

**REAL ESTATE COMMISSION**  
Professional and Vocational Licensing Division  
Department of Commerce and Consumer Affairs  
State of Hawaii  
[www.state.hi.us/hirec](http://www.state.hi.us/hirec)

**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, September 27, 2002

Time: 9:00 a.m.

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

Present: John Ohama, Chair  
Mitchell Imanaka, Vice Chair  
Louis Abrams, Member  
Marshall Chinen, Member  
Kathleen Kagawa, Ph.D., Member  
Iris Okawa, Member

Calvin Kimura, Supervising Executive Officer  
Alan Taniguchi, Executive Officer  
Diane Choy Fujimura, Senior Real Estate Specialist  
Cynthia Yee, Senior Condominium Specialist  
Lorene Arata, Real Estate Specialist  
David Grupen, Condominium Specialist  
Cheryl Leong, Condominium Specialist  
Shari Wong, Deputy Attorney General (Late Arrival)  
Irene Kotaka, Secretary

Nicki Ann Thompson, Hawaii Association of REALTORS  
Alan Kido, Esq.  
Scott Bradley, Bradley Properties, Ltd.  
Faith Amby Thornton

Excused: Patricia Choi, Member  
Peter Rice, Member  
Vern Yamanaka, Member

Call to Order: The Chair called the meeting to order at 9:00 a.m., at which time quorum was established.

Chair's Report: The Chair reported that the Commissioners had participated in the Hot Topics Forum at the Hawaii Association of REALTORS' Pacific Rim Conference, on September 5, 2002.

The forum was well attended. Licensees asked questions relating to upgrading the continuing education curriculum or changing the hour

requirement. There were also questions about the real estate brokers and salespersons' curriculums.

Commissioner Imanaka noted that most people in the room preferred to be tested and to have some measure of accountability with regards to the continuing education courses.

Commissioners Imanaka, Kagawa, Yamanaka, Abrams, Choi and Ohama were present at that forum.

The Chair informed the Commissioners that there may be an anticipated lack of quorum for the October 25, 2002 Real Estate Commission meeting as the Governor's New Board Member Orientation is scheduled to be held at the same time as the Commission meeting.

Commissioner Kagawa stated that she will be attending the Board Member Orientation. Commissioner Abrams also stated that he would like to attend the orientation session. Commissioner Chinen stated that he would not be attending the orientation.

The Deputy Attorney General arrived.

The SEO also requested that the Commissioners submit to REB staff the dates in which they are unavailable from now until the end of the year.

Executive Officer's  
Report:

**Announcements, Introductions, Correspondence and Additional  
Distribution**

**Additions to the Agenda**

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

4. Committee Reports
  - d. Condominium Consultants

The SEO informed the Commissioners that staff is preparing for the new administration to come on board on December 2, 2002. There may be dramatic changes in the budget, such as budget restrictions, or in other areas.

In the past, there have been time delays whenever there is a change in administration. Staff is trying to anticipate the delays and would like to submit requests for approvals of contracts, travel and purchases early in order to avoid the delays.

### Minutes of Previous Meetings

Upon a motion by Commissioner Imanaka, seconded by Commissioner Kagawa, it was voted on and unanimously carried to approve the minutes of the August 30, 2002 Real Estate Commission meeting as circulated.

Upon a motion by Commissioner Abrams, seconded by Commissioner Kagawa, it was voted on and unanimously carried to reschedule the Real Estate Commission meeting to October 30, 2002, subject to confirmation of a quorum.

### Committee Reports:

#### Laws and Rules Review Committee

Upon a motion by Commissioner Okawa, seconded by Commissioner Chinen, it was voted on and unanimously carried to accept the report of the September 4, 2002 Laws and Rules Review Committee meeting as follows:

1. Minutes of August 14, 2002 – Accept
2. Program of Work, FY03  
Neighbor Island Outreach – The next neighbor island outreach is scheduled to be held on the island of Maui, on Friday, January 10 2003, subject to room availability.
3. Next Meeting: Wednesday, October 9, 2002  
9:00 a.m.  
Kapuaiwa Room  
HRH Princess Victoria Kamamalu Building  
1010 Richards Street, Second Floor  
Honolulu, Hawaii

#### Education Review Committee

Upon a motion by Commissioner Okawa, seconded by Commissioner Kagawa, it was voted on and unanimously carried to accept the report of the September 4, 2002 Education Review Committee meeting as follows:

1. Minutes of August 14, 2002 – **Accept.**
2. Continuing Education Administration, Curriculum, Courses, Providers, and Instructors - Applications
  - a) 2001-2002 Continuing Education Providers and Course Ratification List – **Recommend approval** of the following registrations/certifications:

<u>Registration/Certification</u>	<u>Effective Date</u>
<b>Provider(s)</b> Max Sherley Real Estate Center (Administrator: Scott A. Sherley)	08/19/02
  - b) Course – “Federal Income Taxes for 2002,”  
Author/Owner: J. Allen Johnson, CCIM, CRE, Provider: Hawaii CCIM Chapter, Course Category: Risk Management, Course Clock Hours: 3 – **Recommend approval.**

- c) Course – “FAIR HOUSING: An Introduction to Federal and State Laws and Rules,” Author/Owner: Jay J. Spadinger, Akahi Real Estate Network, LLC, Provider: Jay J. Spadinger, Akahi Real Estate Network, LLC, Course Category: Fair Housing and Real Estate Law, Course Clock Hours: 3 – **Recommend approval.**
  - d) Continuing Education Review Panel – **Recommend approval** to organize panel and compile names of potential panel members, select panel members from names submitted, panel members to conduct review/evaluation of continuing education courses on an as needed basis pursuant to §16-99-100(b), Hawaii Administrative Rules. To be listed as item 4.g. on ERC agenda.
  - e) Staff to distribute memorandum to continuing education providers from the Real Estate Branch regarding monitoring of class attendees pursuant to §§16-99-112(a)(2), 16-99-112(e), and 16-99-115, Hawaii Administrative Rules.
- 3. Program of Work - Neighbor Island Outreach – Maui – Tentatively scheduled for January 10, 2003.
  - 4. Next meeting: Wednesday, October 9, 2002  
10:00 a.m.  
Princess Victoria Kamamalu Building  
250 South King Street, 2<sup>nd</sup> Floor  
Honolulu, Hawaii 96813

### **Condominium Review Committee**

Upon a motion by Commissioner Imanaka, seconded by Commissioner Abrams, it was voted on and unanimously carried to accept the report of the September 4, 2002 Condominium Review Committee meeting as follows:

- 1. Minutes of August 14, 2002 – **Accept**
- 2. Condominium Governance and Management
  - a. AOA Registrations – 2001-2003 Biennium Registration, August 2002 – **Recommend approval** to ratify effective dates for AOA registrations received for the 2001-2003 biennium through August 31, 2002.
  - b. Condominium Seminars and Symposium - **Recommend approval** to accept CAI’s substitution of the seminar topic “Firing Line – Terminating Association Employees – Do’s and Don’ts” for “Almost Free Legal Advice” previously scheduled as a CMEF subsidized seminar for October 17, 2002.
- 3. CPR Registration, Developer’s Public Reports August 2002 – **Recommend approval** to ratify issuance of effective dates of the developer’s public reports and extensions issued for the month of August 2002.

County of Hawaii – Acknowledge receipt of Hawaii County Planning Department letter of August 12, 2002 and note no informational response is deemed necessary.

4. Next Meeting: **Wednesday, October 9, 2002**  
11:00 a.m.  
Kapuaiwa Room  
HRH Princess Victoria Kamamalu Building  
1010 Richards Street, Second Floor  
Honolulu, Hawaii

### **Condominium Consultants**

At the regular Commission meeting of August 30, 2002, the Commission decided to solicit individuals interested in being retained by the Commission as independent contractors to review the condominium project registration application and make recommendations for issuance of effective dates for developer's public reports.

Upon a motion by Commissioner Imanaka, seconded by Commissioner Kagawa, it was voted on and unanimously carried to delegate the selection of two additional condominium consultants to the Chair of the Condominium Review Committee, Supervising Executive Officer, and the Senior Condominium Specialist. The selection shall be based on the following factors:

- The breadth and length of the candidate's experience with the procedures and documentation required for registering a condominium project with the Commission;
- Actual experience with developing a condominium project;
- Working knowledge of Chapter 514A, HRS, and rules relating thereto, county ordinances and regulations, Chapter 467, HRS, and other federal and state laws relating to condominium project registration and development; and
- Prior experience working with the Real Estate Commission, staff, and condominium consultants.

### Licensing and Registration - Ratification:

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

### Licensing – Questionable Applications:

#### **Faith Amby Thornton**

Faith Amby Thornton was asked if she wished to have her application for a real estate salesperson's license considered in executive session. She declined the offer.

Ms. Thornton stated that when she first took the exam, she had put everything in a manila envelope. When she failed the State portion of the exam, she received documents from the test center. She thought that the date on the papers she received was the date that she had to pass the exam by. She stated she put the paperwork back in the

envelope and scheduled another examination date. She did not go through her paperwork. She did not realize that she was supposed to take the exam earlier.

Commissioner Imanaka asked her if she was aware that the certificates had expired in April. Ms. Thornton stated that she had put the paperwork in the envelope but did not look at it. She realized that it had expired after she filled out her application. She did not realize that it was expired when she took her exam.

Ms. Thornton was asked what date she thought was the expiration date. Ms. Thornton stated that when she received the failing notice which had a date on top and she thought it was the date that she needed to take the exam by.

Commissioner Abrams asked if Ms. Thornton had received a certificate of completion for the prelicensing course. Ms. Thornton had applied for and had received a prelicense education equivalency. Commissioner Abrams then asked staff if the expiration date of the equivalency was prominently displayed. He was informed that staff fills in the information manually.

Ms. Thornton was again asked what she believed her expiration date to be. Ms. Thornton answered, "September 18, 2002." Ms. Thornton stated that she had not read the material thoroughly before taking the exam, otherwise, she would have reapplied for a new equivalency certificate.

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

#### **Bradley Properties, Ltd.**

Scott Bradley and Alan T. Kido, Esq., were present at the meeting to answer any questions the Commissioners may have had regarding their request to continue to use the name Bradley Properties, Ltd. as the name of the trade name of the entity.

Mr. Bradley and Mr. Kido were asked if they wished to have their request considered in executive session. They both declined the offer.

Mr. Bradley stated that he will continue as a shareholder and officer of the firm and has given his consent to continue.

Mr. Bradley was asked to explain what would happen if there were a transaction involving Bradley Properties, Ltd. and Mr. Bradley. Mr. Bradley stated that Bradley Properties, Ltd. already provides disclosures and that Bradley Properties, Ltd. is involved in property management, so the situation will probably not arise. If it does, they will disclose the common ownership.

Upon a motion by Commissioner Okawa, seconded by Commissioner Kagawa, it was voted on and unanimously carried to approve the request to continue to use the name of Bradley Properties, Ltd., as the name or trade name of the entity.

Executive  
Session:

Upon a motion by Commissioner Chinen, seconded by Commissioner Abrams, 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 Imanaka, seconded by Commissioner Okawa, it was voted on and unanimously carried to move out of executive session.

Licensing -  
Questionable  
Applications:

**Faith Amby Thornton**

After a review of the information presented by the applicant, Commissioner Abrams moved to approve the real estate salesperson's license of Faith Amby Thornton. Commissioner Kagawa seconded the motion. The motion was voted on and unanimously carried.

**Anthony Joseph Heitz**

After a review of the information submitted by the applicant, Commissioner Kagawa moved that the Commission would most likely approve the real estate salesperson's license application of Anthony Joseph Heitz. Commissioner Chinen seconded the motion. The motion was voted on and unanimously carried.

Executive Officer's  
Report:

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

Ms. Thompson thanked the Commissioners for their participation in the conference. She stated that they have received positive feedback from the Commissioners' Hot Topics session and the presence of so many Commissioners. She also stated that in the future, she would have questions prepared to assist the Commissioners in discussing items of interest to their members. Some attendees commented that they would have liked to have had a presentation from the Commission on what issues were coming up or what has happened recently.

Investments –  
Dean Witter:

The EO provided a summary of previous discussions on the investment of the trust funds.

The Commission needed to decide how the funds should be invested. Commissioner Rice's previous recommendation was that 60% be invested in stocks and 40% be invested in bonds.

Upon a motion by Commissioner Imanaka, seconded by Commissioner Abrams, it was voted on and unanimously carried to adopt the investment split of 60% stocks and 40% bonds.

Next Meeting:

Wednesday, October 30, 2002  
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 Chair adjourned the meeting at 9:35 a.m.

Reviewed and approved by:

/s/ Alan Taniguchi  
Alan Taniguchi  
Executive Officer

October 30, 2002  
Date

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



APPROVED APPLICATIONS FOR REAL ESTATE  
REAL ESTATE COMMISSION MEETING ON SEPTEMBER 27, 2002

<u>Brokers – Corporations and Partnerships</u>	<u>Effective Date</u>
Realty Masters, Inc. Galen Miura, PB	08/20/02
Playground Destination Properties Inc. Patrick h. Callahan, PB	08/20/02
Strategic Management Corporation, Waikiki Beach Properties Kendric Wong, PB	08/29/02
Home Buyers Marketing II, Inc. Lynn Oakley, PB	09/03/02
Mountain Top Corporation Tatsuo Tatsumi, PB	09/03/02
James Campbell Corporation Stephen H. MacMillan, PB	09/16/02

<u>Brokers – Limited Liability Companies and Partnerships</u>	<u>Effective Date</u>
The Covenant Group, LLC, Covenant Realty Kenneth R. Sikes, PB	08/28/02
Thomas G. Stuck, Lanai Real Estate LLC Thomas G. Stuck, PB	09/03/02
Atlantis Realty, LLC Ronald J. Neff, PB	09/05/02

<u>Brokers - Sole Proprietor</u>	<u>Effective Date</u>
Thomas G. Stuck	08/05/02
Norman W. H. Wong	08/08/02
Jill MacMillan	08/12/02
Sharon M. Wong	08/22/02
Julie M. Cecil, Blue Sky Properties	08/26/02
Jeffrey N. Samuels, Jeffrey Samuels Pacific Properties	08/21/02
Mirko K. Manfredi, Island Sun Realty	08/28/02

<u>Corporation Name</u>	<u>Effective Date</u>
Stewart & Associates, Inc. (fka Dorothy Stewart & Associates Inc.)	08/20/02
Dolman Associates, Inc. (fka D.A.I. Inc.)	08/30/02

<u>Equivalency to Uniform Section of Examination Certificate</u>	<u>Expiration Date</u>
Shelly K. Luthringer	08/23/04
Robert J. Mason	08/23/04
Robert A. Kilmer	08/26/04
Mandy Michelle Betts	08/26/04
Paul R. Gienger	08/26/04
Dennie M. Richards	09/03/04
Chin H. Crosby	09/03/04
John D. Battle	09/04/04
Ursula Erika Wenzke	09/10/04
Gail Ruth Thorsen	09/10/04
Howard G. Kruschke	09/11/04

Equivalency to Uniform Section of Examination Certificate

	<u>Expiration Date</u>
Mark Avery Hampton	09/11/04
Donald Bertram Schroeder	09/11/04
David R. Luthringer	09/18/04

Educational Equivalency Certificate

	<u>Expiration Date</u>
Shelly K. Luthringer	08/23/04
Robert J. Mason	08/23/04
Glen T. Hale	08/23/04
Karen Yoko Uehara	08/26/04
Capucine A. Smith	08/26/04
Robert A. Kilmer	08/26/04
Mandy Michelle Betts	08/26/04
Paul R. Gienger	08/26/04
Joseph M. Toy	08/28/04
Tim Michael Heraty	08/30/04
Kai L. Hobbs	08/30/04
Dennie M. Richards	07/08/04
Chin H. Crosby	09/03/04
John D. Battle	09/04/04
Scott Dixon Scroggins	09/09/04
Gail Ruth Thorsen	09/10/04
Scott Dixon Scroggins	09/11/04
Howard G. Kruschke	09/11/04
Mark Avery Hampton	09/11/04
Donald Bertram Schroeder	09/11/04

Real Estate Broker Experience Certificate

	<u>Expiration Date</u>
Robert J. Mason	08/23/04
SallyAnn Kraensel	08/26/04
Robert J. Cella	08/26/04
Judy G. Johnston	08/26/04
Paul R. Gienger	08/26/04
Kim Lee Ransom	08/28/04
Rhonda Lee Hay	08/28/04
Scott Dean	08/28/04
Kelly L. Barrick	08/30/04
Dennie M. Richards	09/03/04
Chin H. Crosby	09/03/04
John D. Battle	09/04/04
Harry S. K. Lee	09/09/04
Patrick W. D. Low	09/09/04
Keith K. T. Lau	09/10/04
Karla F. Casey	09/11/04
Xing Cheng	09/11/04
Diane K. Pool	09/11/04
Laura E. Monahan	09/12/04
Mark S. Sullivan	09/12/04
Mark H. Stevens	09/12/04

Real Estate Broker (upgrade)

Chickadee L. Moniz  
Michael S. Ginoza  
Kendric Wong  
Mark Ackrich  
James C. Shipman

Effective Date

08/19/02  
08/26/02  
08/29/02  
08/29/02  
08/29/02

Restoration – Real Estate Salesperson

Pamela J. Heath  
Celeste K. Hoff  
Andrew W. Bradley  
Christopher B. Pitcher  
Karen Lynn Mickievic  
Damon L. Schmidt  
David W. Jones

Effective Date

08/19/02  
08/19/02  
08/26/02  
08/26/02  
08/28/02  
08/29/02  
09/10/02

Restoration – Real Estate Broker

Mirko K. Manfredi

Effective Date

08/28/02