

EXECUTIVE SUMMARY

Florida Board of Auctioneers Meeting

Meeting Type: General Business Meeting
Meeting Date: March 9, 2004
Meeting Location: Tallahassee
Board Members: Fred Dietrich (Chair), Michael Moecker, (Vice-Chair), Annette Elms, Craig Accardo, Jody Hill

Department Staff: Julie Malone, Executive Director
Donna Salters Thomas, Government Analyst
Mary Ellen Clark, Assistant General Counsel
Brian Higgins, Prosecuting Attorney
Charles Pellegrini, Prosecuting Attorney

Applicants Present: Eric Rubin, Cassidy Truesdale, Douglas Holladay, Mark Wagner, Wade Clark, Victor Allen King, John Hill

Others Present: JW Hill & Associates, Eric Gifford (Attorney), Brenda Leonard, Sheri Melchione

Major Issues/Actions

- Motion for default and final order for A & E Auction was pulled from the agenda.
- The Board considered and approved 6 applications with criminal history and denied 1 until after civil rights are restored.
- There were 31 licenses issued by examination, 18 licenses by endorsement, 27 auction business licenses and 1 auctioneer apprentice license.
- Discussion of recovery fund application submitted by Gilligan, King & Gifford, PA. The Board allowed additional time for the complainant to provide evidence that a claim was filed.
- A letter was sent to Ms. Catherine Lannon, Office of the Attorney General on behalf of Mary Ellen Clark for her exemplary service to the Board of Auctioneers.
- Discussion on the December 2003 Financial Reports and the letter from Julie Baker, Deputy Secretary, regarding the legislative trust fund sweep that explained funds transferred from the Profession Regulation Trust Fund to the Working Capital Fund.
- Rule 61G2-2.0035, F.A.C. Exemption from Licensure Renewal Provision for spouses of members of the armed services was adopted on February 19, 2004 and should be affective some time in March.
- Rule 61G2-.003, F.A.C, Examination Fee language was published in the Florida Administrative Weekly on February 6, 2004. The department fee will increase to \$241 from \$237 and decrease the exam fee to \$9.00 from \$13. This change should become affective later in March.
- The Board withdrew their request to add the criminal history check to the application as the finger print card requirement is not included in the practice act and there is no statutory authority allowing background check. The Board voted to address this issue in the 2005 Legislative Session.

- Board Counsel sent Florida Auctioneer Academy a letter regarding Section 112.011, F.S. of the ineligibility of licensure when civil rights have not been restored.
- The Board agreed that if a person or business abides in Florida is accepting fees for placing items on the Internet for bid, they should be licensed.
- The Board voted to research producing a public service announcement to educate citizens concerning on-line auctions and the need to hold an auctioneer license if they live or have a business in Florida.
- A review of the Division of Regulation & Investigation Report YTD 2003-2004 showed that there are 82 complaints, 60 are legally sufficient, 47 complaints against licensees, 13 for unlicensed activity, 32 cases under investigation, 23 investigations that have been completed, 19 cases have been assigned to mediation, 15 mediation cases have been completed and 3 notices of non-compliance issued
- A special meeting will be held Monday, April 5, 2004, at 10:00 a.m. telephone conference call for discipline cases.
- Next meeting, Tuesday, June 15, 2004, 10:00 a.m. by telephone conference call.

Julie Malone
Executive Director

April 5, 2004
(Approval Date)