

**MINUTES FROM THE  
FLORIDA AUCTIONEER BOARD MEETING**

Boca Raton Marriot  
5150 Town Center Circle  
Boca Raton, Florida 33486  
June 11, 2013 @ 9:00 a.m.

The Board meeting was called to order by Chairman Michael Moecker at 9:00 a.m.  
Mr. Fred Dietrich gave an invocation. Mr. Don Shearer led the Pledge of Allegiance.

**ROLL CALL**

**Members Present**

Michael Moecker, Chairman  
H. Fred Dietrich, III  
Don Shearer

**Others Present**

Dan Biggins, Executive Director  
Mary Alford, Government Analyst II  
Robert Milne, Board Counsel  
Erica White, Esq., Assistant General Counsel  
Jerry Wilson, Division of Regulation Director  
Court Reporter – Apex Court Reporting d/b/a Official Reporting Service

**Executive Director Approval**

Chairman Moecker introduced Mr. Daniel Biggins as the new Executive Director.

**MOTION:** Mr. Shearer made a motion to approve the Mr. Biggins as Executive Director

**SECOND:** Mr. Dietrich.

Motion passed unanimously.

Mr. Dietrich stated that the Board was very blessed to have someone that is familiar with the Auctioneer Board. He served as Board Counsel in the past.

**Approval of the Agenda Minutes from March 5, 2013**

**MOTION:** Mr. Shearer made a motion to table the minutes until September meeting.

**SECOND:** Mr. Dietrich.

Motion passed unanimously.

## Ratification List

Mr. Biggins presented the ratification list

### LICENSED BY AUCTIONEER APPRENTICE

454	1030	BYRD, KENNETH J	ST AUGUSTINE	FL
455	1030	BYRD, VALERIE	ST AUGUSTINE	FL
453	1030	DENNIS, ALLYN MARK	ST. AUGUSTINE	FL
449	1030	GARCIA, MICHAEL	LAKE MARY	FL
452	1030	RAGAN, PHILIP AARON	ZOLFO SPRINGS	FL
450	1030	STALKER, AMY MICHELLE	CRYSTAL RIVER	FL
451	1030	STRAUSS, ROBERT	BOCA RATON	FL

**MOTION:** Mr. Shearer made a motion to approve auctioneer apprentice licensees on the ratification list as submitted.

**SECOND:** Mr. Dietrich.

Motion passed unanimously.

### AUCTIONEER LICENSED BY EXAM

4802	4482	1030	ARANA, GORDON	HOLLYWOOD	FL
4802	4509	1030	ARNOTT, JAMES MALCOLM	KISSIMMEE	FL
4802	4499	1031	BAKER, JONATHAN ROBERT	EVANSVILLE	IN
4802	4476	1031	COOK, RICHARD G	PORT ST LUCIE	FL
4802	4479	1030	CROMWELL, TED	DELRAY BEACH	FL
4802	4489	1030	DELGADO, DARYL JASON	GULF BREEZE	FL
4802	4505	1030	FERNANDEZ, KEITH L	ORLANDO	FL
4802	4511	1030	KNAUER, KEVIN DENNIS	TAMPA	FL
4802	4485	1030	LEVY, ALBERT BERNARD	PALM BEACH	FL
4802	4474	1031	LIPHAM, DANIEL JOSPEH	BAINBRIDGE	GA
4802	4483	1031	MARTIN, GEORGE JEFFREY	BROOKLYN	MS
4802	4510	1030	NAVARRO, ANGELA DAWN	JUPITER	FL
4802	4487	1031	PETTIT, GARY WAYNE	SALISBURY	NC
4802	4478	1031	SEMPLE, BRENT THOMAS	WILLIAMSBURG	OH
4802	4490	1031	SHARP, JAMES A	CHICAGO	IL
4802	4480	1030	SKORR, CORTLEND	TAMPA	FL
4802	4473	1030	SMITH, DOUGLA NEIL	WEST PALM BEACH	FL
4802	4488	1031	SPIETH, DARIN WAYNE	READING	MI
4802	4477	1031	STAPLES, PHILIP DAVID	RICHMOND	VA
4802	4503	1030	WHIPPLE, JOHN H	UMATILLA	FL

The Florida Board of Auctioneers  
Meeting Minutes  
June 11, 2013

**MOTION:** Mr. Dietrich made a motion to approve auctioneer by examination licenses on the ratification list as submitted.

**SECOND:** Mr. Shearer.

Motion passed unanimously.

**LICENSED BY AUCTIONEER BUSINESS**

4803	3278	1030	66TH STREET AUCTION, LLC	ST. PETERSBURG	FL
4803	3304	1030	ABOVE AND BEYOND AUCTIONS	ORLANDO	FL
4803	3284	1030	ADAMO AUCTIONS INC	TAMPA	FL
4803	3285	1030	AIRCRAFT REPAIR AND SERVICE LLC	PLANTATION	FL
4803	3287	1030	ALL BIZ AUCTIONS LLC	ORLANDO	FL
4803	3298	1030	ATCHER SERVICE, INC.	BRANDON	FL
4803	3279	1030	ATM ANTIQUES & AUCTIONS LLC	CRYSTAL RIVER	FL
4803	3296	1030	AUCTION LOTTO INC	PORT CHARLOTTE	FL
4803	3294	1030	AUCTION WITH RAY LLC	TERRA CEIA	FL
4803	3292	1030	BAJA BID LLC	ODESSA	FL
4803	3321	1030	BLUE WATER AUCTION SERVICES LLC	OKEECHOBEE	FL
4803	3280	1030	BONHAMS & BUTTERFIELDS AUCTIONEERS CORPO	SAN FRANCISCO	CA
4803	3313	1030	CRAKER COUNTRY AUCTION & TREASURES	PLANT CITY	FL
4803	3311	1030	DEFRANCE AUCTIONS, LLC	FORT WALTON BEACH	FL
4803	3309	1030	DMFA, LLC	PALM COAST	FL
4803	3303	1030	EXCLUSIVE GAVEL	FORT LAUDERDALE	FL
4803	3300	1030	FAMILY TREE TREASURES, INC	LAKE WORTH	FL
4803	3318	1030	GRACE ESTATE BUYERS LLC	TALLAHASSEE	FL
4803	3319	1030	HOBBS AUCTIONS INC	PARIS	TN
4803	3315	1030	JIM BEGGINS INC	ST. PETE BEACH	FL
4803	3299	1030	JMD AUCTIONS, LLC	STUART	FL
4803	3286	1030	LBENDIX AUCTIONEERS & ASSOCIATES LLC.	DELRAY BEACH	FL
4803	3277	1030	MARTIN & MARTIN AUCTIONEERS OF MISSISSIP	BROOKLYN	MS
4803	3281	1030	MERCHANTS SQUARE, INC	ST. PETERSBURG	FL
4803	3288	1030	MGMIA SERVICE LLC	PORT CHARLOTTE	FL
4803	3317	1030	MONEX INTERNATIONAL INC	MIRAMAR	FL
4803	3290	1030	NORMA TE RESUELVE CORREO INC	HIALEAH	FL
4803	3316	1030	NORTH FLORIDA AUCTIONS LLC	GAINESVILLE	FL
4803	3282	1030	OFF WALL TREASURES LLC	SANTA ROSA BEACH	FL
4803	3291	1030	PALM BEACH ESTATE GALLERY INC	BOYNTON BEACH	FL
4803	3314	1030	PALMETTO AUCTIONS AND ESTATES	TAMPA	FL
4803	3283	1030	RAYBON VENTURES INC	WEBSTER	FL

The Florida Board of Auctioneers  
Meeting Minutes  
June 11, 2013

4803	3305	1030	S&K AUTOMOTIVE SALES LLC	HAINES CITY	FL
4803	3312	1030	SPIETH AND SATOW AUCTIONS INC	COLDWATER	MI
4803	3306	1030	THOMAS BAILEY	OKEECHOBEE	FL
4803	3289	1030	TREASURE COAST GOLD AND ESTATE EXCHANGE	PORT ST LUCIE	FL
4803	3301	1030	TROPICAL AUCTION	NORTH FORT MYERS	FL
4803	3302	1030	TWO OLD CROWS, LLC	COCOA	FL
4803	3310	1030	UNITY AUCTIONS	DADE CITY	FL
4803	3297	1030	VIP ENTERPRISE AUCTION SERVICE	JACKSONVILLE	FL
4803	3307	1030	VR 360 LLC	KISSIMMEE	FL
4803	3320	1030	WHIPPLE ENTERPRISES INC.	UMATILLA	FL
4803	3295	1030	WORLD O WORLD REAL ESTATE AUCTION HOUSE	PORT ST LUCIE	FL
4803	3293	1030	WORLDWIDE DIVERSIFIED AUCTIONS LLC.	CAPE CORAL	FL

**MOTION:** Mr. Dietrich made a motion to approve auction business licensees on ratification list as submitted.

**SECOND:** Mr. Shearer.

Motion passed unanimously.

## **AUCTIONEER APPLICATION REVIEW**

### **1. Giovanni Michelinini – application # 15252** (Endorsement application)

Mr. Biggins advised the Board that a Social Security Number is required for licensure per statute. The primary purpose for that is to ensure child support obligations are met. Being the applicant is from Canada he was unable to obtain a Social Security Number or any of the other numbers we default to when that is not available. We do have confirmation that his children are grown and I think it would be appropriate to get an opinion from Board Counsel on this.

Mr. Milne stated the Department also has a procedure for aliens that have a unique identifying number that can be used instead of the social security number to obtain the same purposes of following up on child support and/or taxation issues with the state or federal government. So based on this opinion, and the facts of this particular case there will not be an objection to moving forward as long as he has a unique identifying number, that his application could be processed.

**MOTION:** Mr. Shearer made a motion to approve application as submitted.

**SECOND:** Mr. Dietrich.

Motion passed unanimously.

**2. Miller Development, LLC – Auction business application # 7253**  
(Owner Jeffrey Miller)

**MOTION:** Mr. Moecker made a motion to deny auction business application as submitted.

**SECOND:** Mr. Dietrich.

Motion passed unanimously.

**DISCIPLINARY CASES – Erica White, Esq., Assistant General Counsel**  
**Informal Hearing**

Mr. Bruce C. Scott was present and sworn in by Ms. White.

Mr. Bruce J. Scott (father) was also sworn in by Ms. White.

**Bruce C. Scott & Bruce C. Scott Auctions and Real Estate**  
**Case # 2012-031904 and 2012-031913**

**Case 2012-031904**

Mr. Scott was charged with violation of section 468.389(1)(c), F.S. for failure to account for or pay or return, within a reasonable time not to exceed 30 days, money or property belonging to another which has come into the control of an auctioneer or auction business through an auction.

The Department believes it is appropriate at this time to adopt the allegations of fact and conclusion of law contained in the Administrative Complaint as those of the Board.

**MOTION:** Mr. Moecker made a motion to adopt the allegations of fact as contained in the Administrative Complaint.

**SECOND:** Mr. Dietrich.

Motion passed unanimously.

**MOTION:** Mr. Shearer made a motion to adopt the allegations as conclusion of law

**SECOND:** Mr. Moecker

Motion passed 2 in favor, 1 opposed

Pursuant to the disciplinary guidelines the Department recommends \$1000 fine and 1 year probation.

**MOTION:** Mr. Moecker made a motion to impose a fine of \$1,000, costs of \$211.70. and 1 year probation on license number AU 415.

**SECOND:** Mr. Shearer

Motion carries unanimously.

**Case 2012-031913**

Mr. Scott was charged with violation of section 468.389(1)(c), F.S. for failure to account for or pay or return, within a reasonable time not to exceed 30 days, money or property belonging to another which has come into the control of an auctioneer or auction business through an auction.

**MOTION:** Mr. Moecker made a motion to adopt the allegations of fact as contained in the Administrative Complaint.

**SECOND:** Mr. Shearer.

Motion passed unanimously.

**MOTION:** Mr. Shearer made a motion to adopt the allegations as conclusion of law

**SECOND:** Mr. Dietrich.

Motion passed unanimously.

Pursuant to the disciplinary guidelines the Department recommends administrative fine of \$1000 and license revocation.

**MOTION:** Mr. Moecker made a motion to impose a fine of \$1,000, costs of \$211.70. and license revocation on license number AB 157

**SECOND:** Mr. Dietrich.

Motion carries unanimously.

**Bruce C. Scott & Bruce C. Scott Auctions and Real Estate  
Case # 2012-036381 and 2012-036372**

**Case # 2012-036372**

Mr. Scott was charged with violation of section 468.389(1)(c), F.S. for failure to account for or pay or return, within a reasonable time not to exceed 30 days, money or property belonging to another which has come into the control of an auctioneer or auction business through an auction.

The Department believes it is appropriate at this time to adopt the allegations of fact and conclusion of law contained in the Administrative Complaint as those of the Board.

**MOTION:** Mr. Moecker made a motion to adopt the allegations of fact as contained in the Administrative Complaint.

**SECOND:** Mr. Dietrich.

Motion passed unanimously.

**MOTION:** Mr. Moecker made a motion to adopt the allegations as conclusion of law

**SECOND:** Mr. Dietrich

Motion passed unanimously.

Pursuant to the disciplinary guidelines the Department recommends \$1000 fine and 1 year probation.

**MOTION:** Mr. Moecker made a motion to impose a fine of \$1,000, costs of \$228.46. and 1 year probation to run concurrently with case 2012-031904 on license number AU 415

**SECOND:** Mr. Dietrich.

Motion passed unanimously.

#### **Case # 2012-036381**

Mr. Scott was charged with violation of section 468.389(1)(c), F.S. for failure to account for or pay or return, within a reasonable time not to exceed 30 days, money or property belonging to another which has come into the control of an auctioneer or auction business through an auction.

The Department believes it is appropriate at this time to adopt the allegations of fact and conclusion of law contained in the Administrative Complaint as those of the Board.

**MOTION:** Mr. Moecker made a motion to adopt the allegations of fact as contained in the Administrative Complaint.

**SECOND:** Mr. Dietrich.

Motion passed unanimously.

**MOTION:** Mr. Moecker made a motion to adopt the allegations as conclusion of law

**SECOND:** Mr. Dietrich

Motion passed unanimously.

Pursuant to the disciplinary guidelines the Department recommends \$1000 fine and license revocation.

**MOTION:** Mr. Moecker made a motion to avoid any further fine, impose costs of \$245.22, and to reaffirm license revocation on license number AB 157.

**SECOND:** Mr. Shearer

Motion carries unanimously.

## **REPORTS**

### **Division of Regulation report – Jerry Wilson**

Mr. Wilson gave a presentation on The Division of Regulation.

### **Prosecuting Attorney – C. Erica White**

Ms. White reviewed the prosecuting attorney's report with the board.

**Board Counsel – Robert Milne**  
Introduction

**Board Chair – Chairman Michael Moecker**

**Executive Director's report – Daniel Biggins**

Mr. Biggins reviewed the financial report for the period ending in March 31, 2013 with the Board.

**MOTION:** Mr. Dietrich made the motion to reinstate the \$100 surcharge fee for initial licensure for recovery fund.

**SECOND:** Mr. Shearer

Motion passed unanimously.

**OLD BUSINESS**

Ms. Alford reviewed the Discipline Tracking Report and the Recovery Fund Report with the Board.

**NEW BUSINESS**

Ms. Alford updated the Board on the 2013 Legislative session.

**Annual Regulatory Plan (ARP)**

**MOTION:** Mr. Shearer made the motion to approve the Regulatory Plan changes recommended by the board staff.

**SECOND:** Mr. Dietrich.

Motion passed unanimously.

**Next Meeting**

The Board set the following meeting dates

September 10, 2013 – Tampa

December 03, 2013 – Tallahassee

**Public Comment**

None

**ADJOURNMENT**

**MOTION:** Mr. Dietrich made the motion to adjourn.

**SECOND:** Mr. Moecker.

The meeting adjourned at 12 PM