W. Brinkman dba Alexandra Zachary Real Estate

Princess Properties and Management, Inc. dba
Hime Realty
Monarch Land & Livestock Company, Inc.
dba Christie Realty
ERA Blue Water Properties (fka Blue
Water Properties Kauai, Inc.)
Robert Schneider dba Robert Schneider Realty
Jeffrey R. Gregory dba Real Estate Offices
Marilyn L. Hudson dba Marilyn Hudson Realtors
Michael H. Gisondi dba Land of Islands Realty
William O. Statton dba Statton Real Estate

Condominium Hotel Operators

Kunisawa Realty, Inc. dba Maui Resort Management

Condominium Managing Agents

Ginoza Realty, Inc.

Condominium Property Regime Public Reports

October 1989

507/509 Kawaihoa Road, Honolulu (Final)

July 1990

Lot E-1, Hawaii (Final)

Uluwehi Condominium, Kauai (Final)

Windward Acres (Building C), Honolulu (Second
Supplementary)

August 1990

916 Green, Honolulu (Final)

Beachside Club, Maui (Preliminary)

Hanalei Hale, Honolulu (Supplementary)

Kihei Villages, Phase III, Maui (Final)

84-1111B Lahaina Street, Honolulu (Final)

Moana Kai Beach Houses Condominium, Kauai (Final)

Nalu Lawai, Kauai (Final)

Palm Court, Increment IIA, Honolulu (Final)

Malia Place, Hawaii (Preliminary)

Ka'eo Kai Phase III, Kauai (Third Supplementary)

87-159 Kulaaupuni Street, Honolulu (Final)

Lupo Place, Honolulu (Final)

Pearl Horizons, Phase IIIB, Honolulu (Final)

Aina O Maluhia, Honolulu (Final)

Licensing: **RESTORATION**

Upon a motion by Commissioner Dew, seconded by Commissioner Kano, it was voted on and unanimously carried that in light of the fact that the examinations will not be given during the months of October, November, and December, the restoration candidates who are required to take the exam be given until June 30, 1991 to successfully pass the exam.

Joseph T. K. Chong Broker

After a review of the information submitted by the applicant, Commissioner Nishikawa moved that restoration be approved upon submitting evidence of successfully passing the real estate broker's licensing examination, with a one-time waiver of the education and experience requirements. Commissioner Takeya seconded by the motion. The motion was voted on and unanimously carried.

Sylvia E. Oyama Salesperson
Beatrice J. Borden Salesperson
Thomas J. Ault Salesperson
Lynette T. Kim Salesperson
William J. Medeiros Salesperson
Juliette A. Rodrigues Salesperson

After a review of the information submitted by the applicants, Commissioner Nishikawa moved that restoration be approved upon submitting evidence of successfully passing the real estate salesperson's examination, with a one-time waiver of the educational requirements. Commissioner Takeya seconded the motion. The motion was voted on and unanimously carried.

Gerald Y. S. Chang Broker
Edmond D. Backus, Jr. Salesperson
Glorianne M. Ishikawa Salesperson
Jonathan C. Griffiths Salesperson
Diane Y. Judd Salesperson
Thomas E. Lambert Salesperson
Regina M. Mitchell Salesperson
Maureen E. Purington Salesperson
Mary B. Remer Salesperson
Robin L. Rutledge Salesperson
Brad J. Thiessen Salesperson
Eric K. Martinson Salesperson
Sandra J. Ross Salesperson

After a review of the information submitted by the applicants, Commissioner Nishikawa moved that restoration be approved upon submitted evidence of successfully passing a Commission-approved real estate course. Commissioner Kano seconded the motion. The motion was voted on and unanimously carried.

Mercy E. Kraft

Upon a motion by Commissioner Kuriyama, seconded by Commissioner Butuyan, it was voted on and unanimously carried to grant Ms. Kraft's request for reconsideration.

After a review of the information submitted by the applicant, Commissioner Kuriyama moved to accept the examination score report and approve the application for restoration. Commissioner Butuyan seconded the motion. The motion was voted on and unanimously carried.

James A. Patterson

Upon a motion by Commissioner Kuriyama, seconded by Commissioner Butuyan, it was voted on and unanimously carried to grant Mr. Patterson's request for reconsideration.

After a review of the information submitted by the applicant, Commissioner Kuriyama moved to approve Mr. Patterson's request for a six-month extension in which to successfully complete a Commission-approved real estate course. Commissioner Butuyan seconded the motion. The motion was voted on and unanimously carried.

Deborah Stowell-Buffkin

Upon a motion by Commissioner Kuriyama, seconded by Commissioner Butuyan, it was voted on and unanimously carried to grant Ms. Stowell-Buffkin's request for reconsideration.

After a review of the information submitted by the applicant, Commissioner Kuriyama moved to approve Ms. Stowell-Buffkin's request for an extension until April 1991, in which to complete the restoration requirement. Commissioner Butuyan seconded the motion. The motion was voted on and unanimously carried.

QUESTIONABLE APPLICATIONS

HIRO Enterprises, Inc.

After a review of the information submitted by the applicant, Commissioner Takeya moved to deny the application for real estate corporation of HIRO Enterprises, Inc. Commissioner Kano seconded the motion. The motion was voted on and unanimously carried.

MINAMOTO International, Inc.

After a review of the information submitted by the applicant, Commissioner Takeya moved to deny the application for real estate corporation of MINAMOTO International, Inc. Commissioner Kano seconded the motion. The motion was voted on and unanimously carried.

J. Allen Perkins dba A2Associates

After a review of the information submitted by the applicant, Commissioner Dew moved to approve the application for real estate corporation of J. Allen Perkins dba A2Associates. Commissioner Lee seconded the motion. The motion was voted on and unanimously carried.

YCES, Limited Partnership

After a review of the information submitted by the applicant, Commissioner Dew moved to approve the real estate partnership application of YCES, Limited Partnership. Commissioner Lee seconded the motion. The motion was voted on and unanimously carried.

Bill Munekata, Realtor, Inc.

After a review of the information submitted by the applicant, Commissioner Dew moved to approve the application for real estate corporation of Bill Munekata, Realtor, Inc., subject to Mr. Munekata's compliance with the trade mark regulations governing the use of "Realtor". Commissioner Lee seconded the motion. The motion was voted on and unanimously carried.

HEDEMARK Corporation

Chairman Yanagawa was excused from the meeting due to a conflict of interest. Vice-Chairman Takeya presided over the meeting.

After a review of the information submitted by the applicant, Commissioner Dew moved to approve the application for real estate corporation of HEDEMARK Corporation. Commissioner Lee seconded the motion. The motion was voted on and unanimously carried.

Chairman Yanagawa returned to the meeting and resumed presiding over the meeting.

KWEE and Associates Realty, Inc.

After a review of the information submitted by the applicant, Commissioner Dew moved to

approve the application for real estate corporation of KWEE and Associates Realty, Inc. Commissioner Lee seconded the motion. The motion was voted on and unanimously carried.

Westly Corporation dba Virginia Westly, Realtor

After a review of the information submitted by the applicant, Commissioner Dew moved to approve the restoration of the real estate corporation license of Westly Corporation dba Virginia Westly, Realtor. Commissioner Lee seconded the motion. The motion was voted on and unanimously carried.

Menefee International Realty Corporation dba JVK Realty Group

After a review of the information submitted by the applicant, Commissioner Dew moved to approve the application for real estate corporation of Menefee International Realty Corporation dba JVK Realty Group. Commissioner Lee seconded the motion. The motion was voted on and unanimously carried.

Premier Properties Inc.

After a review of the information submitted by the applicant, Commissioner Dew moved to approve the application for real estate corporation of Premier Properties, Inc., to rescind the trade names of Raychelle K. Kondo dba Premier Properties and Ronald Odo dba Premier Properties. Commissioner Lee seconded the motion. The motion was voted on and unanimously carried.

Kaye G. Blackburn

After a review of the information submitted by the applicant, Commissioner Dew moved to approve the home occupation office, located at 225 Queen Street, 19-F, Honolulu, Hawaii, subject to the conditions imposed upon Ms. Blackburn by the City and County of Honolulu. Commissioner Lee seconded the motion. The motion was voted on and unanimously carried.

Land Development Services Corporation

After a review of the information submitted by the applicant, Commissioner Dew moved to approve the second site office extension at the Kamani Trees Condominium, located in Holualoa, Hawaii. Commissioner Lee seconded the motion. The motion was voted on and unanimously carried.

Barry Brown dba Barry Brown Realty

After a review of the information submitted by the applicant, Commissioner Dew moved to approve the first site office extension at the Maui Schooner Time Share Project, fka Laule'a Maui Beach Club, located in Kihei, Maui. Commissioner Lee seconded the motion. The motion was voted on and unanimously carried.

Shell Realty Hawaii, Inc.

After a review of the information submitted by the applicant, Commissioner Dew moved to approve the fifth site office extension of the Keauhou Gardens Time Share Project, located in Kailua-Kona, Hawaii. Commissioner Lee seconded the motion. The motion was voted on and unanimously carried.

Aldan M. Soon

After a review of the information presented by the applicant, Commissioner Dew moved to approve Mr. Soon's request for an educational waiver based on his CCIM designation, that the Commission recognizes his ten transactions he submitted, and also to grant him an equivalency to one month and 24 days. Commissioner Lee seconded the motion. The motion was voted on and unanimously carried.

Upon a motion by Commissioner Nishikawa, seconded by Commissioner Takeya, it was voted on and unanimously carried to approve the Certified Commercial Investment Member (CCIM) designation as meeting the educational requirement for the State of Hawaii.

Barbara A. Humphrey

Chairman Yanagawa was excused from the meeting due to a conflict of interest. Vice-Chairman Takeya presided over the meeting.

After a review of the information presented by the applicant, Commissioner Dew moved to approve Ms. Humphrey's request for an equivalency to the three sales that have closed escrow requirement. Commissioner Lee seconded the motion. The motion was voted on and unanimously carried.

Chairman Yanagawa returned to the meeting and resumed presiding over the meeting.

Susan J. Hansen

After a review of the information presented by the applicant, Commissioner Dew moved to approve Ms. Hansen's request for a three-week equivalency to the experience requirement and to three listing contracts. Commissioner Lee seconded the motion. The motion was voted on and unanimously carried.

Darryll Goodman

After a review of the information presented by the applicant, Commissioner Takeya moved to deny Mr. Goodman's request for an equivalency to the three listing contracts and three sales that have closed escrow requirement. Commissioner Kano seconded the motion. The motion was voted on and unanimously carried.

Leslie H. Brown

After a review of the information submitted by the applicant, Commissioner Takeya moved to deny Mr. Brown's request for an equivalency to the ten transaction requirement. Commissioner Kano seconded the motion. The motion was voted on and unanimously carried.

Eugene K. Jimenez

After a review of the information submitted by the applicant, Commissioner Dew moved to approve Mr. Jimenez's request for an equivalency to three months experience. Commissioner Lee seconded the motion. The motion was voted on and unanimously carried.

Richard H. Kuitunen

Chairman Yanagawa was excused from the meeting due to a conflict of interest. Vice-Chairman Takeya presided over the meeting.

After a review of the information presented by the applicant, Commissioner Dew moved to approve Mr. Kuitunen's request for an equivalency to 1-1/2 months experience. Commissioner Lee seconded the motion. The motion was voted on and unanimously carried.

Chairman Yanagawa returned and resumed presiding over the meeting.

Stephen A. Faunce

After a review of the information submitted by the applicant, Commissioner Dew moved to approve Mr. Faunce's request for a six-day equivalency to the experience requirement. Commissioner Lee seconded the motion. The motion was voted on and unanimously carried.

Joseph A. Kinoshita

After a review of the information presented by the applicant, Commissioner Takeya moved to deny Mr. Kinoshita's request for an equivalency to six months experience. Commissioner Kano seconded the motion. The motion was voted on and unanimously carried.

Doreen T. German

After a review of the information submitted by the applicant, Commissioner Dew moved to approve Ms. German's request for an equivalency to the ten transaction requirement.

Commissioner Lee seconded the motion. The motion was voted on and unanimously carried.

Richard J. Diehl

After a review of the information submitted by the applicant, Commissioner Takeya moved to deny Mr. Diehl's application for real estate salesperson's license as he failed to submit his completed application within 90 days of the examination date. Commissioner Kano seconded the motion. The motion was voted on and unanimously carried.

Carl Mudrick

After a review of the information submitted by the applicant, Commissioner Takeya moved to deny Mr. Mudrick's application for real estate salesperson's license as he failed to submit his completed application within 90 days of the examination date. Commissioner Kano seconded the motion. The motion was voted on and unanimously carried.

Terri L. Goo

After a review of the information presented by the applicant, Commissioner Dew moved to approve Ms. Goo's application for real estate salesperson's license. Commissioner Lee seconded the motion. The motion was voted on and unanimously carried.

Catherine Cabatu

After a review of the information submitted by the applicant, Commissioner Dew moved to approve Ms. Cabatu's application for real estate salesperson's license. Commissioner Lee seconded the motion. The motion was voted on and unanimously carried.

Herman Cabatu

After a review of the information submitted by the applicant, Commissioner Dew moved to approve Mr. Cabatu's application for real estate salesperson's license. Commissioner Lee seconded the motion. The motion was voted on and unanimously carried.

John M. Biggs

After a review of the information submitted by the applicant, Commissioner Dew moved to approve Mr. Biggs's application for real estate salesperson's license. Commissioner Lee seconded the motion. The motion was voted on and unanimously carried.

Edward M. Hudcovic

After a review of the information submitted by the applicant, Commissioner Dew moved to approve Mr. Hudcovic's application for real estate salesperson's license. Commissioner Lee seconded the motion. The motion was voted on and unanimously carried.

Margaret P. Daily

After a review of the information presented by the applicant, Commissioner Takeya moved to deny Ms. Daily's request for reinstatement of her suspended real estate salesperson's license. Commissioner Kano seconded the motion. The motion was voted on and unanimously carried.

Paradise Coast

After a review of the information submitted by the applicant, Commissioner Takeya moved to deny the real estate partnership application of Paradise Coast. Commissioner Kano seconded the motion. The motion was voted on and unanimously carried.

United International Realtors, Inc.

After a review of the information submitted by the applicant, Commissioner Lee moved to approve the real estate corporation application of United International Realtors, Inc., subject to their compliance with the trade mark regulations governing the use of "Realtor". Commissioner Kano seconded the motion. The motion was voted on and unanimously carried.

Irene E. Sevenau

After a review of the information submitted by the applicant, Commissioner Dew moved to approve the application for real estate salesperson's license of Irene Sevenau. Commissioner Lee seconded the motion. The motion was voted on and unanimously carried.

George T. Lacey

After a review of the information presented by the applicant, Commissioner Takeya moved to deny Mr. Lacey's request for an equivalency to the three transactions that have closed Hawaii escrow requirement. Commissioner Kano seconded the motion. The motion was voted on and unanimously carried.

Phylleen P. Jackson

After a review of the information submitted by the applicant, Commissioner Takeya moved to

deny Ms. Jackson's request for an equivalency to two listings and two sales transactions that have closed escrow. Commissioner Kano seconded the motion. The motion was voted on and unanimously carried.

Susan Gillette

After a review of the information presented by the applicant, Commissioner Dew moved to approve Ms. Gillette's request for an equivalency to the real estate broker's experience requirement. Commissioner Lee seconded the motion. The motion was voted on and unanimously carried.

John C. Paulachak

After a review of the information submitted by the application, Commissioner Dew moved to approve Mr. Paulachak's request for an equivalency to two transactions, three listings and three sales that have closed escrow. Commissioner Lee seconded the motion. The motion was voted on and unanimously carried.

Kathryn A. Rigdon

After a review of the information submitted by the applicant, Commissioner Takeya moved to deny Ms. Rigdon's request for an equivalency to the ten transaction requirement. Commissioner Kano seconded the motion. The motion was voted on and unanimously carried.

Lisa M. Fong

After a review of the information submitted by the applicant, Commissioner Takeya moved to deny Ms. Fong's request for an equivalency to three sales transactions that have closed escrow. Commissioner Kano seconded the motion. The motion was voted on and unanimously carried.

Maria Ho

After a review of the information submitted by the applicant, Commissioner Dew moved to approve Ms. Ho's request for an equivalency to six months experience and eight transactions. Commissioner Lee seconded the motion. The motion was voted on and unanimously carried.

Barbara Evarts

After a review of the information submitted by the applicant, Commissioner Dew moved to approve Ms. Evarts's request for an equivalency to 2-1/2 months full time Hawaii sales experience.

Pamela J. Kitzler

After a review of the information submitted by the applicant, Commissioner Takeya moved to deny Ms. Kitzler's request for an equivalency to two sales transactions that have closed escrow. Commissioner Kano seconded the motion. The motion was voted on and unanimously carried.

Karen T. Fitzgerald

After a review of the information presented by the applicant, Commissioner Dew moved to approve Ms. Fitzgerald's request for an equivalency to three listings and three sales transactions that have closed escrow. Commissioner Lee seconded the motion. The motion was voted on and unanimously carried.

Melody J. Bixler

Upon a motion by Commissioner Dew, seconded by Commissioner Kano, it was voted on and unanimously carried to grant Ms. Bixler's request for reconsideration.

After a review of the information submitted by the applicant, Commissioner Dew moved to approve Ms. Bixler's application for real estate salesperson's license, subject to completion of a prelicensing course. Commissioner Lee seconded the motion. The motion was voted on and unanimously carried.

Next Meeting:

Friday, September 28, 1990
Kuhina Nui Room
HRH Princess Victoria Kamamalu Building
1010 Richards Street, Second Floor
Honolulu, Hawaii

Adjournment: With no further business to discuss, Chairman Yanagawa adjourned the meeting at 2 p.m.

Taken and recorded by:

Irene S. Kotaka, Secretary

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Reviewed and approved by:

Calvin Kimura
Executive Secretary

Date