



**DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS**  
***Office of Administrative Hearings***

**NEIL ABERCROMBIE**  
GOVERNOR

**KEALII S. LOPEZ**  
DIRECTOR

**FOR IMMEDIATE RELEASE**

June 6, 2014

**DCCA DISCIPLINARY ACTIONS**

(Through May 2014)

HONOLULU - The Department of Commerce and Consumer Affairs (DCCA) and the State Boards and Commissions released a summary of disciplinary actions through the month of May taken on individuals and entities with professional and vocational licenses in Hawai'i. These disciplinary actions include dispositions based upon either the results of contested case hearings or settlement agreements submitted by the parties.

The DCCA and the Boards and Commissions are responsible for ensuring those with professional and vocational licenses are performing up to the standards prescribed by state law.

**BOARD OF DENTAL EXAMINERS**

**Respondent:** John D. Stover, D.D.S., M.D., Ph.D.

**Case Number:** DEN 2013-13-L; DEN 2014-11-L; DEN 2014-12-L; DEN 2014-14-L;  
DEN 2014-16-L

**Sanction:** Voluntary revocation of license; agrees not to seek reinstatement or restoration of his current Hawaii dental license and agrees not to reapply for a Hawaii dental license in the future

**Effective Date:** 5-19-14

Respondent allegedly violated HRS § 436B-19(7) by engaging in professional misconduct, incompetence, gross negligence or manifest incapacity and HRS § 448-17(b)(12) by engaging in improper, unprofessional or dishonorable conduct in the practice of dentistry. (Board approved Settlement Agreement)

### **HAWAII MEDICAL BOARD**

**Respondent:** John D. Stover, D.D.S., M.D., Ph.D.  
**Case Number:** MED 2012-49-L; MED 2012-155-L; MED 2013-25-L; MED 2013-26-L;  
MED 2014-81-L ; MED 2014-87-L  
**Sanction:** Voluntary revocation of license; agrees not to seek reinstatement or restoration of his current Hawaii medical license and agrees not to reapply for a Hawaii medical license in the future  
**Effective Date:** 5-8-14

Respondent allegedly violated HRS §§ 436B-19(6), 436B-19(16) and 453-8(a)(7) by engaging in professional misconduct and HRS § 453-8(a)(8) by engaging in multiple instances of negligence. (Board approved Settlement Agreement)

**Respondent:** Mark A. Fortune, D.O.  
**Case Number:** MED 2013-13-L  
**Sanction:** License revoked  
**Effective Date:** 5-8-14

Respondent violated HRS § 453-8(a)(12) by being convicted of a crime substantially related to the profession, HRS § 453-8(a)(6) by procuring a license through fraud, misrepresentation or deceit; HRS § 453-8(a)(7) by engaging in professional misconduct, HRS § 453-8(a)(8) by being incompetent or engaging in multiple instances of negligence, HRS § 453-8(a)(9) by engaging in conduct or practice contrary to the recognized standards of ethics of the medical profession, HRS § 453-8(a)(11) by having disciplinary action taken in another state for reasons provided in HRS § 453-8 and HRS § 453-8(a)(14) by failing to report to the Board, in writing, any disciplinary decision taken in another jurisdiction within 30 days after the decision is issued. Respondent had disciplinary action taken against him in California and was convicted of being under the influence of a controlled substance. Respondent answered "no" on his Hawaii renewal application when asked whether he had: 1) been convicted of a crime in which the conviction had not been annulled and 2) entered into a consent order or settlement agreement in any state or country. (Board's Final Order after a contested case hearing)

### **BOARD OF PUBLIC ACCOUNTANCY**

**Respondent:** Erin M. Eno  
**Case Number:** ACC 2012-24-L  
**Sanction:** Respondent agreed not to renew her certified public accountant's license and would not seek to restore her certified public accountant's license or seek any other license or permit issued by the Board for a period of five years from the date of the settlement agreement; \$500.00 fine  
**Effective Date:** 5-2-14

Respondent admittedly violated HRS § 466-9(b)(3), HAR § 16-71-2(a) and HAR § 16-71-3 by failing to maintain compliance with the requirements for renewal of a license or permit or to report changes to the Board. Respondent is currently unable to produce satisfactory evidence of having completed the requisite continuing education courses but believes she completed the required courses to qualify her to renew her license in 2011. (Board approved Settlement Agreement)

## **REAL ESTATE COMMISSION**

**Respondents:** Shigeo Minamoto and Hitex International, Inc. nka Minamoto International, Inc.

**Case Numbers:** REC 2010-114-L; REC 2010-115-L; REC 2010-116-L; REC 2010-117-L;  
REC 2010-118-L; REC 2010-129-L; REC 2010-130-L; REC 2010-132-L;  
REC 2010-160-L; REC 2010-161-L

**Sanctions:** Licenses revoked

**Effective Date:** 5-30-14

Respondents were found to have violated HRS § 467-14(7) by failing within a reasonable time to account for any moneys belonging to others, HRS § 467-14(8) by engaging in conduct constituting fraudulent or dishonest dealings, HRS § 467-14(20) by failing to maintain a reputation for or record of honesty, truthfulness, financial integrity and fair dealing, HRS § 436B-19(7) by engaging in professional misconduct, incompetence, gross negligence or manifest incapacity in the practice of real estate, HRS § 436B-16 by failing to provide notice to the Commission within thirty days of any judgment which finds that the licensee is liable for loss caused by the licensee's conduct in the practice of the profession, and HAR § 16-99-3(b) by failing to protect the public against fraud, misrepresentation, or unethical practices in the real estate field. This case arose from Respondents' actions regarding ten rental property management agreements and a judgment against Respondents for \$679,320.56 plus punitive damages in the amount of \$1,500,000.00. (Commission's Final Order after a contested case hearing)

**Respondents:** Juliana Simone and Sunset Homes, LLC

**Case Number:** REC 2013-33-L

**Sanction:** \$1,000.00 fine

**Effective Date:** 5-30-14

Respondents admit that they violated HRS § 467-1.6(b)(7) by failing to ensure that the associated real estate salesperson's license was current and active. (Commission approved Settlement Agreement)

**Respondents:** Leinaala S.P. Isa and Lynn A. Elisala

**Case Number:** REC 2013-24-L

**Sanction:** Isa: \$1,000.00 fine  
Elisala: \$1,500.00 fine

**Effective Date:** 5-30-14

Respondent Isa admits that she violated HRS § 467-1.6(b)(7) by failing to ensure that associated real estate licensees were current and active and Respondent Elisala admits that she violated HRS § 467-7 by failing to ensure that her license was current and active. (Commission approved Settlement Agreement)

**Respondent:** Richard D. Sterman, dba Sterman Realty

**Case Number:** REC 2013-148-L

**Sanction:** \$2,000.00 fine

**Effective Date:** 5-30-14

Respondent admits that he violated HRS § 467-1.6(b)(7) by failing to ensure that associated real estate licensees were current and active. (Commission approved Settlement Agreement)

**BOARD OF PROFESSIONAL ENGINEERS, ARCHITECTS,  
SURVEYORS AND LANDSCAPE ARCHITECTS**

**Respondent:** Kelden L. Boren  
**Case Number:** ENG 2012-13-L  
**Sanction:** \$200.00 fine  
**Effective Date:** 5-8-14

Respondent allegedly violated HRS § 436B-19(13) by being disciplined in another jurisdiction for any reason provided by the licensing laws and HRS § 436B-19(15) by failing to report any disciplinary action within 30 days of the disciplinary decision. Respondent was allegedly disciplined in Idaho and did not report this within 30 days of the decision. (Board approved Settlement Agreement)

**CONTRACTORS LICENSE BOARD**

**Respondents:** A H Builders, LLC and Alan J. Harris (Maui)  
**Case Number:** CLB 2009-279-L  
**Sanction:** \$3,000.00 fine  
**Effective Date:** 5-23-14

Respondents allegedly violated HRS § 436B-19(16) by utilizing an unlicensed person, HRS § 444-25.5 by failing to include bond and lien rights and HAR § 16-77-80 by failing to include requisite contract provisions. (Board approved Settlement Agreement)

**BOARD OF BARBERING AND COSMETOLOGY**

**Respondents:** Color Nail Salon & Spa, LLC and Minhkhagoc Ikeda (Maui)  
**Case Number:** BAR 2013-56-L and BAR 2013-58-L  
**Sanction:** \$3,000.00 fine  
**Effective Date:** 5-14-14

Respondents admit that they violated HRS § 439-19(a)(3) by permitting unlicensed individuals to perform cosmetology for compensation on the premises of Respondent Color Nail Salon & Spa, LLC. (Board approved Settlement Agreement)

**To obtain copies of the decisions reported in this press release without charge go to**  
[http://cca.hawaii.gov/oah/oah\\_decisions/](http://cca.hawaii.gov/oah/oah_decisions/) .

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