

REAL ESTATE COMMISSION
Professional and Vocational Licensing Division
Department of Commerce and Consumer Affairs
State of Hawaii
www.hawaii.gov/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, November 30, 2007

Time: 9:00 a.m.

Place: Queen Liliuokalani Conference Room
King Kalakaua Building
335 Merchant Street, First Floor
Honolulu, Hawaii

Present: Trudy Nishihara, Chair, Broker/Honolulu Commissioner
Stanley Kuriyama, Vice Chair, Broker/Honolulu Commissioner (Late Arrival)
Louis Abrams, Broker/Kauai Commissioner
Annette Aiona, Broker/Hawaii Island Commissioner
Carol Ball, Broker/Maui Commissioner
William S. Chee, Broker/Honolulu Commissioner (Late Arrival)
Frances Gendrano, Broker/Honolulu Commissioner
Michele Sunahara Loudermilk, Public/Honolulu Commissioner
Mark Suiso, Public/Honolulu Commissioner

Calvin Kimura, Supervising Executive Officer
Neil Fujitani, Executive Officer
Diane Choy Fujimura, Senior Real Estate Specialist
Amy Endo, Real Estate Specialist
David Grupen, Real Estate Specialist
Cynthia Yee, Senior Condominium Specialist
Cheryl Leong, Condominium Specialist
Benedyne Stone, Condominium Specialist
Shari Wong, Deputy Attorney General
Irene Kotaka, Secretary

John Hassler, Esq., RICO
Patrick Kelly, Esq., RICO
Alberta Keamo
Brandon Price
Lloyd Iwasaki
Janlu Takane
Gordon Au
Steven Abrams
Sharon Black
Cynthia Nakamura, Esq.

Absent: None

Call to Order: The Chair called the meeting to order at 9:03 a.m., at which time quorum was established.

Chair's Report: The Chair announced that the Commission may move into executive session to consider and evaluate personal information relating to individuals applying for licensure in accordance with Section 92-5(a)(1), HRS, and/or to consult with the Commission's attorney on questions and issues pertaining to the Commission's powers, duties, privileges, immunities, and liabilities in accordance with Section 92-5(a)(4), HRS.

No Chair's report was presented.

Executive Officer's Report: The Executive Officer informed the Commissioners that the original applications with any original associated documents to be considered at the meeting were available for review.

Addition to the Agenda

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

6. Licensing – Applications
 - i. Anna M. Neal

Minutes of Previous Meeting

Upon a motion by Commissioner Loudermilk, seconded by Commissioner Ball, it was voted on and unanimously carried to accept the minutes of the October 26, 2007 meeting.

Licensing – Ratification: Upon a motion by Commissioner Abrams, seconded by Commissioner Loudermilk, it was voted on and unanimously carried to ratify the attached list.

Licensing – Applications: The EO informed the Commissioners that the information provided to the Commissioners is related only to the issue that is before the Commission for consideration. The other materials submitted are available for the Commissioners review should they desire to review it. If the applicants have an issue, which is personal in nature, they have the right to request that their application be considered in executive session.

Alberta E. Keamo and AK Realty, LLC

Alberta E. Keamo was present to answer any questions relating to her application for a real estate broker's license and the limited liability company application of AK Realty, LLC. Ms. Keamo was asked if she wished to have her application considered in executive session. She declined the offer.

Ms. Keamo informed the Commissioners that she had not entered into an installment plan because she was planning to apply for her license. She said that in 2006, she paid \$110,000 to the IRS and the State out of her personal

assets. She exhausted her funds. She has been on her current payment plan for seven months.

Ms. Keamo said that in real estate you experience periods of feast to famine. She was short in 2005 when she filed her taxes. She paid \$110,000 off in 2006 when she had only made \$11,000 that year. Ms. Keamo said that she had been on payment plans before and she made her payments on time for many years. She said she only went on payment plans when she did not have sufficient funds. She has a family to support as well. She tries to pay her bills on time.

Ms. Keamo said that she had medical problems and was under a doctor's care in 2006. Things began to fall behind. She has been in real estate for 24 years.

The Commission must ensure that an applicant has a reputation for financial integrity, especially if they will be a principal broker. Concerns were expressed about Ms. Keamo's financial planning and her ability to honor her obligations. Ms. Keamo said that she understood the Commission's concerns and that was foremost on her mind.

Ms. Keamo said that she desires to have her own company to have more leverage to take care of her personal and business life. She is confident that she can be all that she needs to be.

Ms. Keamo was asked if she had completed the payment plans that she had entered previously. She said that she had finished the payment plans. She is also up to date in her payments in the current payment plans that she has with both the State Department of Taxation and the Internal Revenue Service.

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

Sharon C. E. Black

Sharon C. E. Black was present to request that the Commission remove the conditions attached to her license. When asked if she wished to have her request considered in executive session, Ms. Black declined the offer.

Ms. Black informed the Commissioners that it was the only time in her life that she had problems. Both incidents involved someone that she had dated. She went to prison for six weeks because of that. She was 55 years old when that happened. She is tired of having to regurgitate the incident to people all the time and has been a good employee. She wanted to go into time share and is currently working with Wyndham Resorts. She is a CMA at Wyndham and explained that she invites people to attend time share promotions. She has been a real estate salesperson for one year, but her license is inactive. She is not in the room selling time shares. She is on the street signing people up for the presentations. If the Commission grants her request to remove the conditions, she would like to activate her real estate salesperson's license with Wyndham. She has been employed by them for three months. She had originally worked with them for six months and has been in the time share industry for over 20 years.

Ms. Black was asked if she had ever been denied employment when she disclosed her conviction. She said that she had. She had applied with Shell Vacation Club when she was first licensed. She tried to explain the charges and her conviction but the corporate office did not understand and thought that she was being charged for multiple offenses. They did not understand that both cases were related.

Commissioner Chee arrived.

She did not get hired there. Ms. Black said that the man that she was dating became a witness to the crime because he was disgruntled with her. She said that at that the court case occurred, she was frightened and did not speak up for herself.

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

Brandon P. Price and The Price Corporation dba Price Realty Group

Brandon P. Price was present to answer any questions that the Commission may have regarding his application for a real estate broker's license and also his application for a real estate corporation license. When asked if he wished to have his applications considered in executive session, he accepted the offer.

Executive Session:

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

Licensing –
Applications:

REO Realty LLC dba Realty Executives Oahu

Commissioner Aiona recused herself from the meeting.

Steven Abrams, REO's sole manager, and Gordon Au, proposed principal broker of REO Realty LLC dba Realty Executives Oahu, were present to answer any questions the Commission may have regarding the limited liability company application of REO Realty LLC dba Realty Executives Oahu. When asked if they wished to have the application considered in executive session, Mr. Abrams accepted the offer.

Executive Session:

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

Licensing –
Applications:

Anna M. Neal

Commissioner Kuriyama arrived.

Cynthia Nakamura, Anna M. Neal's attorney, appeared on behalf of Ms. Neal to request the removal of the condition's placed on Ms. Neal's real estate salesperson's license. Ms. Nakamura was asked if she wished to have her client's application considered in executive session. She accepted the offer.

Executive Session:

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

Chapter 91, HRS,
Adjudicatory
Matters:

The Chair called for a recess from the meeting at 10:11 a.m., to discuss and deliberate on the following adjudicatory matters, pursuant to Chapter 91, HRS:

In the Matter of the Real Estate Broker's License of Lloyd J. Iwasaki, dba Kahala Real Estate; REC 2005-207-L

Lloyd J. Iwasaki, Janlu Takane and Patrick Kelly, Esq., were present at the meeting.

Upon a motion by Commissioner Abrams, seconded by Commissioner Ball, it was voted on and unanimously carried to approve the revocation of Lloyd J. Iwasaki's real estate broker's license for failing to comply with the Commission's Final Order, dated June 29, 2007.

In the Matter of the Real Estate Broker's License of Thomas F. Schmidt dba Tom Schmidt Realtors, REC 2006-103-L

Upon a motion by Commissioner Abrams, seconded by Commissioner Ball, it was voted on and unanimously carried to approve the Hearings Officer's Findings of Fact, Conclusions of Law and Recommended Order.

In the Matter of the Real Estate License of HHH Investments, LLC and Harvey H. Higashi; REC 2005-193-L

Commissioner Ball disclosed that she knows Harvey Higashi but she is able to vote impartially on the matter before the Commission.

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

Following the Commission's review, deliberation, and decisions in these matters, pursuant to Chapter 91, HRS, the Chair announced that the Commission was reconvening its scheduled meeting at 10:29 a.m.

Executive Session:

Upon a motion by Commissioner Loudermilk, seconded by Commissioner Ball, 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;" and 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 Loudermilk, seconded by Commissioner Ball, it was voted on and unanimously carried to move out of executive session.

Licensing –
Applications:

Scott A. Hargett

After a review of the information submitted by the applicant, Commissioner Loudermilk moved to approve the real estate salesperson's license of Scott A. Hargett. Commissioner Abrams seconded the motion. The motion was voted on and unanimously carried.

Sharon C. E. Black

After a review of the information presented by the applicant, Commissioner Abrams moved to grant Sharon C. E. Black's request to remove the conditions placed upon her real estate salesperson's license. Commissioner Loudermilk seconded the motion. The motion was voted on and unanimously carried.

Alberta E. Keamo

After a review of the information presented by the applicant, Commissioner Abrams moved to approve the conditional real estate broker's license of Alberta E. Keamo, subject to Ms. Keamo informing the principal broker or sole proprietor real estate broker (including a broker-in-charge of a real estate branch office) with whom he is associated with that a conditional real estate broker license has been granted and the terms of the conditional license, amongst other conditions. Commissioner Loudermilk seconded the motion. The motion was voted on and unanimously carried.

David Robison

After a review of the information submitted by the applicant, Commissioner Suiso moved to approve the real estate broker's license of David Robison. Commissioner Abrams seconded the motion. The motion was voted on and unanimously carried.

Brandon P. Price

After a review of the information presented by the applicant, Commissioner Aiona moved to approve the real estate broker's license of Brandon P. Price. Commissioner Loudermilk seconded the motion. The motion was voted on and unanimously carried.

The Price Corporation dba Price Realty Group

After a review of the information presented by the applicant, Commissioner Loudermilk moved to approve the real estate corporation application of The Price Corporation dba Price Realty Group. Commissioner Abrams seconded the motion. The motion was voted on and unanimously carried.

AK Realty LLC

After a review of the information presented by the applicant, Commissioner Suiso moved to deny the limited liability company application of AK Realty LLC, pursuant to §§467-8(a)(3) and 436B-19(1) and (8), HRS. The Commission had concerns regarding the proposed principal broker's history of financial integrity and recognizes the responsibility of a principal broker in delivering and managing a brokerage and its associated licensees. Commissioner Ball seconded the motion. The motion was voted on and unanimously carried.

REO Realty LLC dba Realty Executives Oahu

Commissioners Aiona, Chee and Nishihara recused themselves from the meeting.

After a review of the information presented by the applicant, Commissioner Abrams moved to approve the limited liability company of REO Realty LLC dba Realty Executives Oahu. Commissioner Ball seconded the motion. Commissioners Loudermilk, Abrams, Ball, Gendrano and Kuriyama voted in favor of the motion. Commissioner Suiso voted against the motion. The motion was carried.

Anna M. Neal

After a review of the information presented by the applicant, Commissioner Loudermilk moved to approve Ms. Neal's request to remove the conditions placed on her real estate salesperson's license. Commissioner Aiona seconded the motion. The motion was voted on and unanimously carried.

Delegation to staff:

Upon a motion by Commissioner Loudermilk, seconded by Commissioner Kuriyama, it was voted on and unanimously carried to amend the previous delegation to staff, dated October 31, 2003, to authorize staff to approve license applications if the applicant has submitted evidence of a payment plan or plans, an accepted offer-in-compromise or offers-in compromise by the State of Hawaii, Department of Taxation, and/or the Internal Revenue Service.

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Recovery Fund No report was presented.
Report:

Next Meeting: Friday, December 21, 2007
 9:00 a.m.
 Queen Liliuokalani Conference Room
 King Kalakaua Building
 335 Merchant Street, First Floor
 Honolulu, Hawaii

Adjournment: With no further business to discuss, Chair Nishihara adjourned the meeting at
 11:10 a.m.

Reviewed and approved by:

/s/ Neil Fujitani
Neil Fujitani, Executive Officer

December 6, 2007 _____
Date

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

NKF:isk
071204

APPROVED APPLICATIONS FOR REAL ESTATE
 REAL ESTATE COMMISSION MEETING ON NOVEMBER 30, 2007

<u>Brokers – Limited Liability Companies and Partnerships</u>	<u>Effective Date</u>
ResortQuest Real Estate of Hawaii, LLC, (fka Resort Quest Real Estate of Hawaii, Inc.) Paul T. Dobson, PB	10/03/07
Ala Moana Sales, LLC Pei-Yu Wen, PB	10/12/07
Deluxe Maui Realty, LLC Thaddeus V. Marckesano, PB	10/23/07
Mercado Realty, LLC Nolie Mercado, PB	10/31/07
Hawaii First Realty LLC Scott A. Sherley, PB	11/05/07
Century Realty LLC, Century Realty Kevin Li, PB	11/16/07
<u>Brokers – Corporations and Partnerships</u>	<u>Effective Date</u>
Rokit, Inc. Kim F. Scoggins, PB	10/26/07
Pacifica Realty Management, Inc. Kunzang D. Yuthok, PB	10/26/07
Carmel Partners, Inc. Melicio Z. Santos, Jr., PB	11/06/07
<u>Brokers – Limited Liability Companies and Partnerships Name</u>	<u>Effective Date</u>
The Parrish Collection, LLC (fka Grantham Resorts & Real Estate LLC)	11/15/07
<u>Trade Name</u>	<u>Effective Date</u>
Hawaii Dream Realty LLC, Exit Hawaii Dream Realty	10/16/07
Marc S. Etherton, Harbor Pointe Realty	10/18/07
Chaney, Brooks & Company LLC, NAI Chaney Brooks	11/08/07
Debra L. Martin, Debra Martin Realty	11/07/07
<u>Brokers – Sole Proprietor</u>	<u>Effective Date</u>
Gary L. Hooser	09/06/07
Bradley D. Salter	09/24/07
John J. Kraemer	10/01/07
Joseph K. Metzger	10/05/07
Dorothy Soo-Kiu Lam, Aloha Rainbow Properties	10/11/07
Lisa Bates	10/12/07
Diana Sande	10/23/07
Tracy L. Nunes	10/23/07
Margee Faunce, Steve Faunce & Associates	10/25/07
Sharon A. Seykota, Oceanfront Maui.com	10/26/07
Teresa Hassanally	10/31/07
Spencer Kim	10/17/09
Robert Dennis Wallace	10/18/09
Robert Russell Amberg	10/18/09
Jalene Renae King	10/18/09
Sophia Ann McNeil	10/18/09

<u>Equivalency to Uniform Section of Examination Certificate</u>	<u>Expiration Date</u>
Leslie Margaret Pappas	10/19/09
Rosemarie Brittner Mahyera	10/19/09
Guillermo E. Vitale	10/19/09
Katherine Louise Foster	10/24/09
Richard Samuel Vujovich, Jr.	10/25/09
Yolanda A. Graham	10/25/09
Larene K. Kelly	10/25/09
Malia Mathis	10/25/09
Barney Elders	10/25/09
Samuel B. Perez	10/25/09
Marcela Burboa-Ramirez	10/25/09
Michael Richard Clancy	10/26/09
Jan Elizabeth Phillips-Clar	10/29/09
Clifford Delano Carpenter	10/29/09
John-Michael Quesinberry	10/29/09
Dino Frankie Lint	10/29/09
Lisa Anne Miller	10/31/09
Devi P. Strass	10/31/09
Sarah E. Hughes	10/31/09
Steven C. Bockhorn	11/01/09
Michael Jong Oh	11/01/09
Theodore James Hofmann	11/01/09
Brett T. Stratton	11/01/09
Jim Gwak	11/01/09
Juan De Armas	11/01/09
Duke M. Kimhan	11/02/09
Crystal Lynn Shuey	11/05/09
Paul Gioffre	11/05/09
Jennifer Betsy Young	11/13/09
Michael O'Brien	11/13/09
John Yohwan Kim	11/16/09
Sherman Michael E. Williams	11/16/09
Eric Shuman	11/16/09
George Michael Khozam	11/16/09
Ryan Gingerich	11/16/09
Ryan K. Mahelona	11/19/09
Andrew Von Derwies	11/20/09

<u>Educational Equivalency Certificate</u>	<u>Expiration Date</u>
Spencer Kim	10/17/09
Robert Dennis Wallace	10/18/09
Robert Russell Amberg	10/18/09
Jalene Renae King	10/18/09
Sophia Ann McNeil	10/18/09
Leslie Margaret Pappas	10/19/09
Leanne Lorraine Pyle	10/19/09
Guillermo E. Vitale	10/19/09
Katherine Louise Foster	10/24/09
Richard Samuel Vujovich, Jr.	10/25/09
Yolanda A. Graham	10/25/09
Larene K. Kelly	10/25/09

<u>Educational Equivalency Certificate</u>	<u>Expiration Date</u>
Malia Mathis	10/25/09
Barney Elders	10/25/09
Samuel B. Perez	10/25/09
Marcela Burboa-Ramirez	10/25/09
Michael Richard Clancy	10/26/09
Jan Elizabeth Phillips-Clar	10/29/09
Clifford Delano Carpetner	10/29/09
John-Michael Quesinberry	10/29/09
Michael Jong Oh	10/29/09
Dino Frankie Lint	10/29/09
David Alfred Bateman	10/31/09
Lisa Anne Miller	10/31/09
Devi P. Strass	10/31/09
Jesse Wu	10/31/09
Sarah E. Hughes	10/31/09
Steven C. Bockhorn	11/01/09
Theodore James Hofmann	11/01/09
Brett T. Stratton	11/01/09
Jim Gwak	11/01/09
Caly Simpson Dalton	11/01/09
Juan De Armas	11/01/09
Duke M. Kimhan	11/02/09
Crystal Lynn Shuey	11/05/09
Jennifer Betsy Young	11/13/09
Michael O'Brien	11/13/09
John Yohwan Kim	11/16/09
Sherman Michael E. Williams	11/16/09
Eric Shuman	11/16/09
Ryan K. Mahelona	11/19/09
Andrew Von Derwies	11/20/09
Monica K. DeSoto-Theobald	11/20/09

<u>Real Estate Broker Experience Certificate</u>	<u>Expiration Date</u>
Spencer Kim	10/17/09
Lorren Charles Van Fossen	10/17/09
Robert Dennis Wallace	10/18/09
Robert Russell Amberg	10/18/09
Suzanne Margaret Olson	10/18/09
Sophia Ann McNeil	10/18/09
Jacque Bille Keizer	10/18/09
Lynda Gamblin	10/18/09
Antar Meeten Kneisly	10/18/09
Frida Rangel Adams	10/18/09
Leslie Margaret Pappas	10/19/09
Elena Roud	10/19/09
Guillermo E. Vitale	10/19/09
Katherine Louise Foster	10/24/09
Fumi Wenqing Hua	10/24/09
Richard Samuel Vujovich, Jr.	10/25/09
Alberta Edna Keamo	10/25/09
Yolanda A. Graham	10/25/09

<u>Real Estate Broker Experience Certificate</u>	<u>Expiration Date</u>
Larene K. Kelly	10/25/09
Barney Elders	10/25/09
Evgeny Victor Dafner	10/25/09
Michael Richard Clancy	10/26/09
Jan Elizabeth Phillips-Clar	10/29/09
Clifford Delano Carpenter	10/29/09
Mark Alan Harbison	10/29/09
Ivy Takenaka Schurch	10/29/09
Christine Anne Berwin Anthony	10/30/09
William Francis Racoma	10/31/09
Jerome Leonard Tichy	10/31/09
Jia Li Woolley	10/31/09
Beverly Will	10/31/09
David Alfred Bateman	10/31/09
Lisa Anne Miller	10/31/09
Devi P. Strass	10/31/09
Christina Lynn Haywood	11/01/09
Cory A. Beall	11/01/09
Akiko Shirotani Nouchi	11/01/09
Theodore James Hofmann	11/01/09
Brett T. Stratton	11/01/09
Duke M. Kimhan	11/02/09
Paul Gioffre	11/05/09
Corinne K. Anderson	11/06/09
Patty Jean Sadler	11/07/09
David Michael O'Neill	11/08/09
Michael O'Brien	11/13/09
John Yohwan Kim	11/16/09
George Michael Khozam	11/16/09
Eric Shuman	11/16/09
Melissa Maria Bantilan	11/16/09
Gregory P. Smith	11/16/09
Sarah Margrettaa Van De Vanter	11/16/09
Ryan K. Mahelona	11/19/09

<u>Real Estate Broker (upgrade)</u>	<u>Effective Date</u>
Richard M. Simkins	10/11/07
Thaddeus V. Marckesano	10/11/07
Tricia N. Iseri	10/15/07
Brenda L. Ching	10/15/07
Victoria Bordignon	10/16/07
Cynthia D. Harrison	10/18/07
Nobuyuki Matsumoto	10/24/07
Powell W. Berger	10/26/07
Suzanne Olson	10/30/07
Rita S. K. Wong	10/30/07
Gary Evora	10/30/07
Scott D. Nelson	10/31/07
Teresa Hassanally	10/31/07
Shikwan Sung	01/01/08

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Restoration – Real Estate Salesperson
Evan M. Foster

Effective Date
11/13/07