

**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, February 28, 1997

Time: 9:00 a.m.

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

Present: Stanley Kuriyama, Vice Chair  
Charles Aki, Hawaii Member  
Michael Ching, Kauai Member  
Alfredo Evangelista, Public Member  
Alvin Imamura, Maui Member  
Carol Mon Lee, Public Member  
Helen Lindemann, Oahu Member  
Nora Nomura, Public Member  
  
Calvin Kimura, Supervising Executive Officer  
Christine Rutkowski, Executive Officer  
Russell Wong, Real Estate Specialist  
Lee Ann Teshima, Real Estate Specialist  
Cynthia Yee, Senior Condominium Specialist  
Camille Chun Hoon, Condominium Specialist  
Shari Wong, Deputy Attorney General  
Irene Kotaka, Secretary

Nicki Thompson, Hawaii Association of Realtors  
Steve Gilbert, Hawaii Real Estate Research and Education Center  
Matthew Bassett, Attorney  
Von Batesol, Silver Hawk Development  
Earle Buckley, Applicant  
Ivan Nishiki, Applicant  
Peter Freeman, Honolulu Board of Realtors  
Mike Imanaka, Honolulu Board of Realtors  
Barry Sullivan, Attorney  
Gary B. K. T. Lee, Real Estate Recovery Fund Attorney  
Rodney S. Nishida, Real Estate Recovery Fund Attorney

Excused: Barbara Dew, Chair

Call to Order: The Vice Chair called the meeting to order at 9:11 a.m., at which time quorum was established.

Chair's Report: No report was presented.

Executive Officer's  
Report:

**Announcements, Introductions, Correspondence and Additional  
Distributions**

The following materials were distributed prior to the start of the meeting:

6. Licensing - Questionable Applications
  - c. Kenneth Allen Russell
8. Recovery Fund Report  
Vivian A. N. Chapman, et al. vs. Jeffrey S. Grad, et al., Civil No. 94-4754-12
9. Committee Reports
  - a. Laws and Rules Review Committee
  - b. Condominium Review Committee

Licensing and  
Registration -  
Ratification:

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

<u>Brokers - Corporations and Partnerships</u>	<u>Effective Date</u>
Industrial Real Estate Consultants, Ltd. IREC Marcia I. Moreno, pb	01/09/97
Lowry Properties, Inc. Century 21 First Pacific Properties Roslynn Lowry, pb	01/01/97
Good Earth Realty, Inc. D. Richard Steele, pb	01/07/97
Maryl Real Estate of Hawaii, Inc. Kenneth C. Kjer, pb	01/24/97
The Pinnacle Real Estate Corp. David Ishikawa, pb	01/31/97
Jim Wagner Realty, Inc. Jim Wagner, pb	01/21/97
Homeless Solutions, Inc. Terry N. Brooks, pb	01/01/97
<u>Brokers - Sole Proprietor</u>	<u>Effective Date</u>
Virginia P. McGowan Epic Realty	12/26/96
Kristin Engel	01/01/97
Gregory M. Blotsky	01/10/97
Michael A. Harismendy	12/27/96
John S. Mock J. Mock Realty	01/01/97
Anne Scheffelmaier Dalmally Realty	01/16/97
Ria Keltz-Remenar	01/15/97
William B. Beard	01/06/97
Christine L. Cheng	01/07/97
Sharon M. Wong	01/23/97
Karen Keanu Cardoza	01/22/97

<u>Brokers - Sole Proprietor</u>	<u>Effective Date</u>
Samson M. Tatsuguchi S. M. Tatsuguchi & Associates	01/15/97
Julie A. Lisle Maui Paradise Properties	01/24/97
Jerry E. Allen	01/23/97
Keith A. Sakata KAS RE Services	01/31/97
Patricia A. Rocco	01/27/97
Sonnia Petersen	01/01/97
Masako Kiwada	02/03/97
Dayton F. Caple	02/04/97
Neil P. Petagno	01/01/97
Melvin E. Shigeta	01/21/97
Stanley W. O. Lum	01/13/97
Beverly G Papalimu	01/01/97
Curt K. Haraga	01/30/97
 <u>Tradenname</u>	 <u>Effective Date</u>
Ricardo D. Seiler, Seiler Realty	01/16/97
Clifford Y. K. Yoshida, Sr. Clifford Yoshida, Sr. (Realtor) (fka Clifford Y. K. Yoshida, Sr., Leeward Realty Co.)	01/22/97
 <u>Site Office</u>	 <u>Expiration Date</u>
Finance Realty, Ltd. Royal Ridge	06/20/97
Castle & Cooke Homes Hawaii, Inc. Pacific Islanders, Unit 116B	07/16/97
Dale C. W. Ho, Dale Ho & Associates Piikoi Hale	07/23/97
Watt Hawaii Realty, Inc. Aelo Villages of Kapolei	08/09/97
Castle & Cooke Homes Hawaii, Inc. Havens of I'i Vistas	07/17/97
Iwado Realty, Inc. The Masters at Kaanapali Hillside	08/12/97
Maui Realty Company, Inc. Kua Aina Ridge	07/24/97
Tom Soeten Realty The Masters at Kaanapali Hillside	08/12/97
Herbert K. Horita Realty, Inc. Royal Kunia Phase 1 - Site 12	08/09/97
Maryl Group, Inc. Sandalwood at Waimea	07/17/97
Properties Unlimited, Inc. Iwalani - Villages of Kapolei 5	08/05/97
Gamrex, Inc. Kona Vistas Subdivision	08/03/97
The Makai Club Makai Club Cottages Makai Club at Princeville	08/17/97

Malama Realty Corp. Piilani Village	08/05/97
Schuler Realty/Oahu, Inc. KulaLei	08/22/97
Schuler Realty/Oahu, Inc. The Tropics at Waikele, Phases 1 and 2	09/07/97
Schuler Realty/Oahu, Inc. Village on the Green at Waikele, Phases 1A, 1B and 2A	10/27/97
Pahio Vacation Ownership, Inc. Pahio at Bali Hai Villas Pahio at Kauai Beach Villas Pahio at the Shearwater Pahio at Ka'eo Kai Hanalei Bay Resort Interval Ownership Program	09/15/97

<u>Branch Office</u>	<u>Effective Date</u>
Hawaii Affordable Properties, Inc. Michael Sohriakoff, pb Nancy K. Morgan, bic	01/01/97

<u>Education Waiver Certificate</u>	<u>Expiration Date</u>
Paul Brian Rowden	01/24/98
Inmaculada T Calica	01/28/98
Robert F. McClendon	01/28/98
Channing David Sherman	01/28/98
Nanette Chrisanta Macapanpan	01/28/98
Bruce Ian Don	02/04/98
Robert Charles O'Rourke	02/04/98
James Russell Owen	02/07/98
Helen Salee	02/03/98
Sharon D. Townsend	02/10/98
Roger Masao Yamada	02/10/98
Paul M. PageI	02/18/98
Douglas A. McOmber	02/18/98
David Silverman	02/18/98
Cliffie McOmber	02/18/98

<u>Real Estate Broker Experience Certificate</u>	<u>Expiration Date</u>
Roger M. Madriaga	01/30/98
Nedra M. Chung	02/10/98
Roy H. Ninomiya	02/12/98

<u>Real Estate Broker (upgrade)</u>	<u>Effective Date</u>
Linda N. Ashikawa	01/08/97
Judith Fu-Kuei Jackola	02/05/97

<u>Condominium Hotel Operator</u>	<u>Effective Date</u>
<b>1997-98 Reregistration</b>	
Village Realty Services Inc.	01/01/97
Colony Hotels and Resorts Company	01/17/97
Maui Kai Rental Program	01/01/97
Triad Management Inc.	01/01/97

Sun Corp	01/01/97
Sun Estates	
Asset Property Management, Inc.	01/01/97
Nancy H. Grantham	01/01/97
Grantham Resorts	
Ala Kai Realty, Inc.	01/01/97
Village Resorts, Inc.	01/01/97
Klahani Resorts Corporation	01/01/97
Blue Water Development, Inc.	01/01/97
Marriott Hotel Services, Inc.	01/01/97
All World, Inc.	01/01/97
Haleakala Shores Resort	01/01/97
Paradise Management Corporation	01/01/97
Prosser Realty Inc.	01/01/97
Village West Realty Inc.	01/01/97
Hawaii Resort Management, Inc.	01/24/97

<u>Condominium Managing Agent</u>	<u>Effective Date</u>
<b>1997-98 Reregistration</b>	
Village Realty Services, Inc.	01/01/97
Lowell D. Funk, Inc.	01/01/97
Paradise Management Corp.	01/01/97
Asset Property Management, Inc.	01/22/97
City Properties, Inc.	01/01/97
Management Consultants of Hawaii, Inc.	01/01/97
Colony Hotels and Resorts Company	01/17/97
Ala Kai Realty, Inc.	01/01/97
Village Resorts, Inc.	01/01/97
Klahani Resorts Corporation	01/01/97
Management, Inc.	01/01/97
Meridian Properties, Inc.	01/01/97
The Prudential Locations Inc.	01/01/97
Chaney Brooks & Company	01/01/97
Ginoza Realty, Inc.	01/01/97
Loyalty Enterprises Ltd.	01/01/97
Mid Pacific Property Management, Inc.	01/01/97
Oishi's Property Management Corp.	01/01/97
PAR Management, Inc.	01/01/97
Touchstone Properties, Ltd.	01/01/97
Cadmus Properties Corporation	01/16/97
Lani Properties Corporation	01/17/97

Licensing - Restoration  
 of Forfeited License:

**Ivan S. Nishiki**

Mr. Nishiki was asked if he wished to have his application considered in executive session. He declined the offer.

Mr. Nishiki stated that his real estate broker's license has been forfeited over two years. He thanked the Commission for the opportunity to present oral testimony. He stated that he was sorry that he had not reviewed the administrative rules relating to oral testimony. He stated that he graduated from the University of Hawaii with a Bachelor's degree in Business Administration, with a major in real estate in 1972. He obtained his real estate

salesperson's license in 1974 and his real estate broker's license in 1990. Most of his involvement in real estate is in the field of property management. He is currently a CPM and is an active member of IREM. He has been a member of the Honolulu Board of Realtors from 1994 to 1996. He is currently employed as a Branch Chief for the Office Leasing section at DAGS. He has completed his continuing education requirements. In order for him to maintain his CPM designation, he must complete 12 hours of CE courses. He has taken two additional courses from IREM. He stated that he believes that the reason he did not renew his license was that he moved and did not notify the Commission of the address change in 1993. When the renewal notices were mailed in 1994, he did not receive it. He stated that he understands that all address changes are his responsibility. He stated that he is not active in real estate sales and has not done any active transactions. His position with the State does not require that he possess an active license. His livelihood is not dependent on having an active license. He was requesting that the Commission allow him to restore his real estate broker's license without having to take the real estate broker's exam, which was in fact a real estate salesperson's exam.

Mr. Nishiki was informed that the pocket card that is issued contains information on what to do in the event that the licensee does not receive a renewal notice.

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

Licensing -  
Questionable  
Applications:

**Earle Buckley**

Upon a motion by Commissioner Lee, seconded by Commissioner Nomura, it was voted on and unanimously carried to approve Earle Buckley's motion for reconsideration.

Mr. Buckley distributed a copy of a letter, dated February 25, 1997, from Arnold Rabin to the Commissioners for their information.

Mr. Buckley was asked if he wished to have his application considered in executive session. Mr. Buckley declined the offer.

Mr. Buckley was present with his attorney, Matthew Bassett, and his proposed principal broker, Von Batesol.

Mr. Buckley thanked the Commission for allowing him the opportunity to appear before them and for granting his request for reconsideration. He stated that he received notice that his application would be considered for the January 31, 1997 Real Estate Commission meeting on the morning of January 31. He did not receive notice because he had changed his post office box address to general delivery.

Mr. Buckley stated that he feels that he would make a good licensee.

Mr. Buckley stated that he has had a felony conviction and a complaint for unlicensed activity. He stated that he has provided documentation on his reputation for integrity, truthfulness and fair dealing.

The Vice Chair informed Mr. Buckley that the Commission has been provided with copies of the documentation, but they would be happy to hear his oral testimony.

Mr. Buckley stated that he had a complaint for unlicensed activity which was filed in 1994. He stated that he was performing a bulldozing job in South Kona. He became a partner with Skip Caldwell in Kona, who held a Contractor's license. At the time, Mr. Caldwell held a "C" license to provide excavating services. The job that they were doing turned out to be more than the individual expected. The owners of the property had asked them to pull out. The owners owed them money for work that they had performed. He and Mr. Caldwell did not provide false information. They did not steal. They did the job that was called for, but the job ran over the initial estimate. The owners brought in another contractor and had problems with the second contractor too. Mr. Buckley stated that he felt that it was a case of sour grapes. Mr. Buckley informed the owners that the job had been underestimated by the bulldozer operator. The owners owed them \$3-4,000. They tried to work out a payment schedule, which the owners adhered to for a while.

Mr. Buckley stated that the felony conviction arose out of activities which took place in 1986-87. It has been seven to eight years since then and he has not had any problems since then.

Mr. Buckley was asked the status of the unlicensed activity complaint. Mr. Buckley stated that the complaint had been dismissed.

Mr. Buckley stated that since his return to Oahu, he has been employed by Von Batesol. He is responsible for the remodeling and supervision of two restroom facilities on Oahu. He is responsible for the remodeling project, scheduling and the handling of money. Mr. Batesol has put him in a position of trust. Mr. Buckley stated that he is now living in Kona. He has never been involved with anything other than the marijuana incident. He believes that his moral character has been outstanding since the time he graduated from college.

When asked the date of release from the halfway house, Mr. Buckley stated that he was released on July 10, 1996. He is now busy remodeling facilities on Oahu.

Mr. Buckley was asked if he was still on probation and if his Parole Officer was Mr. De Mello. He answered in the affirmative. He stated that Mr. De Mello visits him once a month on the Big Island. He is called at random by Mr. De Mello. Mr. De Mello then informs him that he will be coming to the Big Island. In the event that Mr. Buckley comes to Oahu, he must notify Mr. De Mello.

When asked about the November 7, 1996 letter he wrote to the Commission, Mr. Buckley stated that he had contacted the Supervising Attorney at RICO because he was thinking about obtaining an OPC license. He had to go through RICO for his application. He then changed his mind about applying for the OPC license. He stated that RICO was made aware of the unlicensed activity complaint, but they never followed up on it. The complaint was dropped because they were unable to locate him. As far as he was aware,

RICO was not going to continue the proceedings. Mr. Buckley stated that Skip Caldwell still has his license and is still active.

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

Executive Session:

Upon a motion by Commissioner Aki, seconded by Commissioner Lee, it was voted on and unanimously carried to enter into executive session, pursuant to Section 92-5(a)(4), HRS, "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 Lee, seconded by Commissioner Ching, it was voted on and unanimously carried to move out of executive session.

Chapter 91, HRS,  
Adjudicatory Matters:

The Vice Chair called for a recess at 10:25 a.m. to discuss and deliberate on the following adjudicatory matter, pursuant to Chapter 91, HRS:

**Zaisen, Inc. dba Power Brokers and Ernest C. Aragon and Dan K. Morikawa and Estrelitta G. Miguel, REC-94-273-L and 95-12-L**

Upon a motion by Commissioner Lee, seconded by Commissioner Imamura, it was voted on and unanimously carried to accept the Hearings Officer's Findings of Fact and Conclusions of Law and to accept the Recommended Order to revoke the real estate salesperson's license of Dan K. Morikawa; revoke the real estate broker's license of Zaisen, Inc. dba Power Brokers, and amend the Recommended order that Ernest C. Aragon be ordered to pay a fine in the amount of \$1,000.00 within 60 days of the Commission's final order and that Respondent Aragon to be required to complete the "Professional Responsibility Course" within 90 days of the Commission's Final Order.

Following the Commission's review, deliberation and decision in this matter, pursuant to Chapter 91, HRS, the Chair announced that the Commission was reconvening its scheduled meeting at 10:30 a.m., pursuant to Chapter 92, HRS.

Executive Session:

Upon a motion by Commissioner Lee, seconded by Commissioner Ching, it was voted on and unanimously carried to enter into executive session, pursuant to Section 92-5(a)(1), HRS, "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 Lindemann, it was voted on and unanimously carried to move out of executive session.

Licensing - Restoration  
of Forfeited Licenses:

**Ivan S. Nishiki**

**Broker**

After a review of the information presented by the applicant, Commissioner Lindemann moved that restoration be approved upon submitting evidence of successfully passing the real estate broker's licensing examination. Commissioner Ching seconded the motion. The motion was voted on and unanimously carried.



**Alan Crawford Bolton**  
**Una M. Young**  
**Lydia W. M. Ishii**  
**Warren F. Wegesend, Jr.**

**Salesperson**  
**Salesperson**  
**Salesperson**  
**Salesperson**

After a review of the information submitted by the applicants, Commissioner Lindemann moved that restoration be approved upon submitting evidence of successfully passing the real estate salesperson's licensing examination. Commissioner Ching seconded the motion. The motion was voted on and unanimously carried.

Licensing -  
Questionable  
Applications:

**Valerie J. Jackson**

After a review of the information submitted by the applicant, Commissioner Lee moved to approve the real estate broker application of Valerie J. Jackson. Commissioner Imamura seconded the motion. The motion was voted on and unanimously carried.

**Steven B. Rogers**

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

**Kenneth Allen Russell**

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

**Alvin R. Whitehurst**

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

**Arthur G. Balmaceda, AF Properties**

After a review of the information submitted by the applicant, Commissioner Nomura moved to approve the sole proprietor application of Arthur G. Balmaceda, AF Properties. Commissioner Lee seconded the motion. The motion was voted on and unanimously carried.

**Cornelio Gorospe**

After a review of the information submitted by the applicant, Commissioner Lindemann moved to approve the sole proprietor application of Cornelio Gorospe. Commissioner Ching seconded the motion. The motion was voted on and unanimously carried.

Upon a motion by Commissioner Lindemann, seconded by Commissioner Ching, it was voted on and unanimously carried to delegate to staff to approve the pending real estate broker's corporation application for which Cornelio Gorospe is the proposed principal broker provided there are no other matters requiring the discretion of the Commission and that nothing has changed with Mr. Gorospe's situation.

#### **Century Pacific Realty & Management, Inc.**

After a review of the information submitted by the applicant, Commissioner Lee moved to approve the real estate corporation application of Century Pacific Realty & Management, Inc. Commissioner Ching seconded the motion. The motion was voted on and unanimously carried.

#### **Island Properties - Sales, Development, Management Corp.**

After a review of the information submitted by the applicant, Commissioner Lindemann moved to approve the real estate corporation application of Island Properties - Sales, Development, Management Corp. Commissioner Lee seconded the motion. The motion was voted on and unanimously carried.

#### **Gerald Delany**

After a review of the information submitted by the applicant, Commissioner Nomura moved to deny Gerald Delany's request for an equivalency to the ten (10) Hawaii written real estate transactions of which three are sales closed escrow and three are listings closed escrow, based on §16-99-38(a)(2)(A), HAR. Commissioner Ching seconded the motion. The motion was voted on and unanimously carried.

#### Committee Reports:

##### **Laws and Rules Review Committee**

Upon a motion by Commissioner Lee, seconded by Commissioner Imamura, it was voted on and unanimously carried to approve the report of the February 12, 1997 Laws and Rules Review Committee meeting, subject to further discussion with the SEO on items 1.b. and 3., as follows:

1. Program of Work
  - a. Neighbor Island Outreach - Waimea, Hawaii - Staff to secure room reservations for the neighbor island outreach to be held on May 7, 1997, in Waimea, Hawaii.
  - b. Legislative and Government Participation - Continue providing legislative report to the Commission. The next legislative report to be presented at the February 28, 1997 Real Estate Commission Meeting.
2. Special Issues - CE Waiver Interpretation - Upon the advice of the Deputy Attorney General, **recommend approval** of the continued processing of the CE waiver applications provided the applicant meets the qualifications and requirements of a CE Waiver category.
3. ARELLO Western District Conference, June 8 and 9, 1997, Scottsdale, Arizona - **Recommend approval**, subject to funding and travel approval, to send up to two Commissioners and one staff member.
4. Next Meeting: Wednesday, March 12, 1997

9:00 a.m.  
Kapuaiwa Room  
HRH Princess Victoria Kamamalu Building  
1010 Richards Street, Second Floor  
Honolulu, Hawaii

### Condominium Review Committee

Upon a motion by Commissioner Lee, seconded by Commissioner Evangelista, it was voted on and unanimously carried to approve the amended report of the February 12, 1997 Condominium Review Committee meeting, as follows:

1. HREREC Report
  - a. Hawaii Condominium Bulletin - First issue of this fiscal year printed and distributed. Request publication calendar for the remaining three issues.
  - b. Board of Director's Guide - 1996-1997 guide topics are "Fair Housing" and "Guide to Condominium Living." Outlines to be distributed in March CRC meeting.
  - c. Condominium Seminars - Planning for half day portion with Hawaii CAI convention completed.
2. Condominium Governance and Management  
Susan Kinsler, Legislative Specialist, HICCO -- **Recommend approval** to direct staff to send her a letter: (1) thanking her and the Hawaii Independent Condominium & Cooperative Owners (HICCO) for their comments; (2) informing her and HICCO that their comments will be taken into consideration in the evaluation of any future contracts with the Neighborhood Justice Center; and (3) that Ms. Kinsler has recourse to contact the Board of the Neighborhood Justice Center.
3. Condominium Project Registration - Public Reports, Extensions Issued; Owner-Occupants Announcements - **Recommend approval** to ratify issuance of effective dates for public reports for the month of January 1997.
4. Program of Work
  - a. Registrations - AOA's and Condominium Managing Agents, Ratification Report
    - 1) Registration Issued Effective Dates October and December 1996 -**Recommend approval** to ratify issuance of effective registration dates for Associations of Apartment Owners for the months of October and December 1996 (Report dated 1/31/97).
    - 2) Registration Issued Effective Dates - 1997 Interim Registration - **Recommend approval** to ratify issuance of effective registration dates for Associations of Apartment Owners as listed in the report dated 1/31/97 "Condominium Association of Apartment Owners 1997 Interim Registration."
  - b. Condominium Mediation and Arbitration Program - NJC Training Proposal & Request For Funds - **Recommend deferral** of decision until such time REC receives and has an opportunity to review and evaluate a specific program agenda.

- c. Interactive Participation with Organizations - CAI's 42nd National Conference, May 1-3, 1997, Honolulu, Hawaii - **Recommend approval** the participation of the Chair of the REC, Chair and Vice Chair of the CRC, 3 condominium specialists, deputy attorney general and the SEO; and **further recommend approval** of payment of registration fees from the CMEF funds.
5. Next meeting: Wednesday, March 12, 1997  
10:30 a.m.  
Kapuaiwa Room  
1010 Richard 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 approve the report of the February 12, 1997 Education Review Committee meeting, as follows:

1. January 15, 1997 meeting minutes - **Accept.**
2. HREREC Report
  - a. Broker Curriculum and Resources - Dr. Nicholas Ordway was not present to report.
  - b. Continuing Education Core Course - Steve Gilbert will proceed with the course as outlined. However, he will accept comments and suggestions from commissioners and staff.
  - c. Continuing Education Elective Course - Mr. Gilbert reported that following meetings with the REB staff, the 1995-96 Law Update and Ethics course will be put on the Center's Web site.
  - d. Consumer Guide - Dr. Ordway was not present to report.
  - e. Interactive Participation - Mr. Gilbert reported on the publication of "Comments on Real Estate - Two For the Road" in the *HAR Journal* in February. In January, Mr. Gilbert also spoke before the Chinese Chamber of Commerce on 1997 Real Estate Market and Investment for Hawaii.
  - f. Advisory Council - The Chair will discuss issues relating to the Advisory Council with the Commission Chair and report back to the Committee at its March meeting.
3. Continuing Education Administration - Administrative Issues
  - a. Administrative Issues
    - 1) CE waivers in other states - **Accept** the report.
    - 2) Memorandum on disciplined licensees - number of years licensed - **Accept.**
    - 3) Hawaii Association of REALTORS - Request to release assignment of security - **Recommend Approval** of the release.
    - 4) Correspondence from Ernest W. Johnston - Staff to respond.
  - b. Applications - 1997-98 Ratification of instructor recertifications - **Recommend Approval.**
    - 1) M. Russell Goode, Jr., effective 1/1/97.  
Courses: Residential Property Management: Laws and Rules; Real Estate Exchanges; Commercial Real

- Estate Sales and Leasing Law; Disclosures in Hawaii Residential Transactions; and Categories: Contracts, Fair Housing, Real Estate Law Update and Ethics, Finance
- 2) Manuel D. Garcia, effective 1/15/97.  
Categories: Investment, Real Estate Law
  - 3) Louis L.C. Chang, effective 1/28/97.  
Categories: Contracts, Real Estate Law, Dispute Resolution, Real Estate Law Update and Ethics
  4. Prelicensing Education Administration - Applications
    - a. Elizabeth Dower, Instructor for Broker's Curriculum - **Recommend Approval.**
    - b. 1997-98 Ratification of prelicense schools and instructors reregistrations/recertifications - **Recommend Approval.**  
Schools: Vitousek Real Estate School (eff. 1/1/97), Fahrni School of Real Estate (eff. 1/8/97), Maui Community College - VITEC (eff. 1/24/97)  
Instructors: Eileen W. Luko (Salesperson/Broker curriculum, eff. 1/1/97), M. Russell Goode (Salesperson/Broker curriculum, eff. 1/1/97), Helen Kate Fahrni (Salesperson curriculum, eff. 1/8/97)
  5. ARELLO, REEA and Other Organizations Report - ARELLO Education Fund Report for November and December 1996 - **Accept.**
  6. Next Meeting: Wednesday, March 12, 1997, 1:30 p.m.  
Kapuaiwa Room  
HRH Princess Victoria Kamamalu Building  
1010 Richards Street  
Honolulu, Hawaii

Executive Session:

Upon a motion by Commissioner Ching, seconded by Commissioner Nomura, it was voted on and unanimously carried to enter into executive session, pursuant to Section 92-5(a)(4), HRS, "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 Ching, seconded by Commissioner Lindemann, it was voted on and unanimously carried to move out of executive session.

Recovery Fund Report:

**Vivian A. N. Chapman, et al. vs. Jeffrey S. Grad, et al., Civil No. 94-4754-12**

Upon a motion by Commissioner Evangelista, seconded by Commissioner Lindemann, it was voted on and unanimously carried that the Real Estate Recovery Fund counsel proceed with the settlement.

Committee Reports:

**Laws and Rules Review Committee**

The SEO informed the Commissioners that copies of the bills and testimonies in which the Commission testified were available for their review.

Legislative Report 97-3 was distributed to the Commissioners for their information. The SEO reported on the status of the bills affecting the

Commission.

Senate Bill No. 1114 was amended, with discussion from the Hawaii Association of REALTORS, the Commission, and REB staff. The amended draft allows nationally-certified courses to be considered for continuing education credit, as long as the courses are administered by Hawaii providers.

The proposed rule amendments to Chapter 99, HAR, allows out-of-state or national courses to be recognized for credit.

John Ohama has been nominated by the Governor to be appointed to the Real Estate Commission.

ARELLO Western District Conference - The SEO stated that it may be difficult to send three people to the ARELLO Western District Conference. However, the Commission still recommends that Commissioners Imamura and Aki, along with a REB staff member attend the ARELLO Western District Conference.

Licensing -  
Questionable  
Applications:

**Earle Buckley**

After a review of the information presented by the applicant, Commissioner Lee moved to approve a conditional real estate salesperson's license, pursuant to §436B-19, HRS. Commissioner Imamura seconded the motion. The motion was voted on and unanimously carried.

Next Meeting:

Tuesday, March 25, 1997  
9:00 a.m.  
Kapuaiwa Room  
HRH Princess Victoria Kamamalu Building  
1010 Richards Street, Second Floor  
Honolulu, Hawaii

Adjournment:

With no further business to discuss, the Vice Chair adjourned the meeting at 11:47 a.m.

Reviewed and approved by:



Christine Rutkowski, Executive Officer

March 25, 1997

Date