

Florida Department of Business & Professional Regulation



A Publication from the **BOARD OF AUCTIONEERS**

SPRING 2008



**FLORIDA DEPARTMENT OF BUSINESS
AND PROFESSIONAL REGULATION**

CHARLIE CRIST
Governor

CHUCK DRAGO
Interim Secretary

1940 North Monroe Street
Tallahassee, Florida 32399

Customer Contact Center: 850.487.1395

www.MyFloridaLicense.com

BOARD MEMBERS

Auction Company Principal
Michael E. Moecker, Chair, Mt. Dora

Auctioneers
H. Fred Dietrich, III, Orlando

Donald L. Shearer, Kissimmee

Lay Persons
Craig G. Accardo, Orlando

BOARD STAFF

Anthony B. Spivey, Executive Director

Renese Jones, Government Analyst

Monique Ewell, Administrative Assistant

Jessica Leigh, Prosecuting Attorney

Barbara Edwards, Board Counsel

MESSAGE FROM THE INTERIM SECRETARY **Chuck Drago**

Dear Friends:

I am pleased to introduce myself to you as the Interim Secretary of the Department of Business & Professional Regulation. Governor Charlie Crist appointed me to this position on Friday, Feb. 22, as former Secretary Holly Benson assumed the post of the Secretary of the Agency for Health Care Administration. With more than 30 years of experience in law enforcement in Florida, I look forward to continuing my career in public service as Interim Secretary.



The Department constantly strives to better serve the people of Florida. Prior to my recent appointment, I served as the Deputy Secretary of Business Regulation for the Department. Over the past year, we have made tremendous changes that have resulted in improved customer service, more efficient business practices, and enhanced communications with customers and the public, including the Governor's Plain Language initiative.

While we have achieved many successes over the past year, we are far from done. I promise to maintain the momentum that has been built and drive the Department even further toward meeting our customers, visitors, and residents' needs. We will continue to look for ways to eliminate unnecessary regulation and streamline processes while keeping public safety as our first priority.

We strategically developed a legislative agenda that seeks to realize our mission of licensing efficiently and regulating fairly. Legislative session began on March 4, and I encourage you to follow bills that will affect businesses and professionals. We will keep you informed of legislation that affects the Department and you.

I am honored to serve you as the Interim Secretary of the Department, and I welcome feedback and suggestions on ways we can continue to build better business in Florida. Thank you for all that you do for the people and economy of our great state.

Chuck Drago
Interim Secretary

FROM THE DESK OF THE EXECUTIVE DIRECTOR

Are You Acting Ethically?

As a licensed Florida Auctioneer, your services and actions to your consignors are built on professional and ethical service. Your professional services are built from the training you received to become licensed as an auctioneer. But what about your ethical service? How do you build upon that? By consistently doing what is right. The American Heritage Dictionary describes ethical behavior as acting in accordance with the accepted principles of right and wrong that govern the conduct of a profession.

Stop and think for a moment. Where would we be if we did not follow the rules that govern our society? Our lives would be pretty chaotic. Fortunately for most of us, we govern our actions by laws and rules. Those who do not follow the rules are not only violating the law, they are acting un-ethically. They are hurting themselves and others in the process.

As a Florida licensed Auctioneer, individuals who place their family heirlooms in your trust rely on your expertise and professional service to manage their properties, obtain a fair price, and present them the proceeds in a timely manner. To do any less would be unethical. Holding the Auctioneer license should represent to the public your ability to conduct a professionally-run auction. Yet, your daily actions in executing those duties define your true value to the public...Are you acting ethically?

Until next time,
Anthony B. Spivey, Executive Director

UPCOMING BOARD MEETING

JUNE 12, 2008 - ORLANDO

The following meeting dates for fiscal year 2008-2009:

September 10, 2008 – Location TBD

December 10, 2008 – Location TBD

March 11, 2009 – Location TBD

June 10, 2009 – Location TBD

All Board meeting dates and locations are subject to change. Please refer to the [Board Calendar](#) on our Web site, www.MyFloridaLicense.com, to confirm meeting dates and locations.

EXPERT WITNESSES NEEDED

The department is looking for several individuals to serve as auctioneering experts for the purposes of investigation and prosecution of cases. The expert would be under contract on an as-needed basis, and compensated for all time spent in connection with case preparation. If interested, please contact Jessica Leigh, Prosecuting Attorney, at 850.488.0062 for more information.

BOARD APPOINTMENTS

Are you interested in serving on a professional board or council?

The Board of Auctioneers has the following vacancies:

Consumer Member (1)

Interested applicants may obtain a Gubernatorial Questionnaire by downloading the application from http://www.flgov.com/pdfs/appoint_questionnaire.pdf Once your application is complete, return the questionnaire for consideration to:

**Governor's Appointments' Office
PL01 The Capitol
Tallahassee, Florida, 32399-0001**

ON-LINE SERVICES

Licensees can now perform the following online:

- > Update contact information
- > Renew individual licenses
- > Check continuing education credits

First-time users must follow these steps to activate their personal, secure online accounts with DBPR:

- > From www.MyFloridaLicense.com, select > APPLY FOR/RENEW A LICENSE from the top navigation bar > Then select Path 1 for first-time users
- > You will be prompted to enter the following:
 - License Board/Division: Select the appropriate Board
 - License Profession: Select the appropriate professional license type
 - License Number: As it appears on your license
 - Initial Pin: Last four digits of your SSN and for businesses, the last four digits of the FEID (If this does not work, please call the Customer Contact Center at 850.487.1395.)
 - Select > Continue
- > For security purposes, you will be prompted to enter a new PIN Number:
 - Enter PIN: Enter a new unique PIN number
 - Confirm PIN: Enter your unique PIN number again
 - Select > Continue
- > You will then be prompted to enter a hint question and answer. Most people use questions in which the answer never changes, such as "What is my mother's maiden name?"
 - Enter Hint Question: What is my mother's maiden name?
 - Enter Hint Answer: Smith
 - Confirm Hint Answer: Smith
 - Select > Continue

NOTE: The hint answer is case sensitive. For example, Smith is not the same as smith or SMITH.

At this point, the system will automatically generate a seven-digit User ID Number for you. Please be sure you write down your User ID Number and the four-digit PIN you created. Each time you log on to your account, you will be prompted for your User ID and PIN.

Congratulations, your account has been activated. Select > Continue to view your Account Summary page.

Here you can:

- > Renew a license
- > Maintain Account
- > Maintain/Renew This License
 - Renew This License
 - View/Maintain Related Licenses
 - Maintain Profile
- > Change Your Address
- > View Messages
- > Change Your PIN
- > View Continuing Ed

Returning users, if you have forgotten your User ID or PIN, from the log on page select > Forgot Your User ID or Forgot Your PIN. In order to retrieve your User ID, the system will prompt you for license information. In order to retrieve your PIN, you must correctly answer the hint question you created when you activated your account. If you attempted to log on to your account or answer your hint question three times unsuccessfully, the system will lock you out. This is a security feature designed to ensure that unauthorized persons do not have access to your account information. If you get locked out, please call our Customer Contact Center at 850.487.1395. An agent will issue you a one time PIN to enter your account. Once you log on, the system will again prompt you to change your PIN.

Renew Your License Online at:
www.MyFloridaLicense.com



It saves time, trees and stamps.

If you have any questions or need assistance accessing DBPR's Online Services, please call our Customer Contact Center at 850.487.1395.

The State of Florida Partners with Google

The Department of Business and Professional Regulation's Web site provides information to the public about licensees. Consumers turn to the Department for information about professionals, and many look to the Web site for information about results of restaurant inspections. Although the Web site has tremendously useful information for consumers, it has not always been easy for consumers to find the information.

On December 3, 2007, Governor Crist announced an important partnership between the state of Florida and Google. Google has been helping DBPR and several other agencies catalog the information on their Web sites in order to make them more user-friendly.

The partnership between Google and Florida developed as officials from both entities recognized that the public is increasingly turning to search engines to access government services. However, a significant share of information on state agency Web sites could not be found using standard search engines because the information was stored behind a database, hindering citizens from easily finding online state government services. Now, with improved technology, search engines will access and index the records in online databases, making them available to anyone using a search engine.

Under the old system, if a consumer went to Google, Yahoo or MSN to search for a contractor using the name and location, the search results would not include information from the Department's Web site. While that search might return many results from the search engine,



"This public-private partnership is an innovative way to improve the accessibility of state information for all Floridians. I am grateful for this chance to join with Google to further develop Florida's leadership in delivering open government services to the people of Florida. By empowering Floridians with the tools they need for easier access to state agency Web sites, we are allowing them to truly take ownership of state government."

—Governor Charlie Crist

useful information from the Department would not be included even though meaningful information on the contractor exists.

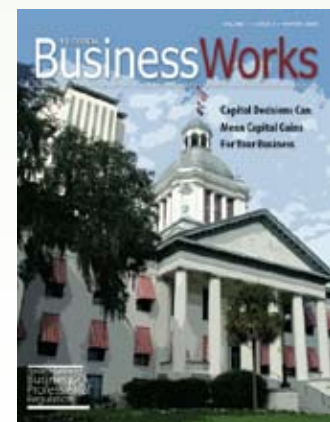
Under the new improved system, DBPR is working with Google to develop sitemaps that will allow search engines to more intelligently mine data from our Web site. Sitemaps are essentially spreadsheets for the Web site that prioritize the information on the DBPR Web site for the search engines. The Department is busy putting hundreds of thousands of records into sitemaps to make the information more useful.

Subscribe to DBPR Newsletters

You can now subscribe on-line at www.MyFloridaLicense.com to receive your profession's newsletter as well as other Department publications via e-mail. Subscribing is quick and easy.

1. Go to <http://www.MyFloridaLicense.com>
2. Click on **"Subscribe to Department Newsletters"** located under The Bottom Line.
3. Type in your name and e-mail.
4. Choose which newsletters or publications you would like to receive via e-mail.
5. Click **"Subscribe."**

When the newsletters you have subscribed to are available, you will receive an e-mail from the Department with a link to your newsletter.



DISCIPLINARY ACTIONS

The Board has taken disciplinary action against the following licensees. Although we make every effort to ensure information is correct before making any specific decision based on this information, you may choose to request a copy of the administrative complaint and final order to ensure accuracy. Contact the department's Agency Clerk at sarah.wachman@dbpr.state.fl.us for this information. The listing of disciplinary actions does not reflect pending appeals or requests for rehearing.

OCTOBER 2007

Wanted Antiques, Inc.**Case Number 2007-001785**

Respondent violated Section 468.389(1)(d), Florida Statutes, through a violation of Section 468.388 (11)(a), Florida Statutes, by failing to include the license number of the principal auctioneer in newspaper advertisements. Respondent failed to timely respond to the complaint, thereby waiving the right to contest the facts and request a hearing pursuant to Section 120.57(2), Florida Statutes. Respondent was ordered to pay an administrative fine in the amount of \$1,000.00 plus costs of \$70.46. Respondent was placed on probation for one year.

Wanted Antiques, Inc.**Case Number 2006-061131**

Respondent violated Section 468.389(1)(c), Florida Statutes, by failing to account for or pay or return, within a reasonable time not to exceed 30 days, money or property belonging to another. Respondent failed to timely respond to the complaint, thereby waiving the right to contest the facts and request a hearing pursuant to Section 120.57(2), Florida Statutes. Respondent was ordered to pay an administrative fine in the amount of \$500.00 plus costs of \$93.52. Respondent's license was reprimanded.

Auction Depot**Case Number 2007-004730**

Respondent violated Section 468.389(1)(c), Florida Statutes, by failing to account for or pay or return, within a reasonable time not to exceed 30 days, money or property belonging to another. Respondent failed to timely respond to the complaint, thereby waiving the right to contest the facts and request a hearing pursuant to Section 120.57(2), Florida Statutes. Respondent was ordered to pay an administrative fine in the amount of \$500.00 plus costs of \$201.68. Respondent's license was reprimanded.

Michael Andrew Cobosco**Case Number 2007-001376**

Respondent violated Section 468.389(1)(c), Florida Statutes, by failing to account for or pay or return, within a reasonable time not to exceed 30 days, money or property belonging to another. Respondent failed to timely respond to the complaint, thereby waiving the right to contest the facts and request a

hearing pursuant to Section 120.57(2), Florida Statutes. Respondent was ordered to pay an administrative fine in the amount of \$500.00 plus costs of \$123.57. Respondent's license was reprimanded.

Boca Auction Gallery, Inc.**Case Number 2006-029017**

Respondent violated Section 468.389(1)(c), Florida Statutes, by failing, to account for or pay or return, within a reasonable time not to exceed 30 days, money or property belonging to another. Respondent failed to timely respond to the complaint, thereby waiving the right to contest the facts and request a hearing pursuant to Section 120.57(2), Florida Statutes. Respondent was ordered to pay an administrative fine in the amount of \$1,000.00 plus costs of \$305.29. Respondent's license was reprimanded.

Salvatore Joseph Valenziano**Case Number 2006-027435**

Respondent violated Section 468.389(1)(c), Florida Statutes, by failing to account for or pay or return, within a reasonable time not to exceed 30 days, money or property belonging to another. Respondent failed to timely respond to the complaint, thereby waiving the right to contest the facts and request a hearing pursuant to Section 120.57(2), Florida Statutes. Respondent was ordered to pay an administrative fine in the amount of \$1,000.00 plus costs of \$420.85.

United States Liquidators**Case Number 2005-053308**

Respondent violated Section 468.389(1)(c), Florida Statutes, by failing to account for or pay or return, within a reasonable time not to exceed 30 days, money or property belonging to another. Respondent failed to timely respond to the complaint, thereby waiving the right to contest the facts and request a hearing pursuant to Section 120.57(2), Florida Statutes. Respondent was ordered to pay an administrative fine in the amount of \$500.00, plus restitution in the amount of \$3,920.00 plus costs of \$420.85. Respondent's license was reprimanded.

JANUARY 2008

Michael Andrew Cobosco**Case Number 2007-001652**

Respondent violated Section 468.389(1)(c), Florida Statutes, by failing to account for or pay or return, within a reasonable time not to exceed 30 days, money or property belonging to another. Respondent failed to timely respond to the complaint, thereby waiving the right to contest the facts and request a hearing pursuant to Section 120.57(2), Florida Statutes. Respondent was ordered to pay an administrative fine in the amount of \$1,000.00 plus costs of \$228.33. Respondent's license was revoked.

Boca Auction Gallery**Case Number 2007-001653**

Respondent violated Section 468.389(1)(c), Florida Statutes, by failing to account for or pay or return, within a reasonable time not to exceed 30 days, money or property belonging to another. Respondent failed to timely respond to the complaint, thereby waiving the right to contest the facts and request a hearing pursuant to Section 120.57(2), Florida Statutes. Respondent was ordered to pay an administrative fine in the amount of \$1,000.00 plus costs of \$191.69. Respondent's license was revoked.

REPORT UNLICENSED ACTIVITY

To report unlicensed activity, please call the Department's **UNLICENSED ACTIVITY HOTLINE** at

1.866.532.1440,
Monday–Friday, 8 a.m. to 6 p.m.
(Eastern Time)

or e-mail the information to
ULA@dbpr.state.fl.us.

ADDRESS CHANGES

ADDRESS CHANGES

Please help us by notifying the Department when your address changes. Service by regular mail to a licensee's last known address of record constitutes adequate and sufficient notice to the licensee for any official communication, so it is important to notify us.

You may change your mailing address using our online services at www.MyFloridaLicense.com. If you have any questions regarding this requirement, or need assistance using the online services menu, please telephone the Customer Contact Center at **850.487.1395** or send an e-mail to Call.Center@dbpr.state.fl.us.