

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, June 25, 1993

Time: 9:00 a.m.

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

Present: Marcus Nishikawa, Chairperson, Oahu Member (Early departure)
Barbara Dew, Vice-Chairperson, Oahu Member
Theo Butuyan, Public Member
Jerry Hirata, Hawaii Member
Alvin Imamura, Maui Member
Yoshiko Kano, Kauai Member
Stanley Kuriyama, Oahu Member
Carol Mon Lee, Public Member (Late arrival)

Calvin Kimura, Supervising Executive Secretary
Jan Yamane, Real Estate Specialist
Russell Wong, Real Estate Specialist
Benedyne Stone, Real Estate Specialist
Diane Erickson, Deputy Attorney General
Irene Kotaka, Secretary

Shari Wong, Special Deputy Attorney General
Sheryl Nagata, Hearings Officer
Steve Gilbert, Hawaii Real Estate Research & Education Center
Harriet E. Furusho, Applicant
Shay Furusho, Applicant
David Hardy, Applicant
Kang Cheng Shih, Applicant
Russ Lambing, Applicant
Richard Takase, Applicant
Grace Wang, Applicant

Excused: Francine Duncan, Hawaii Member

Call to Order: Vice-Chairperson Dew called the meeting to order at 9:00 a.m., at which time quorum was established.

Chairperson's
Report:

No report was presented.

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

9. Licensing - Questionable Applications
Juliana Monet
Napili Kai, Ltd.

Additional
Distribution:

The following additional materials were distributed to the Commissioners:

3. Executive Secretary's Report
 - a. Announcements, Introductions, Correspondence, and Additional Distributions - Calendar of Availability, July to December 1993
 - b. Minutes of Previous Meeting - May 28, 1993
6. Committee Reports
 - c. Education Review Committee
8. Restoration of Forfeited License
Richard Goh
9. License - Questionable Applications
Thomas S. Abel

Supervising
Executive
Secretary's Report:

Calendar of Availability - July to December 1993

The calendar of availability for July to December 1993 was distributed to the Commissioners for their review and comment. Commissioners are to return the completed calendar to staff for incorporation into a master calendar.

Adjudicatory Matters:

Vice-Chairperson Dew called for a recess from the Commission meeting at 9:04 a.m., to discuss and deliberate on the following adjudicatory matters, pursuant to Chapter 91, Hawaii Revised Statutes.

- a. Keith A. Shelly dba Starcastle Realty; REC-92-48-L

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

- b. Wendy L. Iha; REC-91-126

Upon a motion by Commissioner Nishikawa, seconded by Commissioner Kuriyama, 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 Commission's Order.

Commissioner Lee arrived.

- c. Thomas F. Schmidt dba Tom Schmidt Realtors; REC-91-299-L and REC-91-

486-L

Upon a motion by Commissioner Imamura, seconded by Commissioner Kuriyama, it was voted on and carried to approve the Settlement Agreement After Amended Petition for Disciplinary Action. Commissioner Hirata opposed the motion.

- d. Arnold V. Trombley aka Art Trombley dba Associated Business Services; REC-92-104-L

Upon a motion by Commissioner Kano, seconded by Commissioner Imamura, it was voted on and unanimously carried to approve the Settlement Agreement After Filing of Petition for Disciplinary Action.

- e. Century 21 First Pacific Properties, Ltd., John R. Lightbourn, and Mario J. Cardone, II; REC-91-314-L

Upon a motion by Commissioner Kuriyama, seconded by Commissioner Lee, it was voted on and unanimously carried to approve the Settlement Agreement After Filing of Petition for Disciplinary Action as to Mario J. Cardone II.

Following the Commission's review, deliberation and decisions in these matters, pursuant to Chapter 91, Hawaii Revised Statutes, Vice-Chairperson Dew announced that the Commission was reconvening its scheduled Commission meeting at 9:41 a.m., pursuant to Chapter 92, Hawaii Revised Statutes.

Licensing:

Questionable Applications

Harriet E. Furusho

Ms. Furusho was present to request that the Commission consider her sole proprietorship application with the trade name, "Shay Realty".

Ms. Furusho stated that "Shay Realty" is named after her daughter, Shay, who was also present at the meeting. She said that she hopes that her daughter would eventually be able to take over the business when she is ready. Shay does not have a real estate license. Ms. Furusho will be the principal broker and sole proprietor of Harriet E. Furusho dba Shay Realty.

Ms. Furusho was informed of Section 467-9(b), HRS.

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

David Hardy

Mr. Hardy was present to request that the Commission consider his request for an equivalency to two years experience and the ten transaction requirement for a broker's experience certificate.

Mr. Hardy stated that he had sent the experience statements to all of his previous principal brokers but only one responded. He does not have any copies of his transactions. His former principal brokers have not submitted any experience statements.

Mr. Hardy was informed that the application for the broker's experience certificate does state the procedures to be followed if an applicant is having difficulties in getting his principal broker to certify his experience statement or provide copies of transactions.

Mr. Hardy stated that he did not follow the procedures because he wanted to speak to the Commission personally about the problems that he was experiencing.

Mr. Hardy was informed that the laws and rules specify the minimum that a broker applicant has to do in order to have his application for an experience certificate considered. In addition to filing the steps stated in the experience certificate, it is also recommended that an applicant file a complaint with the Regulated Industries Complaints Office if they are having problems getting their experience statements certified. Mr. Hardy was informed that because he did not complete the minimum required in this process, his application was incomplete.

Mr. Hardy stated that he has ten years experience in Hawaii and six years in Colorado. His field of expertise in Hawaii is in the field of time share. He stated that the salespersons are not provided with any records of the transactions. Sales commissions are paid in an expedited fashion, usually two weeks after the sale and prior to closing. He does not have any records of the transactions he was involved in. His previous principal brokers are not available for him to send a certified letter. Mr. Hardy feels that he is qualified to be a broker, based on the number of transactions he has completed. He stated that he feels that his situation is one that he was best able to explain personally. He doesn't think that his principal brokers have copies of the transactions. He stated that some of the principal brokers that he worked with in the past are not available because they moved out of state.

Mr. Hardy was asked if he kept copies of the transactions and if not, if it was possible for him to obtain copies of the transactions. Mr. Hardy stated that he did not keep copies of the transactions, but it would be possible for him to get copies of the transactions if he contacted the title company. Mr. Hardy stated that he had 70 transactions, of which 15 were his own listings. He stated that once the transactions were closed, he didn't retain any records.

Mr. Hardy was asked if he had a list of buyers and sellers. Mr. Hardy stated that he had a list of buyers. The principal broker of The Vacation Store was very secretive of the seller's names. He never had knowledge of the sellers names. He procured the buyer and wrote the contracts and received his commission but he didn't know who the seller was.

Mr. Hardy stated that he feels that there is a definite lack of resale companies in the State and on Oahu. The developers are only interested in new projects. There is no one available on Oahu now to handle resales. He has the expertise but he is not able to sufficiently document the transactions. He has made his living full-time in the time share industry.

Mr. Hardy was asked what his responsibilities were. Mr. Hardy stated that he was responsible for getting the buyer to sign the contract and submit it to the company. He acquired listings from private owners that wanted to sell. He was the listing agent and the seller's agent on those contracts. On other transactions, he helped the buyer but did not know who the seller was.

Mr. Hardy was asked if he has any active listings currently. Mr. Hardy stated that he is licensed with a development company and he does not have any active listings today. His last active listing was two months ago but he does not have a copy of that listing. In the normal course of doing business in time share, he does not keep any records. He relies solely on the company to keep copies of the records.

Mr. Hardy was asked if he handled the contract from beginning to end as a real estate salesperson working for a real estate broker in this State. No. Mr. Hardy stated that if he did find a buyer and a seller, he would pass it on to another broker and would receive a referral fee. He did not follow the transaction from beginning to end. His expertise was not in handling whole units. Mr. Hardy stated that he wasn't allowed to do this while he was working at the Vacation Store. He has a lot of experience in the OPC end of the business. During the periods that his license was inactive, he was concentrating on the outside public contact side end of the business.

Mr. Hardy was asked if he had any certificates or if he completed any educational courses. He stated that he only completed the continuing education courses. He did not have any certification from a nationally recognized group/organization. He took courses in Colorado and had certificates for completing courses 18 years ago.

Mr. Hardy was informed of Section 16-99-3(q), HAR.

Mr. Hardy was informed that had he followed the procedures on what to do if he was having difficulties in getting an experience statement from his principal brokers, the Commission's staff would have pursued action against the principal brokers. The Commission is unable to help him without his first having taken the steps outlined in the instructions. It was recommended that Mr. Hardy avail himself of that opportunity.

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

Kang Cheng Shih

Mr. Shih requested that his application be considered in executive session.

Commissioner Kuriyama was excused from the meeting.

Executive Session: Upon a motion by Commissioner Kano, seconded by Commissioner Butuyan, it was voted on and unanimously carried to enter into executive session at 10:06 a.m., pursuant to Section 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 Hirata, seconded by Commissioner Lee, it was voted on and unanimously carried to move out of executive session at 10:14 a.m., and to take this matter under advisement.

Commissioner Kuriyama returned to the meeting.

George Lambing

Mr. Lambing requested that his application be considered in executive session.

Executive Session: Upon a motion by Commissioner Hirata, seconded by Commissioner Lee, it was voted on and unanimously carried to enter into executive session at 10:15 a.m., pursuant to Section 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 Hirata, seconded by Commissioner Kuriyama, it was voted on and unanimously carried to move out of executive session at 10:20 a.m. and to take this matter under advisement.

Richard Takase

Commissioner Hirata and Imamura were excused from the meeting due to possible conflict of interest.

Mr. Takase was present to request an equivalency to two years experience and ten transactions, of which three are closed sales and three are closed listings.

Mr. Takase submitted letters of recommendation requesting a waiver of the experience requirements. Mr. Takase also stated that the transactions that he submitted were five years old. It took him four years to get his office and his license in good standing. He stated that he had experienced confusion and bad luck with the Licensing Branch. He stated that he went to a prelicensing school and obtained his certificate of completion. He applied for an experience certificate and was told that his transactions were outdated. He has owned his own real estate company, Interstate Maui, since 1988. He has had to

hire several real estate firms and attorneys to do the development of real estate. He continues to farm out his real estate transactions under the real estate licensing laws.

During the four years that he wasn't licensed, he was involved in the development of condos, subdivisions, and shopping centers. The real estate work was done by other people.

Mr. Takase stated that he had gotten his experience certificate and school certificate of completion in 1989. He was so involved that he never had the time to take the real estate examination. When he found the time, he had problems with his license. For four years he had to farm out the transactions to avoid being prosecuted for unlicensed activity.

When asked if he had taken any educational courses in the last four to five years, Mr. Takase stated that he had only taken the real estate broker's prelicensing course. Mr. Takase was then asked if he had any professional designations or certificates. He stated no.

Mr. Takase stated that in the last four years his work consisted of marketing, researching sales trends and doing feasibility studies in acquiring property. He learned a lot about engineering and the County process. When the project was completed, he would take it to various real estate firms to set the parameters.

When he was with Whalers Realty, he was learning the business and took some courses from the Maui Board of Realtors. His partner at Interstate Maui, who had a broker's license, relocated to the East Coast. He stated that Interstate Maui is a small company, but they do a lot of work in the industry.

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

Restoration of Forfeited License

Grace Wang

Ms. Wang was present to request that the Commission consider her course completion certificate, dated June 14, 1993.

Ms. Wang stated that she had experienced some hardship and didn't remember the date that she was to have submitted evidence of completing the course by. She stated that her father has glaucoma and her mother has shingles. Her parents sold their house and bought an interest in her house. Her father got sick and her mother cannot work. She took care of her parents. After she finished the course, she misplaced her certificate and she had to wait a few days for a duplicate certificate to be issued.

Ms. Wang was asked if she would be working full-time in real estate. She stated that she would be working part-time.

Upon a motion by Commissioner Kano, seconded by Commissioner Kuriyama, it was

voted on and unanimously carried to take this matter under advisement.

Committee Reports: **Condominium and Cooperative Review Committee**

Upon a motion by Commissioner Kuriyama, seconded by Commissioner Lee, it was voted on and unanimously carried to approve the report and recommendations of the June 9, 1993 Condominium and Cooperative Review Committee, as follows:

1. Accept the minutes of the May 12, 1993 meeting, as is.
2. Hawaii Real Estate Research and Education Center Report - Distributed status report to the Commissioners via mail.
 - a. Condominium Association Budget and Reserves
 - (1) Manual - Notice inserted in Fall/Winter Condo Bulletin to pick up reserve manuals; response has been slow.
 - (2) Workshops - No new developments; anticipating presenting a fall session on Kauai, either late August or early September.
 - b. Five Year Education and Research Plan - Awaiting Supervising Executive Secretary's response.
 - c. Hawaii Condominium Bulletin - Spring, 1993 issue distributed.
 - d. Board of Director's Manual - Center staff person in charge of manual incorporating comments solicited from focus group and REC staff. Discussed recommended topics for next chapters based on informal survey results.
 - e. "Condo Living" Newspaper Column - Pending further research.
 - f. Condominium Seminars - CAI seminars being coordinated with staff, awaiting final plans regarding speakers from CAI, anticipate July or August 1993 delivery date.
 - g. Federal Leasehold Study - Dr. Ordway will be working on this project.
 - h. Program of Work and Budget FY1994 - Chairpersons and staff to work with HREREC for next submission.
3. Budget and Finance Committee Report
Accept CMEF Financial Statements of April 30, 1993.
4. Program of Work
 - a. Condominium Reference Library - Order has been revised because some books were not available; these books will be replaced and will be received within 2 to 4 weeks.
 - b. 1993 Legislative Report - SES discussed various acts and their relation to housing and leasehold issues.
 - c. Out-of-State Condominium Projects - Consultant Mitchell Imanaka gave a progress report on the work done thus far.
 - d. Biennial Symposium and Meetings - Report given by Condominium Specialists V. Shiroma and S. Okumura on CCRC meeting at symposium held June 3, 1993.
 - e. Proposed Program of Work and Budget, FY94 & FY95 - The proposed programs of work for fiscal year 1994-95 were reviewed by the SES. Discussion on comments, recommendations, and criticisms on program of work and budget received at symposium. Chairpersons to work with staff for the next submission.

5. Project Registration, Public Reports, and Sales to Owner-Occupants
 - a. State Task Force for Streamlining Land Use Approval Process for Housing Construction - Condominium Specialist Shiroma and Supervising Executive Secretary Kimura provided brief comments to supplement their report on the meeting they attended. Reported that the meeting was a good opportunity to learn about the players and agencies involved in the development process; Ms. Shiroma reported that she will be attending their monthly meetings.
6. Condominium Governance and Management
 - a. Request for Waiver of Association Registration Penalties - Mr. Harold Burger, property manager for Hawaiiana Management Company, testified in support of his interpretation of HRS §514A and the provisions relating to the authorization of penalties for late fees. While the Commission has the authority to impose penalties on the registration and education fund payments, late fees are not applicable under this specific situation. In that, the penalty provisions are instituted if payment of the registration fee or CMEF fee is not paid by March 1. Paid is considered by a negotiable instrument for the correct amount.
 - b. Open Forum - Discussion between Commissioner Kuriyama and HREREC's Cynthia Yee about following up on Mr. Louis Garcia's suggestion (at the June symposium) that more board members be included in the focus groups and to solicit their input more often. Ms. Yee agreed and said that this is being done.
7. Next Meeting: July 14, 1993
Kapuaiwa Room
HRH Princess Victoria Kamamalu Building
1010 Richards Street, Second Floor
Honolulu, Hawaii

Laws and Rules Review Committee

Upon a motion by Commissioner Kano, seconded by Commissioner Imamura, it was voted on and unanimously carried to approve the report and recommendations of the June 9, 1993 Laws and Rules Review Committee Meeting, as follows:

1. Approve the minutes of the May 12, 1993 Laws and Rules Review Committee Meeting, as circulated.
2. HREREC distributed Draft #2 of the Program of Work and Budget FY 1994. Staff and Chairpersons to meet and work with HREREC staff for next submission.
3. Reported on the 11th Planning and Budget Symposium, June 3, 1993, for LRRC and ERC.
4. Proposed Program of Work and Budget, FY94 & FY95, for LRRC and ERC was discussed, including comments, recommendations, and criticisms from symposium. Staff to work with Chairpersons for next submission.
5. Condominium hotel operator concerns and issues - AGO to review and provide advisement by next CCRC meeting.
6. Commissioner Hirata to be appointed as a member of the Condominium and

Cooperative Review Committee and the Laws and Rules Review Committee, effective as of the June 9, 1993 Committee Meetings and that Commissioner Lee be appointed as a member of the Education Review Committee, effective as of the June 24, 1993 Committee meeting.

7. Next Meeting: Wednesday, July 14, 1993
10:30 a.m.
Kapuaiwa Room
HRH Princess Victoria Kamamalu Building
1010 Richards Street, Second Floor
Honolulu, Hawaii

Education Review Committee

Upon a motion by Commissioner Hirata, seconded by Commissioner Kano, it was voted on and unanimously carried to approve the report and recommendations of the June 24, 1993 Education Review Committee Meeting, as follows:

1. Approved May 27, 1993 minutes.
2. Budget and Finance Committee Report
 - a. Commission accept the proposal submitted by Ikeda and Wong CPA, Inc., the accountant selected by the Department of Accounting and General Services (DAGS), to audit the real estate education fund, the real estate recovery fund, and the condominium management education fund for fiscal years 1992 and 1993 for the following estimated fees:
Real Estate Education Fund, \$ 11,800
Real Estate Recovery Fund, \$ 4,800
Condominium Management Education Fund, \$ 11,800
 - b. Approve reinvestment of \$100,000 from the condominium management education fund and \$200,000 from the real estate recovery fund for an additional 90 days through the State system.
 - c. Approve the Budget for FY1994 and FY1995 for the Real Estate Education Fund, the Real Estate Recovery Fund, and the Condominium Management Education Fund.
3. HREREC Report
 - a. Five Year Education and Research Plan - Imperative to complete by next ERC meeting, should be the highest priority. Dr. Ordway needs to coordinate with all interested participants for finalization immediately upon return from China.
 - b. Evaluation System for Schools, Providers, Instructors, and CE Courses - HREREC to make revisions as recommended by Commission staff.
 - c. Item Writing
 - 1) Approve the Hawaii Education Review Committee's revised Hawaii State Content Outline.
 - 2) HREREC revise the new salesperson and broker curriculum to include reference to specific statutes as they appear on the Hawaii State Content Outline, as revised by the Hawaii Test Development Committee.
 - 3) Reference to the "Good Funds Act" be deleted from the

Hawaii State Content Outline.

- 4) Deny ASI's proposed Hawaii Outline/Blueprint changes.
- d. Maui Manual - HREREC will make revisions and present a copy to REC for file purposes.
- e. A Real Estate Consumer's Regulatory Protections in Hawaii - Brochure at printers (700 copies for Commission, 300 copies for HREREC).
- f. HREREC Program of Work and Budget for Fiscal Year 1993-94
Accept HREREC Program of Work and Budget for Fiscal Year 1993-94, dated June 10, 1993, subject to Commission and staff review.
4. Continuing Education Administration, Curriculum, Courses, Providers and Instructors
 - a. Application and Certification Issues
 - 1) Approve Pence School of Real Estate's Request to Suspend Operations
 - 2) Approve Sam Young as a CE instructor for RS 202.
 - 3) Approve Waikiki Realty Real Estate School Renewal of Registration for Continuing Education Provider.
5. Prelicensing Education Administration, Curriculum, Schools and Instructors
 - a. Application and certification issues
 - 1) Approve Pence School of Real Estate's Request to Suspend Operations.
 - 2) Approve Waikiki Realty Real Estate School Renewal of Registration for Prelicense Real Estate School.
6. Program of Work and Budget, FY1993
 - a. Instructor's Development Workshop
Accept HAR's accounting of the May 1993 HAR IDW and staff to finalize.
7. Program of Work and Budget, FY1994 and FY1995
 - a. Approve the Program of Work and Budget, Education Review Committee, Draft #3 - ZZ.
 - b. Approve the Program of Work and Budget, Laws and Rules Review Committee, Draft #3 - ZZ.
 - c. Approve the Real Estate Education Fund and Real Estate Recovery Fund Budgets for FY1994 and FY1995.
8. Next Meeting: Thursday, July 29, 1993
9:00 a.m.
Kapuaiwa Room, Second Floor
HRH Princess Victoria Kamamalu Building
1010 Richards Street
Honolulu, Hawaii

Licensing:

Ratification

Upon a motion by Commissioner Kano, seconded by Commissioner Kuriyama, it was voted on and unanimously carried to ratify the following:

Brokers

Linda Caleo dba Pacific Horizons Properties
C & C Realty, Inc. dba Turtle Bay Condo
Sasha Lim Bock Hong Genovia dba Island Host
John Cowie Reilly
International Property Investment, Inc.
Koloa Land Company, Ltd.
Real Estate Referral Center, Inc.
Francis Goffredo

Partnership

Pacific Resource Realty

Trade Name

Shirley A. Onishi dba Shirley Onishi, Realtor
Kapalua Land Company, Ltd. dba The Kapalua Villas
LCF Inc. dba All-Islands Time Share Resales
Lentz Real Estate Inc. dba Vanguard Vacation Rentals
Dorothy F. Delaney dba Rancho Riviera Realty
Steven M. Nariyoshi dba Steven Nariyoshi, Realtor
Klahani Resorts Corporation fka Klahani Investments, Inc.

Condominium Hotel Operator

Jack H. Nowell dba Ridge Realty/Rentals

Site Office

Gentry Realty, Ltd., The Arbors
Pacific Homes, Moanalua Village
Pacific Homes, Na Pali Haweo
West Oahu Realty, Inc., Olaloa, Project I and Project II
McCormack Real Estate dba Coldwell Banker McCormack Real Estate, One Kalakaua
Senior Living
Halona Kai Properties, Inc., Halona Kai
Kapalua Realty Co., Ltd., Plantation Estates
Consolidated Resorts, Inc., Kahana Villa Resort
Gold Coast Realty, Inc., The Bay Club at Waikoloa Beach Resort

Condominium Project Registration - Public Reports Issued for the Month of May 1993

Kuakini Physicians' Tower, Honolulu (Preliminary)
Kai Ikena Condominium, Kauai (Final)
Kohala Estates Lot 616, Hawaii (Final)
Anini Mauka, Kauai (Final)
Kapahi Farm, Kauai (Final)

Na Hui Pali 7L, Hawaii (Final)
Na Hui Pali 7M, Hawaii (Final)
Kea Lani, Maui (Final)
71 Miner Place, Maui (Second Supplementary)
Kuahiwi Mauka, Kauai (Final)
Honua Farms, Kauai (Final)
Kanepoonui Condominium, Kauai (Final)
Zion Farm, Maui (Final)
Kaanapali Alii, Maui (Supplementary)
Palani 1 Condominiums, Hawaii (Final)
1592 & 1592-A Hanai Loop, Honolulu (Final)
Maier II Condominium, Hawaii (Final)
Malanai Iki, Honolulu (Preliminary)

Executive Session:

Upon a motion by Commissioner Hirata, seconded by Commissioner Lee, it was voted on and unanimously carried to enter into executive session at 11:01 a.m., pursuant to Section 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 Hirata, seconded by Commissioner Kuriyama, it was voted on and unanimously carried to move out of executive session at 11:45 a.m.

Licensing:

Restoration of Forfeited License

Richard H. Goh

After a review of the information submitted, Commissioner Lee moved to approve the restoration of Mr. Goh's real estate salesperson's license. Commissioner Kano seconded the motion. The motion was voted on and unanimously carried.

Grace Wang

After a review of the information presented by the applicant, Commissioner Kuriyama moved to approve restoration of Ms. Wang's real estate salesperson's license. Commissioner Hirata seconded the motion. The motion was voted on and unanimously carried.

Questionable Applications

Ronald L. Hillman

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

Roy E. Takushi dba Ohana Realty

After a review of the information submitted by the applicant, Commissioner Kano moved to approve the real estate sole proprietorship application of Roy E. Takushi dba Ohana Realty. Commissioner Lee seconded the motion. The motion was voted on and unanimously carried.

Louis Z. Fishman

After a review of the information submitted by the applicant, Commissioner Hirata moved to deny Mr. Fishman's application for a real estate salesperson's license, based on §467-8(3). Commissioner Imamura seconded the motion. The motion was voted on and unanimously carried.

Bruce W. Hughes

After a review of the information submitted by the applicant, Commissioner Butuyan moved to approve Mr. Hughes's application for a real estate salesperson's license. Commissioner Lee seconded the motion. The motion was voted on and carried. Commissioner Hirata abstained from voting.

Kang Cheng Shih

Commissioner Kuriyama was excused from the meeting due to a conflict of interest.

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

Commissioner Kuriyama returned to the meeting.

Thomas S. Abel

After a review of the information submitted by the applicant, Commissioner Kuriyama moved to approve Thomas S. Abel's sole proprietorship application. Commissioner Butuyan seconded the motion. The motion was voted on and unanimously carried.

John W. Clear dba Windward Hale

After a review of the information submitted by the applicant, Commissioner Lee moved to approve John W. Clear dba Windward Hale's sole proprietorship application. Commissioner Kano seconded the motion. The motion was voted on and unanimously carried.

The Development Group Realty, Inc.

After a review of the information submitted by the applicant, Commissioner Butuyan moved to approve the corporation broker application of The Development Group Realty, Inc. Commissioner Hirata seconded the motion. The motion was voted on and unanimously carried.

Harriet E. Furusho dba Shay Realty

After a review of the information presented by the applicant, Commissioner Lee moved to deny Harriet E. Furusho dba Shay Realty's application for a sole proprietorship, based on §467-9(b), HRS. Commissioner Hirata seconded the motion. The motion was voted on and unanimously carried.

Marilyn S. Knutson dba Knutson and Associates

After a review of the information submitted by the applicant, Commissioner Imamura moved to approve the condominium hotel operator registration of Marilyn S. Knutson dba Knutson and Associates. Commissioner Lee seconded the motion. The motion was voted on and unanimously carried.

Richard Takase

Commissioners Hirata and Imamura were excused from the meeting due to possible conflict of interest.

After a review of the information presented by the applicant, Commissioner Kuriyama moved to deny Mr. Takase's request for an equivalency to two year's experience and the ten transaction requirement, three closed sales and three closed listings and recommends that any future application shall be complete before consideration. Commissioner Lee seconded the motion. The motion was voted on and unanimously carried.

Commissioners Hirata and Imamura returned to the meeting.

David W. Hardy

After a review of the information presented by the applicant, Commissioner Imamura moved to deny Mr. Hardy's request for an equivalency to two year's experience and the ten transaction requirement, three closed sales and three closed listings and recommends that any future application shall be complete before consideration. Commissioner Lee seconded the motion. The motion was voted on and unanimously carried.

George R. Lambing

After a review of the information presented by the applicant, Commissioner Hirata moved to deny Mr. Lambing's request for an equivalency to one month's experience and eight transactions, two closed listings and two closed sales, however, the Commission will approve an equivalency of one month's experience and eight real estate transactions for one year. Mr. Lambing will have to meet the two closed listings and two closed sales requirements. Commissioner Butuyan seconded the motion. The motion was voted on

and unanimously carried.

Calvin Y. Ogata

After a review of the information submitted by the applicant, Commissioner Kano moved to approve Mr. Ogata's request for an equivalency to one closed listing. Commissioner Imamura seconded the motion. The motion was voted on and unanimously carried.

Linda S. Caleo

After a review of the information submitted by the applicant, Commissioner Kuriyama moved to deny Ms. Caleo's request for a refund of the reactivation fees. Commissioner Lee seconded the motion. The motion was voted on and unanimously carried.

Nicholas L. Caleo

After a review of the information submitted by the applicant, Commissioner Butuyan moved to deny Mr. Caleo's request for a refund of the reactivation fees. Commissioner Hirata seconded the motion. The motion was voted on and unanimously carried.

Janis Y. Chun dba Evans Realty

After a review of the information submitted by the applicant, Commissioner Kuriyama moved to deny Ms. Chun's request for reconsideration. Commissioner Lee seconded the motion. The motion was voted on and unanimously carried.

Approval of

Upon a motion by Commissioner Kano, seconded by Commissioner Lee, it was voted Minutes: on and unanimously carried to approve the minutes of the May 28, 1993 Real Estate Commission meeting, as circulated.

Next Meeting:

Friday, July 30, 1993
9:00 a.m.
Kuhina Nui Room
HRH Princess Victoria Kamamalu Building
1010 Richards Street, Second Floor
Honolulu, Hawaii

Adjournment: With no further business to discuss, Vice-Chairperson Dew adjourned the meeting at 11:48 a.m.

Reviewed and approved by:

Calvin Kimura
Supervising Executive Secretary

Date