



DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS

Office of Administrative Hearings

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FOR IMMEDIATE RELEASE

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DCCA DISCIPLINARY ACTIONS (Through September 2015)

HONOLULU – The state Department of Commerce and Consumer Affairs (DCCA) and the state Boards and Commissions released a summary of disciplinary actions through the month of September 2015 taken on individuals and entities with professional and vocational licenses in Hawaii. These disciplinary actions include dispositions based upon either the results of contested case hearings or settlement agreements submitted by the parties. Respondents enter into settlement agreements as a compromise of claims and to conserve on the expenses of proceeding with an administrative hearing.

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 PRIVATE DETECTIVES AND GUARDS

Respondent: U.S. Security Associates, Inc.
Case Number: PDG 2014-31-L
Sanction: \$500 fine
Effective Date: 9-11-15

Respondent allegedly violated HRS §§ 436B-19(13) and 436B-19(15) by being disciplined in Vermont and failing to report the action to the Hawaii Board within 30 days of the disciplinary decision. (Board approved Settlement Agreement.)

BOARD OF PUBLIC ACCOUNTANCY

Respondent: Stephen E. A. Callo
Case Number: ACC 2013-2-L
Sanction: License suspended to August 19, 2016, \$5,000 fine
Effective Date: 9-4-15

The Board found that Respondent violated HRS § 466-9(b)(8) by being convicted of a crime containing an element of dishonesty or fraud, HRS § 466-9(b)(9) by performing a fraudulent act while holding a license, HRS § 466-9(b)(10) by engaging in conduct reflecting adversely on the licensee's fitness to engage in the practice of public accountancy, 436B-19(12) by failing to comply with any law in such a manner that the licensing authority deems the licensee to be an unfit or improper person to hold a license, and HRS § 436B-19(14) by being convicted of a crime directly related to the functions or duties of public accountancy. Respondent pled guilty in federal court to wire fraud regarding a loan application for a residence he purchased. At the time of the loan application, Respondent intended to live in the home but due to changed circumstances, Respondent did not live in the home and failed to timely notify the mortgage company. Respondent also falsely represented his personal gross monthly income to the mortgage company. (Board's Final Order after contested case hearing.)

Respondent: Hao Liang
Case Number: ACC 2014-20-L
Sanction: \$500 fine, Respondent agrees not to engage in any activity for which a CPA license is required until Respondent completes continuing education as required by the Board.
Effective Date: 9-4-15

Respondent allegedly violated HRS § 466-9(b)(3) by failing to maintain compliance with license renewal requirements. Respondent allegedly submitted a renewal application on Dec. 23, 2013, in which she attested she had completed the continuing professional education hours required when in fact she had not completed the required continuing education hours. (Board approved Settlement Agreement.)

BOARD OF BARBERING AND COSMETOLOGY

Respondent: Le Van Ton dba Kauai Nail Spa (Kauai)
Case Number: BAR 2015-2-L
Sanction: \$2,000 fine
Effective Date: 9-14-15

Respondent, as the beauty shop owner, allegedly violated HRS §§ 439-17(d) and 439-19(a)(3) by allowing unlicensed persons to perform activities which require a license. (Board approved Settlement Agreement.)

Respondent: Solosolo J. Kahili
Case Number: BAR 2015-68-L
Sanction: \$2,000 fine
Effective Date: 9-14-15

Respondent, a barber, allegedly violated HRS §§ 438-14(a)(3) and 438-14(a)(4) by allowing unlicensed persons to perform activities which require a license at 808 Simply Faded, LLC, an unlicensed establishment. (Board approved Settlement Agreement.)

HAWAII MEDICAL BOARD

Respondent: John R. Hannon, M.D.
Case Number: MED 2015-73-L
Sanction: \$1,000 fine
Effective Date: 9-10-15

Respondent was allegedly convicted of driving under the influence after being stopped en-route to a medical conference, in violation of HRS § 453-8(a)(12). (Board approved Settlement Agreement.)

Respondent: Fred L. Goldblatt, D.O.
Case Number: MED 2015-59-L
Sanction: Licensee on probation for three years, Respondent agrees to comply with California Order, \$1,500 fine
Effective Date: 9-10-15

Respondent allegedly violated HRS §§ 453-8(a)(11) and 453-8(a)(14) by being disciplined in California and failing to report this action to the Hawaii Board within 30 days of the disciplinary decision. (Board approved Settlement Agreement.)

Respondent: Paul Michael Loftus, M.D.
Case Number: MED 2015-65-L
Sanction: Voluntary surrender of license
Effective Date: 9-10-15

Respondent allegedly violated HRS § 458-8(a)(5) by practicing medicine while impaired by a physical disability, and HRS §§ 453-8(a)(11) and 453-8(a)(14) by being disciplined in California and failing to report this action to the Hawaii Board within 30 days of the disciplinary decision. The California Board accepted a neurocritical care and stroke expert's opinion that Respondent's continued medical practice posed a risk of harm by reason of mental deficits. (Board approved Settlement Agreement.)

BOARD OF DENTAL EXAMINERS

Respondent: Braden C. Seamons, D.D.S.
Case Number: DEN 2013-10-L
Sanction: Licensee on probation for 1 year, \$5,000 fine, successfully complete a continuing education or training program relating to the training, supervision and management of dental office employees or personnel
Effective Date: 9-21-15

Respondent allegedly violated HRS § 448-3(a) by permitting an unlicensed person to practice dentistry and HRS § 448-17(a)(7) by aiding and abetting the unlicensed practice of dentistry. Respondent allegedly allowed a dental assistant to perform dental procedures, including teeth cleaning, on one of Respondent's patients. (Board approved Settlement Agreement.)

REAL ESTATE COMMISSION

Respondent: Jonie Lynn Williams, aka Jonie Lyn Lanosa
Case Number: REC 2013-354-L
Sanction: \$500 fine
Effective Date: 9-25-15

Respondent allegedly failed to adhere to a law in a manner such that the licensing authority deems the holder of the license to be an unfit or improper person to hold the license in violation of HRS § 436B-19(12), and was allegedly convicted of a penal crime directly related to the qualifications, functions, or duties of a real estate licensee in violation of HRS § 436B-19(14). On Aug. 14, 2013, Respondent allegedly pleaded no contest to the crime of driving under the influence. (Commission approved Settlement Agreement.)

CONTRACTORS LICENSE BOARD

Respondent: Freddie B. Berengue (Hawaii Island)
Case Number: CLB 2014-382-L
Sanction: \$500 fine
Effective Date: 9-25-15

Respondent allegedly violated HRS § 436B-19(5) by procuring a license through fraud, misrepresentation or deceit and HRS § 444-17(10) by misrepresenting a material fact in obtaining a license. Respondent allegedly failed to disclose that he was convicted of two separate petty misdemeanor offenses of Operating a Vehicle Under the Influence of an Intoxicant on Oct. 29, 2012, and May 21, 2014, in the District Court of the Third Circuit, State of Hawaii on his Aug. 24, 2014, renewal application. (Board approved Settlement Agreement.)

Respondents: David A. Nice Builders, Inc. and David A. Nice, RME
Case Number: CLB 2014-362-L
Sanction: \$7,500 fine
Effective Date: 9-25-15

Respondents allegedly violated HAR § 16-77-71(a)(4) by failing to have a responsible managing employee (RME) in residence in Hawaii during the period a project is under construction. Pursuant to HAR § 16-77-71(a)(5), Respondent Nice, as the RME of Respondent David A. Nice Builders, Inc., was responsible for the violation committed by Respondent David A. Nice Builders, Inc. Respondent Nice was allegedly not in residence in the State of Hawaii at the time Respondent David A. Nice Builders, Inc. was constructing the Tourneau retail store in the Royal Hawaiian Shopping Center. (Board approved Settlement Agreement.)

Copies of the decisions are available online at: cca.hawaii.gov/oah/oah_decisions/.

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