

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, March 25, 1997

Time: 9:00 a.m.

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

Present: Barbara Dew, Chair
Stanley Kuriyama, Vice Chair
Charles Aki, Hawaii Member
Alfredo Evangelista, Public Member
Alvin Imamura, Maui Member
Nora Nomura, Public Member

Calvin Kimura, Supervising Executive Officer
Christine Rutkowski, Executive Officer
Lee Ann Teshima, Real Estate Specialist
Russell Wong, Real Estate Specialist
Cynthia Yee, Senior Condominium Specialist
Camille Chun-Hoon, Condominium Specialist
Shari Wong, Deputy Attorney General
Irene Kotaka, Secretary

Haunani Alm, Special Deputy Attorney General
John Ohama
Nicki Thompson, Hawaii Association of REALTORS
Janet McDade
Robert Bentley
Paul Rowden
Lawrence Bleck
Marleen L. Akau

Excused: Michael Ching, Kauai Member
Helen Lindemann, Oahu Member
Carol Mon Lee, Public Member

Call to Order: The Chair called the meeting to order at 9:05 a.m., at which time quorum was established.

Chair's Report: No report was presented.

Executive Officer's Report:

Announcements

Edmond Ikuma will be filling the vacant Senior Real Estate Specialist position, effective April 1, 1997.

Benedyne Stone, Condominium Specialist, has resigned. Her last day of work was March 21, 1997.

REB staff visited former Chair, Marcus Nishikawa. A tree will be dedicated in his

honor on Saturday, March 26, 1997, at the American Cancer Society. Mr. Nishikawa has stated that he would like to receive calls from the Commissioners and staff.

John Ohama and Mitchell Imanaka have been confirmed by the Senate as the incoming Commissioners.

The SEO and Real Estate Specialist Teshima will be attending the ARELLO Board of Directors meetings in order to plan the ARELLO Annual Conference to be held on Maui in September 1997.

Commissioners Aki and Lindemann and Real Estate Specialist Wong will be attending the Real Estate Educators Association Annual Conference and Long Distance Learning Summit in June 1997.

Commissioner Imamura and the SEO will be attending the ARELLO Western District Conference in June 1997.

Additions to the Agenda

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

6. Licensing - g - Questionable Applications
Brigitte M. Habib
Robert M. McNatt
9. Committee Reports
 - a. Laws and Rules Review Committee - Legislative Report 97-4
 - b. Condominium Review Committee - HFDC Request
 - c. Education Review Committee - PSI Request

Additional Distributions

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

6. Licensing - Questionable Applications
Marleen L. Akau
G. Christopher Molina

Minutes of Previous Meetings

Approval of the minutes were deferred to later in the meeting.

The Chair recused herself from the meeting due to a conflict of interest. Vice Chair Kuriyama presided over the meeting.

Licensing and Registration - Ratification:

Upon a motion by Commissioner Nomura, seconded by Commissioner Aki, it was voted on and carried to ratify the following:

<u>Brokers - Corporations and Partnerships</u>	<u>Effective Date</u>
Hawaiian Island Consulting, Inc. James S. Reed, pb	02/14/97
Frank Noh Realty, Inc.	02/19/97
Cen Pac Realty, Inc.	03/05/97
Beyond The Reef Ltd.	02/27/97
<u>Brokers - Sole Proprietor</u>	<u>Effective Date</u>
Charlene Kaneshiro	02/03/97

CK Island Properties	Edward T. Yamaguchi	
	01/14/97	
Peter A. Aduja		02/14/97
Nancy L. Gillingham		02/04/97
Harry S. Y. Chong		02/19/97
Beatrice Nalani Kea		01/21/97
Nanikea Real Estate		
Gordon Damon		01/30/97
John R. Ferreira		01/21/97
Cherie J. Bright		02/11/97
Arthur Craig Sauer		03/03/97
Roy U. Omoto		01/06/97
Lynnette Sakamoto		02/24/97
Jonathan S. Kono		03/04/97
Jane E. Bush		03/04/97
William M. Cameron		02/25/97
Bryan G. Kageyama		02/07/97

<u>Tradename</u>		<u>Effective Date</u>
Barney B. Menor, Basic Realty		02/12/97
Sandra S. W. Sakuma, Sakuma-Lee Real Estate	01/31/97	
(fka Sandra S. W. Sakuma, Sandra Sakuma Realty)		
Karen Keanu Cardoza, TSM Realty		02/05/97

<u>Corporation Name</u>		<u>Effective Date</u>
Maryl Realty, Inc.		02/28/97
(fka Maryl Real Estate of Hawaii, Inc.)		

<u>Site Office</u>		<u>Expiration Date</u>
Iwado Realty, Inc.		08/10/97
Keawakapu Views Subdivision		
Gentry Realty, Ltd.		08/02/97
Coronado, Phases C and E		
Clearly Maui, Inc., Re/Max Maui	08/06/97	
The Meadowlands		
Towne Realty Brokerage Services, Inc.		09/15/97
The Terraces at Launani Valley		
Herbert K. Horita Realty, Inc.		07/28/97
Royal Kunia - Site 13		
Gibraltar Pacific Realty, Inc.		09/08/97
The Prudential West Hawaii Realty		
Sunpoint, Phases I and II		
Trinet Inc.		10/12/97
Hawaiian Princess		
Gerald P. Hokoana, Aikane Properties		10/09/97
The Cliffs at Kahakuloa		
Joseph Kealoha, Inc.		07/14/97
Napilihau Villages		
Watt Hawaii Realty, Inc.	08/13/97	
A'eloa Terrace		
Schuler Realty/Oahu, Inc.		10/04/97
Country Club Village at Salt Lake, Buildings 1, 4 and 5		
Coldwell Banker Pacific Properties, Ltd.	09/11/97	
Na Pali Haweo		
Maryl Realty, Inc.		09/13/97
Sandalwood at Waimea		

<u>Education Waiver Certificate</u>		<u>Expiration Date</u>
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Michikane Kawasaki	02/19/98
Ren Orville Grendahl	02/19/98
Christopher A. Phelps	03/05/98
Daren M. Hashimoto	03/05/98
Thomas Lawrence Fogarty	03/07/98
Carole A. Fogarty	03/07/98
George Michael Deeb	03/11/98

<u>Real Estate Broker Experience Certificate</u>	<u>Expiration Date</u>
Mark W. Mullen	02/19/98
Thomas C. Clark	03/05/98
Toshiaki Kobayashi	03/11/98
Young Sol	03/14/98
Angelina L. Arevalo	03/17/98

<u>Real Estate Broker (upgrade)</u>	<u>Effective Date</u>
Janet Ann Cunha	02/21/97
Jeffrey N. Mau	02/18/97
Henry S. Maerki	02/24/97
David C. Hamilton	02/20/97
Bonnie Mahealani Ishii Coen	02/12/97
Keiko Kuga	02/28/97
Roy H. Ninomiya	03/11/97

<u>Continuing Education Waiver</u>	<u>Effective Date</u>
William V. Powell	02/28/97
John Hideki Yanagihara	03/06/97
Masashi Yamanaka	03/11/97

<u>Condominium Hotel Operator 1997-98 Reregistration</u>	
Bello Realty, Inc.	01/01/97

<u>Condominium Hotel Operator 1997-98 Registration</u>	
American Resort Marketing Inc.	02/25/97
Realty Rentals, Inc.	02/27/97
Vision Properties, Inc.	03/10/97

<u>Condominium Managing Agent 1997-98 Reregistration</u>	
Bello Realty, Inc.	01/01/97

<u>Condominium Managing Agent 1997-98 Registration</u>	
Marcus & Associates, Inc.	02/25/97
Commercial Realty Corp.	03/05/97
Cen Pac Properties, Inc.	03/07/97
Choon H James	03/11/97
Homesite Inc	03/07/97

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

Licensing -
 Questionable
 Applications:

Paul Rowden

Mr. Rowden was asked if he wish to have his application considered in executive session. Mr. Rowden accepted the offer.

Executive Session:

Upon a motion by Commissioner Aki, seconded by Commissioner Nomura, 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 Aki, seconded by Commissioner Nomura, it was voted on and unanimously carried to move out of executive session and to take this matter under advisement.

Lawrence Bleck

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

Mr. Bleck was present to answer any questions the Commission may have had regarding his application for a real estate salesperson's license. There were no questions.

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

Robert L. Bentley

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

Mr. Bentley was present to provide testimony on his application for a real estate salesperson's license.

Mr. Bentley stated that he had built over 400 homes on the island of Kauai as a general contractor. He realizes that he is responsible for finishing the homes. His company went bankrupt. He stated that he has to be responsible for his actions and accepts that, but he has to get started again.

When asked about the status of his contractor's license, Mr. Bentley stated that he does not intend to reapply as a building contractor. The homes built were speculative. It is his intention to concentrate on the real estate industry.

Mr. Bentley stated that his bankruptcy is still pending. He has not entered into a tax payment plan with the IRS. There is a \$35,000 balance owed to the IRS. However, the Bankruptcy Court, when the matter is finalized, will determine the amount of his debt. He has a \$26,000 tax return that is frozen in bankruptcy. This tax return will reduce the amount of moneys that is owed. Mr. Bentley was asked if he had any tax liens in any other State. He stated that he did not.

Mr. Bentley was asked if he would be able to arrange a payment plan with the IRS. Mr. Bentley stated that he would do so.

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

Janet McDade

Ms. McDade was asked if she wished to have her application considered in executive session. Ms. McDade declined the offer.

Ms. McDade was present to provide testimony on her application for a real estate

broker's experience certificate.

Ms. McDade stated that she has expressed sincere interest in being able to obtain her real estate broker's license. It is a natural next step in her career. Since she is currently working for a developer, she does not have the listing transactions and is unable to meet the three closed listings requirement. This is why she is requesting an equivalency to the three closed listings transaction requirement.

She stated that she had obtained her real estate license in Ohio in March 1976. In 1979-80, selling became difficult. She had her own real estate company and was employed full-time in real estate. She has a CRS designation. She stated that she was a consistent high-producer, selling \$30,000 condos and \$50,000 homes. In 1986, the average sales price was \$90,000. She produced over four million dollars. The State of Ohio requires that she complete 30 hours of continuing education every two years. She does not remember the precicensing requirement for Ohio.

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

Marleen L. Akau

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

Ms. Akau was asked if she wished to have her application considered in executive session. Ms. Akau declined the offer.

Ms. Akau was present to provide testimony on her application for a real estate salesperson's license.

Ms. Akau stated that she had a lot of tax challenges. In 1996, her IRS tax returns will have a small balance owed of \$1-2,000. She has always been an employee. Her husband has been the entrepreneur. She is the General Manager of the Royal Hawaiian Shopping Center, Windward Mall, and the Aloha Tower Marketplace. She wanted to be employed in real estate full-time. She stated that she can help people achieve their real estate needs. She also stated that her husband's employment gave rise to the outstanding tax obligations. He was a consultant for Legends in Concert and later became an employee. However, he was not taxed as an employee. His income of approximately \$30-40,000 was not taxed. The amount levied against her per month is \$2,200. She has a balance due of \$10,000, which will be taken when she receives her refund. She will have a payment plan of \$1,000 per month until the debt is paid off.

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

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

Executive Session:

Upon a motion by Commissioner Aki, seconded by Commissioner Nomura, 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 Aki, seconded by Commissioner Nomura, it was voted on and unanimously carried to move out of executive session and to take this matter under advisement.

Committee Reports:

Condominium Review Committee

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

1. Minutes of Previous Meetings -- Accept the minutes of the December 11, 1996, January 15, 1997 and the February 12, 1997 Condominium Review Committee meetings.
2. Chair's Report -- Recommend approval to issue a certificate of appreciation to Condominium Specialist, Benedyne Stone, for her contributions to condominium regulation.
3. 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." Content outlines distributed; commissioner and staff comments due by the end of March .
 - c. Condominium Seminars - Planning for half day portion (Condorama II) with Hawaii CAI convention completed, flyers and production timeline drafted.
 - d. Submitted oral and written testimony in opposition to a section of S.B. 623 proposing to place the CMEF into the state general fund.
4. Condominium Project Registration - Public Reports, Extensions Issued; Owner-Occupants Announcements
 - a. **Recommend approval** to ratify issuance of effective dates for public reports for the month of February 1997.
 - b. Request for Informal Interpretation, One Archer Lane -- **Recommend approval** of the following non-binding informal interpretation of "material respect" pursuant to 514A-41, HRS, and "material change" pursuant to 514A-63, HRS:
"Based upon the representations in your February 14, 1997 letter, we agree with your conclusions that the [developer] has the power to reconfigure the Industrial Antenna Areas and that such reconfiguration is not material so as to require issuance of a supplementary public report or to require the developer to offer rescission rights to purchasers. Please provide purchasers notice of the change pursuant to the carryover paragraph at the top of page seven in your letter"
5. Program of Work
 - a. Registrations - AAOs and Condominium Managing Agents, Ratification Report
 - 1) Registration Issued Effective Dates thru February 28, 1997 for 1996 Registration - **Recommend approval** to ratify issuance of effective registration dates for Associations of Apartment Owners through February 28, 1997 for the 1996 Registration (Report dated 2/28/97).
 - 2) Registration Issued Effective Dates - 1997 Interim Registration - **Recommend approval** to ratify issuance of effective registration dates for Associations of Apartment Owners through February 28, 1997 as listed in the report dated 2/28/97 "Condominium Association of Apartment Owners 1997 Interim Registration."
 - 3) 1997-98 Biennial AAO Registration -- **Recommend approval** to set the deadline date of Friday, May 30, 1997, for the submission of completed AAO re-registration applications, payment of fees, and other

- requirements to the Commission.
- b. Neighbor Island Outreach -- Recommend approval of scheduling a CRC meeting in Waimea, Hawaii on May 7, 1996.
 - c. Interactive Participation with Organizations -- **Recommend approval** of permitting CAI to reproduce, at no cost to the Real Estate Commission, the REC publication *Sense of Community* (April 1995) to be included as a handout for REC's presentation at the CAI 42nd National Conference May 1-3, 1997, "A Sense of Community -- The Next Generation of Association Laws and Rules."
6. CMEF Budget and Finance Report -- **Recommend acceptance** of the report dated December 1996 for the period ending December 31, 1996.
 7. Next meeting: Wednesday, April 9, 1997
10:30 a.m.
Kapuaiwa Room
1010 Richard Street, Second Floor
Honolulu, Hawaii

Education Review Committee

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

1. February 12, 1997 meeting minutes - **Accept.**
2. HREREC Report
 - a. Broker Curriculum and Resources - Dr. Nicholas Ordway reported that he has the first draft and should be able to provide REB staff with a copy by the end of next week, in time for the April 9, 1997 ERC meeting.
 - b. Continuing Education Core Course - Steve Gilbert reported that he had not received any comments to the contrary regarding the content of the course and will have the first draft of this course ready for the April 9, 1997 ERC meeting.
 - c. Continuing Education Elective Course - Mr. Gilbert reported that the updated 1995-96 Law Update and Ethics course is now on the Center's web page.
 - d. Consumer Guide - Dr. Ordway reported that he was still waiting for the results of the 1997 Legislative Session, as some of the issues would have an affect on his draft.
 - e. Interactive Participation - Mr. Gilbert reported that they had submitted the Commission as Regulator of the Year for the 1997 REEA Annual Conference.
3. Continuing Education Administration - Applications
 - a. 1997-98 Ratification of instructor recertifications - **Recommend approval.**
 - b. "Hawaii Residential Leasehold Issues & Future" - Eddie Flores Real Estate Continuing Education (Provider) - **Recommend approval; however, author to be informed of staff concerns and to take corrective action. Also, recommend that this course be categorized under Real Estate Law and also that instructors qualified for the Real Estate Law Update and Ethics course category qualify.**
 - c. "Risk Reduction In Managing Residential Properties" - Eddie Flores Real Estate Continuing Education (Provider) - **Recommend approval, subject to the course name being changed. Also, recommend that this course be categorized under the Property Management course category.**

4. Prelicensing Education Administration - Applications
 - a. 1997-98 Ratification of prelicense schools and instructors reregistrations/recertifications - **Recommend Approval.**
5. ARELLO, REEA and Other Organizations Report - 18th Annual REEA Conference - June 5 - 8, 1997 - Scottsdale, Arizona - **Recommend the Chair and Vice Chair of the ERC for the next fiscal year attend with one (1) staff person.**
6. Budget and Finance Report - December 1996 REEF Report - **Accept.**
7. Next Meeting: Wednesday, April 9, 1997, 1:30 p.m.
Kapuaiwa Room
HRH Princess Victoria Kamamalu Building
1010 Richards Street, Second Floor
Honolulu, Hawaii

Mr. John Ohama was introduced as the incoming Commissioner.

Chapter 91, HRS,
Adjudicatory Matters:

The Chair called for a recess from the meeting at 9:42 a.m., to discuss and deliberate on the following adjudicatory matters, pursuant to Chapter 91, HRS:

Pro Serve Realty Corporation, Theodore T. Miyamoto, Mia Kim and Paul Y. M. Kang and Carole D. Gaddis, aka Carole Love, REC 94-062, et al.

The Chair was excused due to a conflict of interest. The Vice Chair presided over the meeting.

Upon a motion by Commissioner Aki, seconded by Commissioner Imamura, it was voted on and carried to approve the Settlement Agreement as to Carole Love After Order of Remand for Further Hearing and Commission's Final Order. The Commission also requested that RICO be reminded that in future settlement agreements, a definite time frame by which the licensee must complete the course to be included within the settlement agreement, rather than "in a timely manner".

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

Glenn S. Shiroma and Management Realty, Inc., REC 94-142-L

Upon a motion by Commissioner Nomura, seconded by Commissioner Aki, it was voted on and unanimously carried to accept the letter submitted by Cynthia S. Nakamura, Supervising Attorney of RICO. No further disciplinary sanctions will be taken against either Glenn S. Shiroma or Management Realty, Inc.

Committee Reports:

Condominium Review Committee

HFDC Request - The SEO distributed copies of a request made by HFDC that the Commission/DCCA support the rights of HFDC in its testimony of HB 777. However, as the mission of the Commission/DCCA is to protect the rights of the consumer, this may not be possible.

Laws and Rules Review Committee

Legislative Report 97-4 - The SEO reported on the status of the bills affecting the Commission.

Upon a motion by Commissioner Kuriyama, seconded by Commissioner Nomura, it was voted on and unanimously carried to accept the report of the March 12, 1997 Laws and Rules Review Committee as follows:

1. **Recommend acceptance** of the minutes of the January 15, 1997 and the February 12, 1997 Laws and Rules Review Committee Meeting as

- circulated.
2. Hawaii Real Estate Research and Education Center Report
 - a. Professional Responsibility Course - **Recommend** that HREREC provide the Commission with a written evaluation report on the individual assigned to take the Professional Responsibility Course upon completion of the course. The evaluation report should include comments/recommendations from the individual as well as the proctor.
 - b. Real Estate Seminars - **Recommend** that HREREC provide REB staff with flyers advertising the real estate seminars to assist in the dissemination of information regarding the seminars to other interested parties.
 3. Program of Work
 - a. Neighbor Island Outreach - Waimea, Hawaii - **Recommend** that staff proceed with obtaining the approvals for the next neighbor island outreach program, scheduled for Wednesday, May 7, 1997, at the Lucy Enriques Medical Center Conference Room. The meetings shall be convened as follows:
Laws and Rules Review Committee - 9:30 a.m.
Education Review Committee - 10:30 a.m.
Condominium Review Committee - 1:30 p.m.
 - b. Legislative and Government Participation - Next legislative report at the March 25, 1997 Real Estate Commission Meeting.
 - c. Meetings and Symposium - **Defer** discussion on the Commission/Committee meeting times to the March 25, 1997 Real Estate Commission meeting, at which time the Deputy Attorney General will be present.
 4. Special Issues
Gay G. Partin dba Maui Timeshare Resales Request - **Recommend** that staff respond to Ms. Partin.
 5. Budget and Finance Report - **Recommend** approval of the Real Estate Recovery Fund financial report, for December 1996.
 6. Next Meeting: Wednesday, April 9, 1997
9:00 a.m.
Kapuaiwa Room
HRH Princess Victoria Kamamalu Building
1010 Richards Street, Second Floor
Honolulu, Hawaii

Meetings and Symposium - Upon a motion by Commissioner Nomura, seconded by Commissioner Kuriyama, it was voted on and unanimously carried to approve the change in the Committee meeting times, beginning July 1997, as follows:

Laws and Rules Review Committee - 9 a.m.
Education Review Committee - 10:30 a.m.
Condominium Review Committee - 1:30 p.m.

Education Review Committee

PSI Request - PSI has requested that the Hawaii Real Estate Commission send a representative to serve on their advisory committee. All expenses would be paid for by PSI. The Commission will seek a ruling by the Ethics Commission to determine if this is permissible. If the Ethics Commission rules in favor of the Commission, a representative will be sent.

The Chair stated that she felt that the issues to be covered are very important. She also stated that she would be willing to participate in the advisory committee.

Upon a motion by Commissioner Imamura, seconded by Commissioner Nomura, it was voted on and unanimously carried that staff conduct further study on participating in the Advisory Committee for the 1997 real estate occupational analysis, including sending the Chair of the Commission to participate in the first meeting to be held in May, 1997, in Los Angeles, California.

Executive Officer's
Report:

Minutes of Previous Meetings

Upon a motion by Commissioner Nomura, seconded by Commissioner Aki, it was voted on and unanimously to approve the minutes of the February 28, 1997 meeting as circulated and the December 12, 1996 and the January 31, 1997 minutes amended as follows:

December 12, 1996 Minutes, Licensing - Questionable Applications, **Kauai Realty**, to read as follows:

Kauai Realty, Inc.

After a review of the information submitted by the applicant, Commissioner Aki moved to approve the real estate site office application of Kauai Realty, Inc. Commissioner Lee seconded the motion. The motion was voted on and unanimously carried.

Delegation to Staff - Questionable License Renewal Applications - Upon a motion by Commissioner Aki, seconded by Commissioner Lee, it was voted on and unanimously carried that upon the advice of the Deputy Attorney General and in consideration of the property interest a licensee may have, and provided that the applicant submits a complete renewal application meeting all ministerial requirements under the law and rules, including submitting the completed application on or before the date the license expires (postmark date accepted) and except for those applications specifically placed on "hold" due to the Memorandum of Understanding, delegate to staff to review the application and continue its processing to completion, including obtaining appropriate documents and information as applicable to "YES" answers on the application form. To provide the applicant due process, these matters to be referred to the Regulated Industries Complaints Office for appropriate review and action.

January 31, 1997 Minutes, Committee Reports, **Condominium Review Committee**, item 4.b), amend to read as follows:

"Condominium Mediation and Arbitration Program - NJC Year End Report of Condominium Mediations/Education Training - Although the Committee may have believed that it was voting to approve payment to the Neighborhood Justice Center, after it was ensured that the associations and managing agents listed were registered at the time mediation services were provided, there does not appear to be an option within the NJC contract to disapprove payment, absent a breach of contract. In the future, the action the Committee/REC will take will be to accept the report. REC may delegate to staff to verify registrations of AOAOs and CMAs and further delegate to staff the authority to issue payment since no discretion is involved."

Licensing - Restoration
of Forfeited Licenses:

Armand Calayag Baluyot
Benjamin V. Chen
Romeo Folvarko
Flora G. Lamontagne

Salesperson
Salesperson
Salesperson
Salesperson

After a review of the information submitted by the applicants, Commissioner Nomura moved that restoration be approved upon submitting evidence of

successfully passing the real estate salesperson's licensing examination. Commissioner Imamura seconded the motion. The motion was voted on and unanimously carried.

Licensing -
Questionable
Applications:

Paul B. Rowden

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

Lawrence Bleck

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

Marleen L. Akau

The Chair was excused from the meeting due to a conflict of interest. The Vice Chair presided over the meeting. After a review of the information presented by the applicant, Commissioner Aki moved to approve the real estate salesperson's license application of Marleen L. Akau. Commissioner Evangelista seconded the motion. The motion was voted on and carried.

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

Roger C. Sherwood

After a review of the information submitted by the applicant, Commissioner Nomura moved to deny the real estate salesperson's license application of Roger C. Sherwood, based upon §§ 467-8(3) and 436B-19(1), (8), and (12), HRS and § 16-99-25, HAR. Commissioner Kuriyama seconded the motion. The motion was voted on and unanimously carried.

Robert L. Bentley

After a review of the information presented by the applicant, Commissioner Evangelista moved to deny the real estate salesperson's license application of Robert L. Bentley, unless within 60 days, he submits proof of payment or written payment plan for his outstanding IRS tax obligations. Commissioner Nomura seconded the motion. The motion was voted on and unanimously carried.

Cynthia Supnet, Island Star Real Estate

After a review of the information submitted by the applicant, Commissioner Kuriyama moved to approve the real estate sole proprietor application of Cynthia Supnet, Island Star Real Estate. Commissioner Evangelista seconded the motion. The motion was voted on and unanimously carried.

Pok Sung, Inc.

After a review of the information submitted by the applicant, Commissioner Nomura moved to deny the real estate corporation application of Pok Sung, Inc., based on §§ 467-8(3) and 436B-19(1),(8) & (12), HRS. Commissioner Aki seconded the motion. The motion was voted on and unanimously carried.

Real Estate Magic, Inc.

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

After a review of the information submitted by the applicant, Commissioner Aki moved to approve the real estate corporation application of Real Estate Magic, Inc. Commissioner Imamura seconded the motion. The motion was voted on and carried.

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

G. Christopher Molina

After a review of the information submitted by the applicant, Commissioner Imamura moved to deny the educational waiver application of G. Christopher Molina because he did not receive a law degree from an accredited law school. Commissioner Evangelista seconded the motion. The motion was voted on and unanimously carried.

Alison M. Vasconcellos

After a review of the information submitted by the applicant, Commissioner Kuriyama moved to deny Alison M. Vasconcellos' 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 Nomura seconded the motion. The motion was voted on and unanimously carried.

Janet M. McDade

After a review of the information presented by the applicant, Commissioner Nomura moved to approve Janet M. McDade'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. Commissioner Aki seconded the motion. The motion was voted on and unanimously carried.

Brigitte M. Habib

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

Robert M. McNatt

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

Next Meeting:

Friday, April 25, 1997
9:00 a.m.
Kapuaiwa Room
HRH Princess Victoria Kamamalu Building
1010 Richards Street, Second Floor

Honolulu,

With no further business to discuss, the Chair adjourned the meeting at 11:32 a.m.

Hawaii Adjournment:

Reviewed and approved by:

/s/ Christine Rutkowski
Christine Rutkowski, Executive Officer

June 27, 1997
Date