

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, April 28, 1995

Time: 9:00 a.m.

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

Present: Marcus Nishikawa, Chair, Oahu Member
Barbara Dew, Vice Chair, Oahu Member (Late arrival)
Charles Aki, Hawaii Member
Theo Butuyan, Public Member
Alvin Imamura, Maui Member
Stanley Kuriyama, Oahu Member
Carol Mon Lee, Public Member
Nora Nomura, Public Member

Calvin Kimura, Supervising Executive Officer
Christine Rutkowski, Executive Officer
Jan Yamane, Real Estate Specialist
Lee Ann Teshima, Real Estate Specialist
Shari Wong, Deputy Attorney General
Marlene Young, Special Deputy Attorney General
Irene Kotaka, Secretary

Nicki Thompson, Hawaii Association of Realtors
Karla Rae Payne
Derek Wood
Sally Terwilliger
Thomas Caprio
Neil Petagno
Jason Lum
Jeff Watts
Michael M. Dyer

Excused: Michael Ching, Kauai Member

Call to Order: The Chair called the meeting to order at 9:12 a.m., at which time quorum was established.

Executive
Officer's Report:

Additions to the Agenda

Upon a motion by Commissioner Imamura, seconded by Commissioner Butuyan, it was voted on and unanimously carried to add the following items to the agenda:

9. Licensing - Questionable Applications
 - u. Deborah L. Senesac
 - v. Charles M. Fuchigami dba CMF Properties
 - w. Wendell F. Brooks, Jr.
 - x. Coast Properties, Ltd.

Additional Distribution

6. Committee Reports
 - a. Condominium and Cooperative Review
9. Licensing - Questionable Applications
 - a. Sally Terwilliger
 - t. Derek K. Wood

Adjudicatory Matters:

The Chair called for a recess from the meeting at 9:13 a.m., to discuss and deliberate on the following adjudicatory matters, pursuant to Chapter 91, Hawaii Revised Statutes:

Barbara J. Bradley fka Barbara Jorene Jacobs, REC 94-243-L

Upon a motion by Commissioner Lee, seconded by Commissioner Butuyan, it was voted on and unanimously carried to defer decision making on this matter.

Paradise Realty & Services, Inc., Paul R. Grant and Lauren B. Koch, REC 94-92-L

Upon a motion by Commissioner Kuriyama, seconded by Commissioner Nomura, it was voted in and unanimously carried to accept the Settlement Agreement Prior to Filing of Petition for Disciplinary Action and Commission's Final Order.

Charles C. Underwood aka Chuck Underwood, REC 92-92-L

Upon a motion by Commissioner Imamura, seconded by Commissioner Aki, it was voted on and unanimously carried to delegate to the Administrative Hearings Office to conduct a hearing on the motion for disciplinary action against real estate salesperson's license and prepare a proposed Findings of Fact, Conclusions of Law and Recommended Order in compliance with Chapter 91, HRS. Staff to review delegation of authority to staff on future motions for further disciplinary actions and report back to the Real Estate Commission at its May 26, 1995 meeting.

Following the Commission's review, deliberation and decisions in these matters, pursuant to Chapter 91, HRS, the Chair announced that the Commission was reconvening its scheduled meeting at 9:49 a.m., pursuant to Chapter 92, HRS.

Executive Session: Upon a motion by Commissioner Imamura, seconded by Commissioner Aki, it was voted on and unanimously carried to move into executive session, pursuant to Section 92-5(a)(4), "To consult with the board's attorney on questions and issues pertaining to the board's powers, duties, privileges, immunities, and liabilities;"

Upon a motion by Commissioner Aki, seconded by Commissioner Lee, it was voted on and unanimously carried to move out of executive session.

Real Estate Recovery
Fund Report:

**Fernando and Carolina Agustin v. Alberto Ulibas Ugalino, et al., First Circuit
Civil No. 92-0024-01**

Upon a motion by Commissioner Imamura, seconded by Commissioner Aki, it was voted on and unanimously carried that the Commission not oppose the motion for order directing payment out of the recovery fund for \$50,000 and that the plaintiff assign the judgment to the Real Estate Commission.

**Epitacio Urban Garcia, Jr. v. Ranolfo Ugalino, Sr., et al., First Circuit Court,
Civil No. 91-2680-08**

Upon a motion by Commissioner Imamura, seconded by Commissioner Aki, it was voted on and unanimously carried that the Commission not oppose the motion for order directing payment out of the recovery fund for \$25,000 and that the plaintiff assign the judgment to the Real Estate Commission.

Minutes of
Previous Meetings:

Minutes of the March 1995 Real Estate Commission Meeting

Upon a motion by Commissioner Lee, seconded by Commissioner Imamura, it was voted on and unanimously carried to amend the minutes of the March 1995 Real Estate Commission Meeting, as follows:

1. Commissioner Nomura was present at the meeting.
2. Licensing and Registration - Ratification
Condominium Managing Agents - Assets Property Management Corporation should be listed as Asset Property Management, Inc.

Licensing:

Questionable Applications

Karla R. Payne

Ms. Payne was present to answer any questions regarding the renewal of her real estate salesperson's license. Ms. Payne requested that this matter be considered in executive session.

Executive
Session:

Upon a motion by Commissioner Lee, seconded by Commissioner Imamura, it was voted on and unanimously carried to move into executive session, 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 Imamura, seconded by Commissioner Lee, it was voted on and unanimously carried to move out of executive session.

Licensing:

Questionable Applications

Karla R. Payne

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

Derek K. Wood

Mr. Wood was present to request reconsideration of his request for equivalency to the Hawaii real estate transaction requirement for real estate broker experience certificate of one closed listing and three closed sales based on his experience and education.

Real Estate Specialist Teshima met with Mr. Wood prior to the meeting to review the transactions which were submitted previously. Mr. Wood does have three closed listings and is requesting an equivalency to three closed sales contracts.

Mr. Wood summarized his real estate experience over the past nine years. The majority of his transactions were in commercial real estate. He stated that he could get credit for two of his sales transactions in which he represented himself as a buyer.

He participated in 193 leases and had \$160 million in total consideration. Over the last nine years, he was involved in 70% of the largest lease transactions. He provided a list of the transactions to the Commission. He was involved in seven sales transactions, representing only one side of the agreement. He stated that he has represented the lessors for three of the most successful major buildings - Alii Place, City Financial Tower, and Bank of America.

Mr. Wood stated that he is an instructor for various courses and also offers training for CB Commercial Group. He submitted to the Commission a copy of the flyers in which he participated as an instructor (National Business Institute/Current Issues in Commercial Real Estate Leasing in Hawaii and Law Seminars International/1994 Advanced Conference on Commercial Real Estate Leases).

Mr. Wood stated that he was retained by the Victoria Ward Estate, to be the Director of Real Estate. He was hired to be principal broker and the head of real estate. He will not be buying or selling real estate. He will be managing properties.

On March 7, Mr. Wood requested an equivalency to three closed sales and one closed listing. He is now requesting an equivalency to three closed sales transactions. He has submitted two lease listings which have not closed and eleven lease transactions.

Mr. Wood was asked to submit the documentation to substantiate the two closed sales transactions. Mr. Wood stated that of the seven closed sales transactions in

which he participated, three were within the past four years and the remaining four were in 1991.

Mr. Wood stated that he had majored in Marketing at USC and that he had taken real estate courses as electives. Mr. Wood was asked if he had submitted a copy of the transcript from USC to show the real estate courses that he had completed. He stated that he would have to call USC to request the transcript because he does not have it. Mr. Wood was asked if he would be willing to provide information to verify his education. Mr. Wood answered in the affirmative.

Mr. Wood stated that he has attended seminars while he was at CB Commercial. He attended a course given by Arthur Anderson in Chicago, however, he was not given a certificate. He also stated that he has been involved in and was a guest speaker on commercial real estate. He has been asked by attorneys and accountants to speak on what is happening in real estate on commercial leases.

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

Sally Terwilliger

Sally Terwilliger was present to answer questions relating to her application for a real estate salesperson's license. Ms. Terwilliger requested that her application be considered in executive session.

Executive
Session:

Upon a motion by Commissioner Nomura, seconded by Commissioner Lee, it was voted on and unanimously carried to enter into executive session, 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 Nomura, seconded by Commissioner Aki, it was voted on and unanimously carried to move out of executive session.

Licensing:

Questionable Applications

Sally Terwilliger

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

Thomas E. Caprio

Thomas E. Caprio was present to request that the renewal of his real estate salesperson's license be approved. Mr. Caprio requested that his application be considered in executive session.

Executive
Session:

Upon a motion by Commissioner Aki, seconded by Commissioner Butuyan, it was voted on and unanimously carried to move into executive session, 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 Imamura, seconded by Commissioner Lee, it was voted on and unanimously carried to move out of executive session.

Licensing:

Questionable Applications

Thomas E. Caprio

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

Committee
Reports:

Condominium and Cooperative Review Committee

Waikiki Shore, Inc. - A letter was submitted by Jeff Grad, Esq., withdrawing their request for an exemption. The owner-occupant advertisement will be published and the project will conform to the requirements set forth in §514A, HRS.

Punahou Sunset - Jeff Watts was present to answer any questions the Commission may have.

Mr. Watts stated that his client has entered into an option agreement and wants to buy the entire project and offer it in fee to the purchasers. He asked if they could submit a supplemental public report. He stated that he does not understand the Commission's concerns. He stated that his clients are still considering the optionee arrangement and would like to issue a supplemental public report in the name of the optionee. He stated that they are willing to consider other alternatives if the optionee arrangement is not acceptable to the Commission.

His client would buy the units, but it would be structured with back to back closings instead of buying a block of units. They would commit to the buyer as soon as they are able to commit to enter into the sales contracts. There would be a binding agreement to buy the property between the fee owner and the fee buyer. If it is structured as an option, it would be as soon as they are able to get commitment for the first unit. All moneys would be held in escrow and nothing would be touched until closing.

There are concerns in allowing the money to be released if the developer does not hold title.

Mr. Watts stated that in prior situations, he felt that it was an escrow problem and not a title problem. They would set it up just as if they owned the fee. He personally does not see any additional risk.

Mr. Watts was asked what type of documentation would be recorded. Mr. Watts stated that the option to purchase and if that is unacceptable, they will consider

something else. There would be a back-to-back closing. If they had to buy the remaining units, they would. Mr. Watts stated that this is his tenth conversion. If this is not acceptable to the Commission, Mr. Watts stated that he is willing to come up with something that is acceptable to the Commission. Mr. Watts stated that his client does not want to have to put out all of the money to purchase the complete project immediately.

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

Upon a motion by Commissioner Lee, seconded by Commissioner Imamura, it was voted on and unanimously carried to approve the report of the April 12, 1995 Condominium and Cooperative Review Committee meeting as amended:

1. Accept minutes of March 8, 1995 meeting.
2. HREREC Report (distributed written report and Handout for 1995 Condominium Seminar)
 - a. Hawaii Condominium Bulletin - Spring 1995 issue is pending copyright permission with distribution early May 1995. Summer 1995 issue distribution is June 1995. Complete in FY95 except for extra issue.
 - b. Condominium Board of Directors Guide - Distribution of "Building Community Relations in Associations" anticipated for early May 1995. Anticipate printing of Insurance chapter by June 30, 1995.
 - c. Condominium Association Budget and Reserves Workshops - Hilo seminar canceled due to insufficient registration (2). April 8, 1995 Kauai seminar had 36 attendees and 17 evaluations. Comments received included the need for "community" and further education regarding reserves and the fiduciary duty article should be reprinted in condominium bulletin.
 - d. Condominium Survey - Survey data analysis will be rolled over to FY96 as seeking University assistance.
 - e. HREREC Interactive Program - Due to workload, HREREC staff will not attend the May CAI National Conference.
 - f. "Welcome to Condominium Living Booklet" - Deferred to next year. Requested that HREREC review HUD, California and CAI brochures on this topic.
 - g. Other - Requested that HREREC transmit advance copies of the HREREC report without addendum to Chair, Vice Chair and the Real Estate Branch prior to the meeting, including use of FAX.
3. Project Registration, Public Reports, and Sales to Owner-Occupants
 - a. Waikiki Shore, Inc. - Applicant withdrew request.
 - b. The Courtyards at Punahou - Transfer of Limited Common Element Storage Rooms between Apartments - Recommend approval that the developer comply as follows: 1) The transfer of storage room limited common elements appears to fall under section 5514A-11(12), HRS, which shall require "the vote or written consent of only the declarant or such percentage of apartment owners as is provided in the declaration"; and 2) It does not appear the proposed amendment would "render the public report misleading as to

- purchasers in any material respect" pursuant to section 514A-41, HRS, as the public report merely describes the storage rooms to be limited common elements and refers to the declaration for further information. Therefore, a supplementary public report would not be required.
- c. Punahou Sunset - Recommend to defer the matter to later in the meeting.
4. Program of Work
- a. Condominium Association Registration - 783 associations have successfully registered for 1995 to date.
 - b. Condominium Managing Agents Registration - 88 applications have been approved to date.
 - c. Condominium Project and Public Reports - DAGS reported concerns with regard to payments made to a condominium consultant as it impacts procurement law. Commissioners requested staff review the process to hire additional consultants and formulate an evaluation process of the present consultants and criteria for hiring additional consultants.
 - d. Condominium Mediation and Arbitration Program - Recommend approval to renew contracts with the Neighborhood Justice Center and Mediation Services of Maui, Inc. effective July 1, 1995 to June 30, 1996, with a letter sent to Mediation Services of Maui, Inc. confirming the Real Estate Commission's intent to renew.
 - e. Neighbor Islands Outreach - The June Committee meeting will be held on Kauai on Friday, June 16, 1995.
5. Budget and Finance Report - Approved.
6. Next Meeting: Thursday, May 11, 1995
10:00 a.m.
Kapuaiwa Room
HRH Princess Victoria Kamamalu Building
1010 Richards Street, Second Floor
Honolulu, Hawaii

Laws and Rules Review Committee

Upon a motion by Commissioner Kuriyama, seconded by Commissioner Nomura, it was voted on and unanimously carried to approve the report of the Laws and Rules Review Committee Meeting on April 12, 1995, as follows:

1. Accepted minutes of the March 8, 1995 and October 12, 1994 meetings.
2. Hawaii Real Estate Research & Education Center Report (distributed report)
 - a. Broker Experience Certification - directed to finalize report and present to Committee, FY95 completion.
 - b. Advertising Brochure - finalizing for printing this month, FY95 completion.
 - c. PB and BIC Brochure - finalizing 3rd draft and print copy to be complete by June 30, 1995 but printing may not carryover to FY96.
 - d. Professional Responsibility Course - working with REC staff, carryover to FY96.
 - e. Real Estate Seminars - Seller Disclosure Seminars on going.

- f. Complete FY95.
Laws and Rules Manual and Reference Manual - will complete FY95.
- 3. Program of Work
 - a. Program of Work and Budget FY96 - presentation of working draft and discussion at next meeting.
 - b. Mandatory Continuing Education Legislation - inserted MCE bill (HB 1938) and REC housekeeping bill (HB 864, HD 1) in SB 1367, HD 1; Senate CON to decide to accept or go to conference committee.
 - c. Neighbor Island Outreach - LRRC, CCRC and ERC to meet in Kauai, June 16, 1995.
- 4. Special Issues - A. Joel Criz Request - Taken under advisement
- 5. Next Meeting: Thursday, May 11, 1995
9:00 a.m.
Kapuaiwa Room
HRH Princess Victoria Kamamalu Building
1010 Richards Street, Second Floor
Honolulu, Hawaii

Education Review Committee

Upon a motion by Commissioner Imamura, seconded by Commissioner Aki, it was voted on and unanimously carried to accept the amended report of the Education Review Committee Meeting on April 12, 1995, as follows:

- 1. Minutes of March 23, 1995 meeting - Recommend approval.
- 2. Hawaii Real Estate Research and Education Center Report - (distributed status report)
 - a. Examination - ASI Laws & Rules Report, Curriculum Review and Item Writing - Complete for FY95.
 - b. Broker Curriculum and Resources - awaiting REC decision on recommendation to increase from 46 hours to 75 hours and other options: if decision is made without substantive amendments will be complete FY95.
 - c. IDW and New Course Briefings - May 1995 - Recommend approval of HREREC's proposed one-day IDW, with HAR participation. May 9, 1995, IDW will complete program for FY95.
 - d. Continuing Education Core Course - awaiting legislation.
 - e. Continuing Education Elective Courses - awaiting legislation.
 - f. Five Year Education and Research Plan - Presently working on rollover year and will complete FY96.
 - g. Evaluation System for Schools, Providers, Instructors, and CE Courses - Complete for FY95. Modification only as needed.
 - h. Alternative Delivery of Real Estate Education - may not complete for FY95.

- i. Real Estate Summit I - Budget Balance - Complete. Final budget balance to be submitted to REC staff by HREREC by week of April 17, 1995.
- j. Publication Articles and Newspaper Columns - on-going
- k. Real Estate Hotline - on-going.
- l. Legislative Assistance Program - on-going.
- m. Information Distribution System - Complete by end of FY95.
- n. Consumer Guide - Seller Disclosure - awaiting legislature, may not complete FY95.
- o. Radio Program - on-going.
- p. RICO Analysis - complete for FY95.
- q. Real Estate Seminar - Seller Disclosure - complete by end of FY95.
3. Prelicensing Education Administration, Curriculum, Schools and Instructors - Application and Certification - 1995 Reregistered and Recertified Real Estate Schools and Instructors - Approved reregistration of prelicense school - Fahrni School of Real Estate and prelicense instructor - Helen K. Fahrni.
4. Program of Work and Budget - Annual Report and Quarterly Bulletin - Recommend approval of changing heading of "Disciplinary Actions" to "Administrative Actions".
5. Division Status Report - Begin serious effort in pursuing the division status of REC.
6. ARELLO, REEA, and Other Organizations Report - Recommend acceptance of the ARELLO Research and Education Fund Report, March 1995.
7. Budget & Finance - Do not renew contract with Dean Witter Reynolds, as securities are sold, funds to be deposited with DAGS and invested in CDs via DAGS.
8. Next Meeting: Thursday, May 11, 1995
1:30 p.m.
Kapuaiwa Room
HRH Princess Victoria Kamamalu Building
1010 Richards Street, Second Floor
Honolulu, Hawaii

Request for Extension of the "Agreement of the Hawaii Real Estate Research and Education Center" - Upon a motion by Commissioner Lee, seconded by Commissioner Imamura, it was voted on and unanimously carried to approve subject to receipt and review of HREREC Program of Work and Budget by first week in May for dissemination at May 11, 1995 meeting.

Commissioner Dew arrived.

The SEO reported on the status of pending legislative matters affecting the Real Estate Commission:

A Real Estate Specialist position was deleted from the budget in error. A formal letter was sent requesting that the position be included in the budget.

Moneys may have been confiscated from the Real Estate Education Fund and the Condominium Management Education Fund by the Legislature. Staff has been unable to confirm the amount or that the moneys have been confiscated.

The MCE bill is still alive and its fate will be decided by 12 midnight tonight. HB 871, CD1 requires that HREREC prepare a report on delegating authority over time shares to the counties. HB 2179, HD1, SD1, CD1 eliminates the audit requirement and clarifies the solicitation of proxies for condominium associations. It also requires that the Commission establish a plan for recodifying Chapter 514A, HRS.

Executive
Session:

Upon a motion by Commissioner Lee, seconded by Commissioner Aki, it was voted on and unanimously carried to move into executive session, 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 Lee, seconded by Commissioner Kuriyama, it was voted on and unanimously carried to move out of executive session.

Committee
Reports:

Condominium and Cooperative Review Committee

Project Registration, Public Reports, and Sales to Owner-Occupants - Punahou Sunset

Upon a motion by Commissioner Nomura, seconded by Commissioner Butuyan, it was voted on and unanimously carried to deny the issuance of a supplementary public report on an optionee agreement.

Licensing and
Registration:

Ratification

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

Brokers

Robert Y. Wong
Allen Y. P. Ng
Margo T. Bourland
Lin Poling Spry dba Powerhouse Realty
Starts International Hawaii, Inc.
Gordon W. Crabtree
Jack Richard Law
Linda M. L. Wong
William E. Crowe
Edward K. M. Chong, Jr. dba ProSource Real Estate
Lexon, Inc.
Resort Marketing International - Hawaii, Inc.
Joseph J. Mastriantonio dba Honolulu Realty
Daniel T. M. Choy dba Corinthians Realty
Heneliaka Realty, Inc.
Pacific Power Inc. dba Global Homes
Frances P. Smith

Real Estate Site Office

The Prudential Locations, Inc. - The Greenwood
West Oahu Realty, Inc. - Olaloa, Projects I, II & III
Schuler Realty / Oahu, Inc. - Country Club Village, Buildings
1, 2 & 3
Castle & Cooke Homes Hawaii, Inc. - Hillsdale, Phases I, II,
III & IV
Finance Realty, Ltd. - Makakilo Ridge
Maui Pacific Realty Partners, Inc. dba Kahana Ridge Realty -
Kahana Ridge
Maryl Development, Inc. - Sandalwood at Waimea
Aloha International Realty, Inc. - Cliffs at Princeville
Finance Realty, Ltd. - Westpark
Finance Realty, Ltd. - Palehua Pointe
Herbert K. Horita Realty, Inc. - Pae Ko Gardens
Realty Executives Hawaii - Waikoloa Village Unit 2AI
Savio Realty, Ltd. dba Better Homes and Gardens - The Parkside
Tongg Realty, Inc. - Olaloa, Projects II and III
The Prudential Locations, Inc. - Green View Villas
The Prudential Locations, Inc. - Kahala Kua
Castle & Cooke Homes Hawaii, Inc. - Mililani Mauka, Unit
107/108

Trade Names

Urban Management Corp. dba Urban Real Estate Co.
Business Dimensions, Ltd. dba BDL
E. Masa Shinsato dba Aloha Investors Realty International

Condominium Managing Agents

Skybird Properties, Inc.
C & C Realty, Inc.
Executive Properties, Inc. dba Executive Properties Management
Jim C. Turner dba Jim's Investment Management
Makai Management
PWI Real Estate, Inc.
RCI Management, Inc.

Condominium Hotel Operator

Molokai Partnership
C & C Realty, Inc.
AA Oceanfront Condominium Rentals, Inc.
Nancy H. Grantham dba Grantham Resorts & Real Estate
The Leal Corporation dba Aldridge Associates - Realtors
Hometrend, Ltd.
Windward Properties, Inc.
Leisure Properties, Inc.

Condominium Project Registration - Public Reports Issued Effective Dates in the
Month of March 1995

Los Amigos, Hawaii, Final
Iokepa Ranch, Hawaii, Final
Country Club Village, Phase 2 (Building 4), Honolulu,
Preliminary
Hale Makani Kai (fka Hawaii Kai Condo Project, Lot 5, File Plan 800, Honolulu,
Preliminary
Streamside at Launani Valley, Phase I, Honolulu, Preliminary
The Kahala Courtyard, Honolulu, Final
Huina Estates, Lot 1 Condominium Project, Hawaii, Final
Kuhio Village II, Honolulu, Supplementary
Uke'e Industrial Court, Honolulu, Second Supplementary
Kulanui Hale, Honolulu, Final
Kimolana II, Kauai, Final
Nanea Kalihiwai, Kauai, Final
Kuhio Village I, Honolulu, Supplementary
Lukepane Gardens, Honolulu, Final
Northpointe-Phase I, Honolulu, Final
Kidani Apartments, Hawaii (Final)
Hau'oli Land Condominium Project, Hawaii, Final
Ainalani Condominium Project, Hawaii, Final
The Terraces at Launani, Honolulu, Preliminary
The Gardens Upcountry, Maui, Preliminary
Waiaha Condominiums, Hawaii, Supplementary
87-1730-C Farrington Highway CPR, Honolulu, Final
Featheran Manor, Honolulu, Final
The Woodlands, Honolulu, Supplementary
Lot 8, Kalihiwai Ridge II, Kauai, Final
Kaloko Houselots Condominiums, Hawaii, Final
Loko Farms, Kauai, Final
Village on the Green at Waikele, Phase 1A, Honolulu,
Preliminary
Kanehoa, Lot 20. Hawaii, Final
Ka Momi Nani Heights, Honolulu, Final

Chair Nishikawa was excused from the meeting due to a conflict of interest. Vice Chair Dew presided over the meeting.

Ratification

Upon a motion by Commissioner Nomura, seconded by Commissioner Aki, it was voted on and unanimously carried to approve the real estate site office application of Marcus & Associates, Inc., for the site office at Iwalani - Village 5 of the Villages of Kapolei.

Chair Nishikawa returned to the meeting and resumed presiding over the meeting.

Licensing:

Restoration of Forfeited License

Kenneth L. Bailie

Salesperson

Audrey Lee Hoo	Salesperson
Hayden Clay Cox	Salesperson
Jean M. Cox	Salesperson

After a review of the information submitted by the applicant, Commissioner Kuriyama moved to approve the restoration of the real estate salesperson's licenses listed above, subject to submitting evidence of successfully passing the real estate salesperson's licensing examination, with a waiver of the education requirements. Commissioner Butuyan seconded the motion. The motion was voted on and unanimously carried.

Questionable Applications

Sally Terwilliger

After a review of the information presented by the applicant, Commissioner Lee moved to approve the real estate salesperson's application of Sally Terwilliger. Commissioner Aki seconded the motion. The motion was voted on and unanimously carried.

Michael M. Dyer dba Kilauea Real Estate Company

After a review of the information presented by the applicant, Commissioner Imamura moved to approve the real estate sole proprietor application of Michael M. Dyer dba Kilauea Real Estate Company. Commissioner Dew seconded the motion. The motion was voted on and unanimously carried.

Friendly Isle Realty, Inc.	Condominium Hotel Operator
Vacation Internationale, Ltd.	Condominium Hotel Operator

After a review of the information submitted by the applicant, Commissioner Butuyan moved to approve the condominium hotel operator re-registrations listed above. Commissioner Nomura seconded the motion. The motion was voted on and unanimously carried.

Cadmus Properties Corp.	Condominium Managing Agent
Lani Properties Corp.	Condominium Managing Agent
National Mortgage & Finance Company, Ltd.	Condominium Managing Agent
Maika'i & Associates, Inc.	Condominium Managing Agent

After a review of the information submitted by the applicant, Commissioner Aki moved to approve the condominium managing agent re-registrations listed above. Commissioner Imamura seconded the motion. The motion was voted on and unanimously carried.

James P. Lopes dba Hawaii Resort Management Condominium Hotel Operator

After a review of the information submitted by the applicant, Commissioner Kuriyama moved to approve the conditional condominium hotel operator re-registration of James P. Lopes dba Hawaii Resort Management. Commissioner Lee seconded the motion. The motion was voted on and unanimously carried.

Basilisa B. Batallia

After a review of the information submitted by the applicant, Commissioner Lee moved to approve the real estate broker renewal application of Basilisa B. Batallia. Commissioner Aki seconded the motion. The motion was voted on and unanimously carried.

Karla R. Payne

After a review of the information presented by the applicant, Commissioner Kuriyama moved to approve the real estate salesperson renewal application of Karla R. Payne. Commissioner Dew seconded the motion. The motion was voted on and unanimously carried.

Stephen S. Tsuzaki

After a review of the information submitted by the applicant, Commissioner Dew moved to approve the real estate salesperson renewal application of Stephen S. Tsuzaki. Commissioner Lee seconded the motion. The motion was voted on and unanimously carried.

Thomas E. Caprio

After a review of the information presented by the applicant, Commissioner Kuriyama moved to defer decision making on Thomas E. Caprio's real estate salesperson's renewal application pending receipt of additional documents. Commissioner Butuyan seconded the motion. The motion was voted on and unanimously carried.

Owner's Management Corporation

After a review of the information submitted by the applicant, Commissioner Dew moved to approve the corporation restoration application of Owner's Management Corporation with the zoning restrictions placed upon them by the County of Kauai. Commissioner Nomura seconded the motion. The motion was voted on and unanimously carried.

Thomas F. Schmidt, Tom Schmidt Realtors

After a review of the information submitted by the applicant, Commissioner Aki moved to approve the branch office application of Tom Schmidt Realtors with the zoning restrictions placed upon them by the City and County of Honolulu.

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

Carol A. Bucauto

After a review of the information submitted by the applicant, Commissioner Lee moved to deny Carol A. Bucauto's request for an equivalency to ten written transactions, three of which are listings closed escrow and three are sales closed escrow (one closed listing and two closed sales contracts) based on her real estate experience. Commissioner Nomura seconded the motion. The motion was voted on and unanimously carried.

John Philip Foti

After a review of the information submitted by the applicant, Commissioner Kuriyama moved to deny John Philip Foti's request for an equivalency to ten written transactions, three of which are listings closed escrow and three are sales closed escrow (20 commercial leases and education to three closed listings and three closed sales transactions). Commissioner Imamura seconded the motion. The motion was voted on and unanimously carried.

Froilon B. Domingo

After a review of the information submitted by the applicant, Commissioner Dew moved to approve the reinstatement of Froilon B. Domingo's real estate salesperson's license. Commissioner Butuyan seconded the motion. The motion was voted on and unanimously carried.

Deborah L. Senesac

After a review of the information submitted by the applicant, Commissioner Imamura moved to approve the real estate salesperson's license application of Deborah L. Senesac. Commissioner Nomura seconded the motion. The motion was voted on and unanimously carried.

Charles M. Fuchigami dba CMF Properties

After a review of the information submitted by the applicant, Commissioner Aki moved to approve the real estate sole proprietorship application of Charles M. Fuchigami dba CMF Properties. Commissioner Imamura seconded the motion. The motion was voted on and unanimously carried.

Wendell F. Brooks, Jr.

After a review of the information submitted by the applicant, Commissioner Nomura moved to approve Wendell F. Brooks, Jr.'s application for a real estate sole proprietorship. Commissioner Butuyan seconded the motion. The motion was voted on and unanimously carried.

Coast Properties, Ltd.

After a review of the information submitted by the applicant, Commissioner Butuyan moved to approve Coast Properties, Ltd.'s request for an extension of a temporary broker-in-charge status for three months. Commissioner Dew seconded the motion. The motion was voted on and unanimously carried.

For Sale By Owner Consultants, Incorporated

After a review of the information submitted by the applicant, Commissioner Kuriyama moved to deny the request for reconsideration of For Sale By Owner Consultants, Incorporated. The Commission's decision of March 24, 1995 stands. Commissioner Lee seconded the motion. The motion was voted on and unanimously carried.

Derek K. Wood

After a review of the information presented by the applicant, Commissioner Dew moved to approve Derek K. Wood's request for reconsideration and to approve Mr. Wood's request for an equivalency ten written transactions, three of which are listings closed escrow and three are sales closed escrow (one closed listing and three closed sales transactions). Commissioner Lee seconded the motion. The motion was voted on and unanimously carried.

Next Meeting:

Friday, May 26, 1995, 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, the Chair adjourned the meeting at 12:52 p.m.

Respectfully submitted by:

Christine Rutkowski
Executive Officer

Date