

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: Wednesday, November 25, 1998

Time: 9:00 a.m.

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

Present

Alvin Imamura, Chair
Nora Nomura, Vice Chair
Charles Aki, Member (Late arrival)
Alfredo Evangelista, Member
Mitchell Imanaka, Member
Helen Lindemann, Member
John Ohama, Member
Iris Okawa, Member

Calvin Kimura, Supervising Executive Officer
Christine Rutkowski, Executive Officer
Pamela Garrison, Senior Real Estate Specialist
Lee Ann Teshima, Real Estate Specialist
Russell Wong, Real Estate Specialist
Cynthia Yee, Senior Condominium Specialist
Morris Atta, Condominium Specialist
Gina Watumull, Condominium Specialist
Shari Wong, Deputy Attorney General
Irene Kotaka, Secretary
Toalua Lavatai, Clerk-Typist

Steve Gilbert, Hawaii Real Estate Research and Education Center
Nicki Ann Thompson, Hawaii Association of REALTORS
Ronald S. Stebbins II
Carole Love (aka Carole Gaddis)
Denise Markoff
Myra Fisher
Dana Sato, Esq.
Albert Kim

Excused: Michael Ching, 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 Chair's report was presented.

The Chair wished those present a "Happy Thanksgiving" surrounded by family and friends.

Commissioner Aki arrived.

Executive Officer's
Report:

Announcements, Introductions, Correspondence and Additional Distributions

The Real Estate Commission's 1999 Commission and Committee meeting schedules were distributed to the Commissioners for their information. They were advised to inform staff if there were any conflicts in the schedule.

Additions to the Agenda

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

3. Executive Officer's Report
 - b. Minutes of Previous Meetings
6. Questionable Applications
 - c. Georgia L. Roberson
 - g. Denise A. Markoff
9. Committee Reports
 - b. Education Review Committee - HREREC's Continuing Education Providers Report

Announcements

The EO introduced Morris Atta, Condominium Specialist, and Toalua Lavatai, Clerk-Typist, to the Commissioners and those present.

Licensing and
Registration -
Ratification:

Upon a motion by Commissioner Aki, seconded by Commissioner Evangelista, it was voted on and unanimously carried to ratify the attached list.

Licensing - Restoration
of Forfeited Licenses:

Albert D. Kim

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

Mr. Kim stated that there was negligence on his part that he did not renew his license and it became forfeited. He stated that after he had submitted his application for restoration, he was informed that he had to take the continuing education courses and he did that. The REB sent a letter to him telling him that he could take the exam or come before the Commission. He stated that he had called some of the schools, but they do not offer sessions until the beginning of January. He stated that it would take him too long to restore his license if he has to wait for the classes to be offered.

Mr. Kim stated that his license has been forfeited three years and he took the CE courses. He wanted the REC to consider that when making their decision. Mr. Kim stated that he does have prospective buyers who have asked him to get his license. He is asking for the Commission's consideration in granting the immediate restoration of his license.

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

Licensing -
Questionable
Applications:

Carole D. Gaddis

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

Ms. Gaddis stated that she stands by what was submitted in her application. She has fulfilled all of the requirements that was imposed upon her and would like to request the

reinstatement of her real estate salespersons' license.

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

Denise A. Markoff

Ms. Markoff was asked if she wished to have her application considered in executive session. Ms. Markoff accepted the offer to discuss her application in executive session.

Executive Session:

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

Licensing -Questionable Applications:

Denise A. Markoff

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

Ronald S. Stebbins II

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

Mr. Stebbins stated that since the last REC meeting, he has submitted a letter from Darryl Johnston, which stated that Mr. Johnston is not seeking anything from him at this time. Mr. Johnston is taking Mr. Stebbins' partner to court on Counts 2 and 3 of the Judgment. Mr. Stebbins stated that he was listed on the Judgment because he had signed the loan papers. Mr. Stebbins stated that Mr. Johnston is aware of this and has stated in his letter that he does not see Mr. Stebbins as doing anything wrong.

Mr. Stebbins was asked what would happen if Mr. Johnston could not collect the money from his former partner. Mr. Stebbins stated that if Mr. Johnston is unable to collect on the judgment from his ex-partner, he knows that he is liable for it and will pay Mr. Johnston at that time. Mr. Stebbins stated that Mr. Harmes has made some payments to Mr. Johnston.

Mr. Stebbins was asked for the status of the landlord-tenant dispute. Mr. Stebbins stated that he is starting to negotiate a settlement with the new attorney. There is a dispute in the difference of the amount owed. Mr. Stebbins stated that he is uncertain at this point whether or not he will seek legal representation.

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

Committee Reports:

Laws and Rules Review Committee

Upon a motion by Commissioner Ohama, seconded by Commissioner Nomura, it was voted on and unanimously carried to accept the report of the November 10, 1998 Laws and Rules Review Committee meeting, as follows:

1. Accept the minutes of the October 14, 1998 meeting.
2. Batch Renewal Workshops:
 - Honolulu - November 13, 17, and 24, 1998
 - Batch Renewal Workshops and Real Estate Specialist for the Day:
 - Kona - November 12, 1998

- Kauai - November 18, 1998. Program of Work - Licensing, Registration and Certification Administration - **Recommend** that the Deputy Attorney General work with REB staff in determining the feasibility of prescreening applicants for real estate licenses prior to prelicensing education and examination if they have a prior conviction or other circumstances in which the Commission may deny their licensure.
4. Consumer Federation of America's Annual Conference - **Recommend** that the Commission decline participation in the Consumer Federation of America's Annual Conference, to be held on December 3 and 4, 1998, in Washington, D.C.
 5. Budget and Finance Report - Real Estate Recovery Fund - **Recommend acceptance** of the Real Estate Recovery Fund report, for the period ending September 1998.
 6. Next meeting: **Wednesday, December 9, 1998**
9:00 a.m.
Kapuaiwa Room
1010 Richards Street, Second Floor
Honolulu, Hawaii

Education Review Committee

Upon a motion by Commissioner Aki, seconded by Commissioner Lindemann, it was voted on and unanimously carried to accept the report of the November 10, 1998 Education Review Committee meeting, as follows:

1. Hawaii Real Estate Research and Education Center Report and Chair Report - Evaluation and Education System for CE and Prelicensing Instructors - Received updated information regarding evaluations not submitted for continuing education courses held and continuing education courses for which there is no available information. **Recommend** that staff coordinate with Steve Gilbert and send out letters to providers who have not submitted evaluations for courses held and request that providers submit overdue evaluations, course cancellations and/or disks by November 24, 1998.
2. Continuing Education Administration, Curriculum, Courses, Providers and Instructors - Applications - Jay J. Spadinger, Course category: Contracts - **Recommend Approval.**
3. Prelicensing Education Administration, Curriculum, Schools, Instructors, and Equivalency - Administrative Issues - Letter from Paige B. Vitousek Regarding Instructors' Exam - Staff to respond.
4. Program of Work, FY99 - Real Estate Seminars - **Recommend approval** to renew the contract of the Hawaii Association of Realtors as consultant for the Real Estate Commission's program of work for an additional two (2) years.
5. Budget and Finance Report - Real Estate Education Fund - September 1998 - **Recommend Acceptance** of the September 1998 Real Estate Education Fund Report.
6. Next Meeting: **Wednesday, December 9, 1998**
10:00 a.m.
Kapuaiwa Room
HRH Princess Victoria Kamamalu Building
250 South King Street
Honolulu, Hawaii

Hawaii Real Estate Research and Education Center Report and Chair Report - HREREC's Continuing Education Providers Report for the Third Quarter - Mr. Gilbert submitted the information requested by the ERC at its November 10, 1998 meeting for their review. When asked if he had received any responses as yet, Mr. Gilbert replied that he had not.

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 November 10, 1998 Condominium Review Committee meeting, as follows:

1. **Minutes of October 14, 1998** -- Accept minutes.
2. **HREREC Report** -- Hawaii Condominium Bulletin - FY99 Vol. 7, Number 1, (Fall 1998) printed and distributed.
3. **Condominium Governance and Management--Fidelity Bond Exemptions**
 - A. Where the applicants certify consent to conditions prescribed by the Commission, recommend approval to delegate to staff the approval of first-time and re-applications for a CHO fidelity bond exemption, subject to the following conditions:
 - 1) That the applicant is a licensed real estate broker;
 - 2) That the applicant provide biennially, recent written evidence from the insurance or bonding companies of attempts to secure a fidelity bond with reasons for its unavailability, provided that sole proprietors with no employees or associating real estate salespersons need not provide such evidence, and provided that partnerships with no employees or associating real estate salespersons other than general partners need not provide such evidence;
 - 3) That the applicant shall provide biennially, recent written evidence to all represented apartment owners of their approval of the fidelity bond exemption and its nonapplicability;
 - 4) That the principal broker is, and shall be, the sole individual handling or having custody and control of the condominium hotel operation's funds or the apartment owner's funds, except as provided for the broker in charge;
 - 5) That NO employees or associating real estate salespersons shall handle (receive, deposit, and disburse) or have custody or control of any of the condominium hotel operation funds (including checks, money orders and cash) or the apartment owner's funds;
 - 6) That all the condominium hotel operation funds and any apartment owners funds be immediately deposited into a separate trust account for the condominium hotel operation, subject to the custody and control of the principal broker only, except as provided in Chapter 467, HRS, and Chapter 99, HAR, for the broker in charge;
 - 7) That the applicant shall not hire any employees or contract any additional associating real estate salespersons for its condominium hotel operations without securing a fidelity bond in compliance with section 467-30, HRS, and Chapter 99, HAR, and such fidelity bond shall be approved by the Commission prior to the hiring or associating;
 - 8) That the applicant, its principal broker, any broker in charge and any successors shall comply with Chapter 467, HRS and Chapter 99, HAR;
 - 9) That this conditional registration is subject to any amendments to the law or the rules;
 - 10) That the applicant shall immediately report to the Commission any changes to the conditional CHO registration including the fidelity bond exemption;
 - 11) That the Commission, through its staff and the Regulated Industries Complaints Office (RICO), reserves the right to request any information and to examine the Applicant's condominium hotel operation including all trust accounts without notice;
 - 12) That the conditional registration and the fidelity bond exemption

expire at the conclusion of the biennial registration period and must be reapplied for with each biennial registration period. The reregistration application shall include written evidence of the applicant's more recent attempts to secure the required fidelity bond with reasons for non-availability, shall be complete, including other documentation required by the above conditions, and shall be submitted at least 30 days prior to the biennial registration deadline; and

- 13) Any breach of the above-mentioned conditions will automatically terminate the conditional condominium hotel operator registration and the fidelity bond exemption.

That the Commission delegates to staff the conditional initial registrations and reregistrations, in which there have been no change in circumstances and the applicant has complied with the conditions above. These policies shall be incorporated into the proposed rules, Chapter 99, HAR, Real Estate Brokers and Salespersons.

- B. Where the applicants certify consent to conditions prescribed by the Commission, recommend approval to delegate to staff the approval of first-time and re-applications for a CMA fidelity bond exemption, subject to the following conditions:

- 1) That the applicant is a licensed real estate broker;
- 2) That the applicant shall comply with Chapters 467 and 514A, HRS, and Chapters 99 and 107, HAR;
- 3) That if the applicant -
 - a) does not handle AOA funds, the applicant shall be responsible for only the physical management of one specific AOA of not more than 20 apartments and the only person managing the operation of the property for the AOA; or
 - b) does handle AOA funds, the applicant shall be managing the operation of the property of one specific AOA of not more than 20 apartments, provide written evidence (signed by the President) biennially that the AOA approves of the fidelity bond exemption for the applicant, and submit a copy of the AOA's financial statements biennially;
- 4) That the applicant shall immediately report to the Commission any changes that are material to the conditional CMA registration or to the fidelity bond exemption;
- 5) That the subject CMA registration is conditional due to the conditions of the fidelity bond exemption and subject to any amendments to the laws or the rules;
- 6) That the conditional registration and the fidelity bond exemption expire at the conclusion of the biennial registration period and must be reapplied for with each biennial registration period, and shall be submitted at least 30 days prior to the biennial registration deadline;
- 7) That the fidelity bond exemption and the conditional CMA registration shall automatically terminate if the applicant is not in compliance with any of the above conditions; and
- 8) That the CMA informs the Real Estate Commission of any changes to the information provided in its application for bond exemption.

That the Commission delegates to staff the conditional initial registrations and reregistrations in which there have been no change in circumstances and the applicant has complied with the conditions above. These policies shall be incorporated into the proposed rules, Chapter 107, HAR, Condominium Property Regimes.

- C. Where the applicants certify consent to conditions prescribed by the Commission, recommend approval to delegate to staff the approval of first-time and re-applications for an AOA fidelity bond exemption where all condominium units are owned by a sole individual, sole corporation or sole partnership, subject to the following conditions:
- 1) That all apartments shall continue ownership by the sole individual, corporation or partnership throughout the registration period;
 - 2) That if the sole owner is a corporation or a partnership, such corporation or partnership shall be registered and in good standing with the Business Registration Division of the Department of Commerce and Consumer Affairs;
 - 3) That the AOA is established;
 - 4) That the AOA and the applicant shall comply with all financial controls as prescribed in the fidelity bond exemption application;
 - 5) That the AOA and the applicant shall comply with Chapter 514A, HRS, and Chapter 107, HAR;
 - 6) That the AOA and the applicant shall be responsible for the subject AOA registration and fidelity bond exemption, and the applications for AOA registration and for fidelity bond exemption are signed by the sole owner individual, officer of the corporation or general partner of the partnership and by an officer of the AOA;
 - 7) That the AOA and the applicant shall immediately report to the Commission any changes in the ownership of the apartments or other material changes that affect the fidelity bond exemption;
 - 8) That the conditional registration and the fidelity bond exemption expire at the conclusion of the biennial registration period and must be reapplied for with each biennial registration period, and shall be submitted at least 30 days prior to the biennial registration deadline; and
 - 9) That the fidelity bond exemption and the AOA registration shall terminate if the AOA or the applicant are not in compliance with any of the above conditions.

That the Commission delegates to staff the conditional initial registrations and reregistrations in which there have been no change in circumstances and the applicant has complied with the conditions above. These policies shall be incorporated into the proposed rules, Chapter 107, HAR, Condominium Property Regimes.

- D. Where the applicants certify consent to conditions prescribed by the Commission, recommend approval to delegate to staff the approval of first-time and re-applications for an AOA fidelity bond exemption where all condominium units are 100% commercial use, subject to the following conditions:
- 1) The AOA shall be managed by a registered condominium managing agent;
 - 2) The AOA shall comply with its current financial controls, which include:
 - a) the board of directors shall promptly and diligently review all AOA fund account statements from the condominium managing agent,
 - b) the AOA shall conduct an annual audit of its funds, and
 - c) the apartments shall remain 100% commercial;
 - 3) The AOA shall comply with one of the following two

requirements:

- a) Provide to the Commission evidence of a board of directors resolution acknowledging its request for a fidelity bond exemption and initiate a requirement of two signatures for checks in excess of \$2,500.00; or
- b) Provide to the Commission a resolution signed by each apartment owner acknowledging the apartment owners' request for and approval of the fidelity bond exemption.
- 4) With the exception of the fidelity bond requirement, the AOA and its board of directors shall comply with the provisions of Chapter 514A, Hawaii Revised Statutes, and Hawaii Administrative Rules, Chapter 107;
- 5) That the conditional registration and the fidelity bond exemption expire at the conclusion of the biennial registration period and must be reapplied for with each biennial registration period, and shall be submitted at least 30 days prior to the biennial registration deadline; and
- 6) Failure to abide by these conditions will result in termination of the fidelity bond exemption and the association registration.

That the Commission delegates to staff the conditional initial registrations and reregistrations in which there have been no change in circumstances and the applicant has complied with the conditions above. These policies shall be incorporated into the proposed rules, Chapter 107, HAR, Condominium Property Regimes.

E. Where the applicants certify consent to conditions prescribed by the Commission, recommend approval to delegate to staff the approval of first-time and re-applications for an AOA fidelity bond exemption where the condominium project contains twenty or fewer units, subject to the following conditions:

- 1) The association of apartment owners ("AOAO"), through its board of directors shall submit to the Commission recent letters from three (3) separate insurance carriers confirming that the AOA is unable to obtain fidelity bond coverage.
- 2) Projects with 6 to 13 units shall have either reserves of \$10,000 or less and a total annual budget of \$15,000 or less, OR a total annual budget of \$25,000 or less AND at least two of the following:
 - a. Retains a CMA
 - b. Separate operating and reserve accounts with two signatures required on reserve account
 - c. Operating account with two signatures for checks in excess of \$500
 - d. Board review of account statement from CMA
 - e. Board review of account statement from financial institution
 - f. Conducts an annual audit/review/compilation
 - g. Automatic payment by financial institution of utilities and regularly recurring expenses
 - h. Project is totally commercial or industrial with no residential units
- 3) Projects with 14 to 20 units shall have either reserves of \$20,000 or less and a total annual budget of \$30,000 or less OR a total annual budget of \$50,000 or less AND at least three of the following:
 - a. Retains a CMA
 - b. Separate operating and reserve accounts with two signatures required on reserve account

- c. Operating account with two signatures for checks in excess of \$1,000
 - d. Board review of account statement from CMA
 - e. Board review of account statement from financial institution
 - f. Conducts an annual audit/review/compilation
 - g. Automatic payment by financial institution of utilities and regularly recurring expenses
 - h. Project is totally commercial or industrial with no residential units; and
- 4) That the conditional registration and the fidelity bond exemption expire at the conclusion of the biennial registration period and must be reapplied for with each biennial registration period, and shall be submitted at least 30 days prior to the biennial registration deadline.

That the Commission delegates to staff the conditional initial registrations and reregistrations in which there have been no change in circumstances and the applicant has complied with the conditions above. These policies shall be incorporated into the proposed rules, Chapter 107, HAR, Condominium Property Regimes.

4. **CPR Registration, Public Reports, Extensions Issued** -- Recommend approval to ratify issuance of effective dates for public reports and extensions for the month of October 1998.
5. **CMEF Budget and Finance Report** (pro forma) for period ending September 30, 1998 -- **Accept** .
6. Next Meeting: Wednesday, **December 9, 1998**
11:00 a.m.
Kapuaiwa Room
HRH Princess Victoria Kamamalu Building
1010 Richards Street, Second Floor
Honolulu, Hawaii

Commissioner Evangelista noted that the time for the December 9, 1998 CRC Committee meeting has been moved up to 11 a.m.

Condominium Governance and Management - Fidelity Bond Exemptions - The Deputy Attorney General strongly recommended that the Commission promulgate rules to address the exemptions noted in item 3 of the above report. She also recommended that notice be given to all interested parties so that they understand the requirements.

The SEO reported that REB staff is currently working on the rule amendments. The REC is looking to simplify the rules and to make it consistent.

The Chair reported that the REC meeting agendas will be rearranged to accommodate and encourage participation from the HREREC and HAR. The Committee reports will follow the Executive Officer's Report on the agenda, beginning with the January 29, 1999 REC meeting.

Minutes of Previous Meetings

Upon a motion by Commissioner Nomura, seconded by Commissioner Ohama, it was voted on and unanimously carried to approve the minutes of the October 29, 1998 Real Estate Commission meeting as circulated.

The SEO informed the Commissioners that former Commissioner Jake Urner passed away.

Executive Session:

Upon a motion by Commissioner Nomura, seconded by Commissioner Ohama, 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;".

The Chair recused himself from the meeting during deliberations on the limited liability company application and request for reconsideration of Destination Maui Realty, Inc. The Vice Chair presided over the meeting.

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

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

Licensing - Restoration
of Forfeited License:

Marion A. Barton
Mark S. Hayashi
Robert Tadao linuma
Synthia E. King
William E. Nelson
Rita S. K. Wong

Salesperson
Salesperson
Salesperson
Salesperson
Salesperson

After a review of the information submitted by the applicants, Commissioner Aki moved that restoration be approved upon submitting evidence of successfully completing one of the two options of Commission-approved real estate courses. Commissioner Ohama seconded the motion. The motion was voted on and unanimously carried.

Albert D. Kim

Salesperson

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

Edward Leao

After a review of the information submitted by the applicant, Commissioner Aki moved that restoration be approved upon submitting evidence of successfully completing one of the two options of Commission-approved real estate courses. Commissioner Ohama seconded the motion. The motion was voted on and unanimously carried.

Licensing -
Questionable
Applications:

Stephen W. Maulhardt

After a review of the information submitted by the applicant, Commissioner Okawa moved to approve the real estate salesperson's license application of Stephen W. Maulhardt. Commissioner Lindemann seconded the motion. The motion was voted on and unanimously carried.

Pamela J. Simpson

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

Georgia L. Roberson

After a review of the information submitted by the applicant, Commissioner Aki moved to approve Georgia L. Roberson's request for an equivalency to the ten real estate transactions, of which three are sales contracts or commercial or industrial leases closed escrow and three are listing contracts or commercial or industrial leases closed escrow,

subject to submission of completed Experience Certification Statements from MocCormack Real Estate Services, Ltd. and Real Estate Referral Center, Inc. within 60 days of receipt of notice. Commissioner Evangelista seconded the motion. The motion was voted on and unanimously carried.

Kamaole Management Systems, Inc., KMS Realty

After a review of the information submitted by the applicant, Commissioner Ohama moved to approve the Condominium Hotel Operator registration of Kamaole Management Systems, Inc., KMS Realty. Commissioner Imanaka seconded the motion. The motion was voted on and unanimously carried.

Map Vision, Inc.

After a review of the information submitted by the applicant, Commissioner Evangelista moved to approve the Condominium Managing Agent registration of Map Vision, Inc. Commissioner Ohama seconded the motion. The motion was voted on and unanimously carried.

Carole D. Gaddis

After a review of the information presented by the applicant, Commissioner Ohama moved to approve the reinstatement of Carole D. Gaddis' real estate salesperson's license. Commissioner Lindemann seconded the motion. The motion was voted on and unanimously carried.

Denise A. Markoff

After a review of the information presented by the applicant, Commissioner Evangelista moved to deny Denise A. Markoff's motion for reconsideration based on untimely filing according to the Hawaii Administrative Rules, §16-201-23. The Commission did not find that the applicant gave good reason for the Commission to grant reconsideration of its decision after the ten days. Nonetheless, in the interest of judicial economy, the Commission considered the new information. The Commission stands by its previous decision of September 25, 1998, denying the real estate salesperson's license application. The Commission's September 25, 1998 decision is the decision of record. Commissioner Ohama seconded the motion. The motion was voted on and carried.

Ronald S. Stebbins II

After a review of the information presented by the applicant, Commissioner Lindemann moved to approve Ronald S. Stebbins II's request for reconsideration and to approve his real estate salesperson's license. Commissioner Nomura seconded the motion. The motion was voted on. Commissioners Evangelista and Ohama opposed the motion. The motion was carried.

Destination Maui Realty LLC

The Chair recused himself from the meeting. The Vice Chair presided over the meeting.

After a review of the information submitted by the applicant, Commissioner Lindemann moved to approve Destination Maui Realty LLC's request for reconsideration and to approve the limited liability company application of Destination Maui Realty LLC. Commissioner Evangelista seconded the motion. The motion was voted on and carried.

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

Next Meeting: **Thursday, December 10, 1998**
9:00 a.m.
Kapuaiwa Room
HRH Princess Victoria Kamamalu Building
1010 Richards Street, Second Floor

Honolulu,
HawaiiAdjournment: With no further business to discuss, the Chair adjourned the meeting at 10:18 a.m.

Reviewed and approved by:

/s/ Christine Rutkowski
Christine Rutkowski
Executive Officer

December 10, 1998
Date

- [X] Approved as circulated.
- [] Approved with corrections; see minutes of _____ meeting.