

BOARD OF AUCTIONEERS

FREQUENTLY ASKED QUESTIONS AND ANSWERS

BOARD INFORMATION

1. What are the functions of the Board of Auctioneers?

The Board of Auctioneers regulates auctioneers in the State of Florida.

2. Does the board have a website?

Yes: www.MyFloridaLicense.com > Our Businesses & Professions > Auctioneers.

3. What are the statutes and rules that govern the Board of Auctioneers?

Chapter 468, Part VI, of the Florida Statutes and Rule 61G2, of the Florida Administrative Code.

4. Where can I obtain the laws and rules of the Board?

The laws and rules may be obtained on the Board's website at www.MyFloridaLicense.com > Our Businesses & Professions > Auctioneers > Statutes and Rules.

If you need further assistance, you may call the Customer Contact Center at 850.487.1395.

5. When and where is the next board meeting?

The dates and locations of the board meetings are available online at www.MyFloridaLicense.com > Our Businesses & Professions > Auctioneers > Board Meeting Information.

LICENSURE INFORMATION

1. What are the requirements of becoming an auctioneer?

An individual must be at least 18 years of age and must have served as an apprentice for at least one year, or completed at least 80 hours of classroom instruction that meets the standards adopted by the board. The applicant must also pass the required examination.

2. What methods of licensure are offered for auctioneers?

Florida Statutes provide for licensure by examination, endorsement and reciprocity. The state from which the auctioneer is moving must have auctioneer licensing standards that are equal to or exceed the licensing standards in Florida. The list of states that are currently accepted for reciprocity or endorsement may be viewed online at www.MyFloridaLicense.com > Our Businesses & Professions > Auctioneers > License Information > Reciprocal States.

3. How often is the examination given?

The examination is given daily at various locations throughout the state by Pearson VUE, the department's testing vendor. You may contact Pearson VUE toll-free at 888.204.6230 or online at www.pearsonvue.com for additional information.

4. Does the board process letters of good standing or certification of licensure?

Yes. The board will process certification of licensure. Please submit your request, including your license number, to the Department of Business and Professional Regulation, Board of Auctioneers, 1940 North Monroe Street, Tallahassee, FL 32399-0783. The fee is \$25.00 and should be included with your request. Most certifications take approximately two weeks to process, depending upon the number of pending requests.

5. Can an apprentice hold auctions without the supervision of a licensed auctioneer?

No. An apprentice must work under the supervision of a licensed auctioneer at all times. The auctioneer must have been licensed for at least three consecutive years.

6. Can I auction items online without an Auctioneer or Auction Business license?

When representing yourself or your business to the public as an Auctioneer or Auction Business, you must be licensed to do so; otherwise you may be cited for unlicensed activity. You can obtain licensing information at <http://www.myfloridalicense.com/dbpr/pro/auct/>.

7. Is an auction business required to maintain an escrow account?

Yes. The escrow account must be reconciled monthly with the bank statement and a signed and dated record must be maintained for a period of not less than two years.

8. What are the categories of licensure in the Auctioneer profession issued by the Department?

The department issues two categories licenses within the Auctioneer profession. Those are the Auctioneer Apprentice (AE) and the Auctioneer (AU) license.

9. Is there a dollar limit that may be held in the escrow account?

No. However, no more than \$100.00 may be held in the escrow account for administrative purposes.

10. What are the responsibilities of an auction business?

The auction business is responsible for all aspects of the auction.

11. How is licensed auction business identified?

A licensed auction business is identified by the two-letter prefix "AB" followed by a series of numbers assigned by the department.

12. Do I need an auctioneer's license to auction automobiles?

No, as long as the auction of the automobiles is among automobile dealers and conducted by a licensed auctioneer.

13. Is there a license issued for an owner/operator of an Auction Business?

The individual(s) identified as the owner(s)/operator(s) of an Auction Business are issued the "OR" designation. This is *Not* an actual license and does not permit the holder of such category to run the actual business during an auction.

14. Do I need an auctioneer's license to auction real property?

No. A licensed auctioneer cannot auction real property without a real estate broker's license. A licensed real estate broker may auction real estate without an auctioneer's license.

15. Am I required to have an auctioneer's license if the auction is for charity?

No. Auctions conducted by charitable, civic, or religious organizations do not require licensure when no compensation is being provided to the person conducting the auction.

16. What are my obligations to notify the board when my mailing or location address changes?

The board and department must have a current address for you and your auction business at all times.

17. Can I change my address online?

Yes. Visit our website at www.MyFloridaLicense.com > Apply For/Update Licenses. You can also change your telephone number and email address here.

18. Your website provides for "main", "mailing", and "location" addresses. What are the differences?

Three types of addresses have been established to support your needs: main, license mailing, and license location.

Main Address - This address is the primary address on file.

License Mailing Address - This is the address where the mail associated with a particular license will be sent (if different from the main or license location addresses).

License Location Address - This is the address where the place of business is physically located.

An example of the use of different addresses:

If Jane Doe is a contractor that works for ACME Builders, she may have 3 different addresses listed in her profile. Her main address would be the address of ACME Builders' corporate headquarters. Her license mailing may be her home so she doesn't have to visit the office to pick up her mail. Finally, her License Location would be the address of the ACME Builders' local office where she works. If Jane Doe worked independently, she might have only one address on file (Main Address) as her office is the same place she wishes to receive her mail.

19. Can I change all license addresses online?

The main address and license mailing address can be changed online for all license types. License location addresses can also be changed online, except for Barbershops, Cosmetology Salons, Veterinary Establishments, and Talent Agencies. The location for these license types is tied to the license, so a location change will require submission of a new application.

20. How can I change my address if I do not have a computer?

You may submit the change in writing or by fax to:
Department of Business and Professional Regulation
Central Intake Unit – License Maintenance
1940 North Monroe Street
Tallahassee, FL 32399-0783
Fax: 850.488.8040

APPLICATION ASSISTANCE

1. How may I obtain assistance on completing my application?

If you have any questions or need assistance completing the application, please contact the department's Customer Contact Center at 850.487.1395.

2. Where do I mail my application?

Department of Business and Professional Regulation
Central Intake Unit
1940 North Monroe Street
Tallahassee, Florida 32399-0783

3. What are the fees for auctioneer applications?

- Application - \$50.00
- Examination - \$241.00, paid to the department and \$9.00 paid directly to the examination vendor.
- Initial licensing - \$150.00
- Unlicensed activity - \$5.00
- Recovery Fund Surcharge - \$100.00

4. What are the fees for obtaining an apprentice license?

- Application - \$50.00
- Examination - \$241.00 paid to the department and \$9.00 paid directly to the examination vendor.
- Initial licensing - \$150.00
- Unlicensed activity - \$5.00

RENEWAL INFORMATION

1. When do I renew my auctioneer license?

Auctioneer licenses are renewed in November of odd-numbered years. The department will mail renewal notices to your address of record 90 days prior to the expiration of your license.

2. What is the process to reactivate my license from an inactive status?

You must submit a change of status application and pay a \$50.00 reactivation fee. Applications are available online at www.MyFloridaLicense.com > Apply For/Update Licenses.

CONTINUING EDUCATION INFORMATION

1. What are the continuing education requirements for renewal of an auctioneer license?

There are no continuing education requirements for licensed auctioneers.

COMPLAINTS

1. I have a complaint about an auctioneer. Whom do I contact?

Contact the department's Customer Contact Center at 850.487.1395 or file a complaint online at www.MyFloridaLicense.com > For Consumers > File a Complaint against a Business or Professional.

2. I have a complaint about an unlicensed auctioneer. Whom do I contact?

Contact the department's toll-free unlicensed activity complaint line at 1.866.532.1440 or file a complaint online at www.MyFloridaLicense.com > For Consumers > File a Complaint against a Business or Professional.

SPECIAL BOARD ISSUES

1. Are there any requirements of auctioneers with respect to advertising an auction?

Yes. At the auction site, the auctioneer is required to prominently display the licenses of the principal auctioneer, the auction business, and any other licensed auctioneers or apprentices involved in the auction.

Auctioneer Recovery Fund

2. If I have been harmed financially by an auctioneer, is there any recourse to recoup my money?

Yes. The auctioneer recovery fund exists to make restitution to individuals whom have been financially harmed by auctioneers in the state.

3. How do I obtain restitution from the recovery fund?

There are two avenues to obtain restitution: (1) the aggrieved person may seek a final order from the board directing the licensee to make restitution; or (2) the aggrieved person may seek a final judgment for damages from a court.

4. Is there a set limit to the amount I may recover from the recovery fund?

Yes. The amount paid may not exceed \$50,000 per claim, or claims arising out of the same transaction, auction or an aggregate lifetime limit may not exceed \$100,000 with respect to any one licensee.

5. Is there a set time limit in which I can make a claim against the recovery fund?

Yes. A claim for recovery shall be made within two years from the time of the act giving rise to the claim, or within two years from the time the act is discovered.