MINUTES
THE FLORIDA BOARD OF AUCTIONEERS
SpringHill Suites Tallahassee
1300 Executive Center Dr.
Tallahassee, FL 32301
850.325.1103
Tuesday, June 4, 2019, 9:00 a.m. EDT
Approved November 6, 2019

The Board of Auctioneers meeting was called to order by Chairman Donald Shearer at 9:05 a.m. EDT.

ROLL CALL

Members Present
Donald Shearer, Chair
Ransom “Reed” Hartman, Vice-Chair
H. Fred Dietrich III
Pamela Kiser-Burch

Members Absent & Excused
Matthew Varble

Staff Present:
Amanda Ackermann, Executive Director
Anne Ahrendt, Government Analyst
Crystal Stephens, Chief Attorney, Professions
Ellen Carlos, Prosecuting Attorney
Rob Milne, Board Counsel
Dylan Wallace, Law Clerk for Construction
Kamilla Yamatova, Law Clerk Construction Unlicensed Activity
Jordan Bentley, Construction, Unlicensed Activity Unit
Court Reporter, For the Record Reporting

REVIEW AND APPROVAL

Minutes from March 29, 2019 Meeting.
Ms. Kiser-Burch made a motion to approve the minutes. Mr. Hartman seconded the motion. Motion carried.

Ratification List of Licensees (March 1, 2019 through May 13, 2019).
Mrs. Ackermann presented the Ratification List

Licensed Auctioneer Apprentice

<table>
<thead>
<tr>
<th>License No</th>
<th>AE</th>
<th>526</th>
<th>SEARL, JEFFREY ALAN</th>
<th>EAGLE</th>
<th>WI</th>
</tr>
</thead>
<tbody>
<tr>
<td>4801</td>
<td>AE</td>
<td>526</td>
<td>SEARL, JEFFREY ALAN</td>
<td>EAGLE</td>
<td>WI</td>
</tr>
<tr>
<td>4801</td>
<td>AE</td>
<td>525</td>
<td>YODER, ATLEE A</td>
<td>LIVE OAK</td>
<td>FL</td>
</tr>
</tbody>
</table>

Florida Board of Auctioneers
June 4, 2019
Mrs. Ackermann presented the candidates for Auctioneer apprentice licensure. Mr. Hartman made a motion that the licenses be ratified. The motion was seconded by Ms. Kiser-Burch and the motion carried.

**Auctioneer Licensed by Endorsement**

<table>
<thead>
<tr>
<th>License No.</th>
<th>AU</th>
<th>Name</th>
<th>City</th>
<th>State</th>
</tr>
</thead>
<tbody>
<tr>
<td>4802</td>
<td>AU</td>
<td>BAKER, WILLIAM E</td>
<td>PERRYVILLE</td>
<td>KY</td>
</tr>
<tr>
<td>4802</td>
<td>AU</td>
<td>BURI, MAUREEN E</td>
<td>CINCINNATI</td>
<td>OH</td>
</tr>
<tr>
<td>4802</td>
<td>AU</td>
<td>CHAPMAN, MATTHEW JEFFREY</td>
<td>CINCINNATI</td>
<td>OH</td>
</tr>
<tr>
<td>4802</td>
<td>AU</td>
<td>COWAN, C WESLEY</td>
<td>CINCINNATI</td>
<td>OH</td>
</tr>
<tr>
<td>4802</td>
<td>AU</td>
<td>COWAN, SAMUEL WITHERS</td>
<td>CINCINNATI</td>
<td>OH</td>
</tr>
<tr>
<td>4802</td>
<td>AU</td>
<td>SMITH, RICKY ELVIN</td>
<td>LAMPASAS</td>
<td>TX</td>
</tr>
<tr>
<td>4802</td>
<td>AU</td>
<td>SPEZIA, GIA M</td>
<td>CHICAGO</td>
<td>IL</td>
</tr>
<tr>
<td>4802</td>
<td>AU</td>
<td>TUMBELEKIS, ELIZABETH NOELLE</td>
<td>FAYETTEVILLE</td>
<td>NC</td>
</tr>
<tr>
<td>4802</td>
<td>AU</td>
<td>WISELY, TONY RAY</td>
<td>PERRY</td>
<td>OK</td>
</tr>
<tr>
<td>4802</td>
<td>AU</td>
<td>YOUNKIN, WILLIAM EUGENE JR</td>
<td>CECIL</td>
<td>AL</td>
</tr>
</tbody>
</table>

Mrs. Ackermann presented the candidates for licensure by Endorsement. Mr. Hartman made a motion that the licenses be ratified. The motion was seconded by Ms. Kiser-Burch and the motion carried.

**Auctioneer Licensed from Null and Void**

<table>
<thead>
<tr>
<th>License No.</th>
<th>AU</th>
<th>Name</th>
<th>City</th>
<th>State</th>
</tr>
</thead>
<tbody>
<tr>
<td>4802</td>
<td>AU</td>
<td>FANDEL, BARRY GERARD</td>
<td>MIAMI</td>
<td>FL</td>
</tr>
<tr>
<td>4802</td>
<td>AU</td>
<td>GAGEN, WILLIAM EVERETT JR</td>
<td>NORTH BILLYERICA</td>
<td>MA</td>
</tr>
<tr>
<td>4802</td>
<td>AU</td>
<td>TESTO, EDWARD DOWARD JR</td>
<td>CLAREMONT</td>
<td>CA</td>
</tr>
</tbody>
</table>

Mrs. Ackermann presented the candidates for licensure from Null and Void. XXXX made a motion that the licenses be ratified. The motion was seconded by XXX and the motion carried.

**Licensed by Auctioneer Business**

<table>
<thead>
<tr>
<th>License No.</th>
<th>AB</th>
<th>Name</th>
<th>City</th>
<th>State</th>
</tr>
</thead>
<tbody>
<tr>
<td>4803</td>
<td>AB</td>
<td>AARON JOSEPH, LLC</td>
<td>TALLAHASSEE</td>
<td>FL</td>
</tr>
<tr>
<td>4803</td>
<td>AB</td>
<td>BIDONHOMES, INC.</td>
<td>CHEYENNE</td>
<td>WY</td>
</tr>
<tr>
<td>4803</td>
<td>AB</td>
<td>EXCLUSIVE ART GALLERY</td>
<td>ST. PETERSBURG</td>
<td>FL</td>
</tr>
<tr>
<td>4803</td>
<td>AB</td>
<td>FLORAT JEWELRY CORPORATION</td>
<td>CUTLER BAY</td>
<td>FL</td>
</tr>
<tr>
<td>4803</td>
<td>AB</td>
<td>GREATCARZ LLC</td>
<td>HAINES CITY</td>
<td>FL</td>
</tr>
<tr>
<td>4803</td>
<td>AB</td>
<td>OASIS AUCTIONS</td>
<td>CAPE CORAL</td>
<td>FL</td>
</tr>
<tr>
<td>4803</td>
<td>AB</td>
<td>OPENTECH ALLIANCE, INC.</td>
<td>PHOENIX</td>
<td>AZ</td>
</tr>
<tr>
<td>4803</td>
<td>AB</td>
<td>P. MISTRANO &amp; SONS AUCTIONS, LLC.</td>
<td>PALM COAST</td>
<td>FL</td>
</tr>
<tr>
<td>4803</td>
<td>AB</td>
<td>STILLSON CONSULTING GROUP INC.</td>
<td>SUN CITY CENTER</td>
<td>FL</td>
</tr>
</tbody>
</table>

Mrs. Ackermann presented the candidates for licensure as an Auction Business. XXXX made a motion that the licenses be ratified. The motion was seconded by XXX and the motion carried.
**DISCIPLINARY CASES** – Ellen Carlos, Prosecuting Attorney

**Petitioner’s Motion for Waiver and Entry of Final Order (2018-046523) DBPR v. Jay Kielstock (AU 3249).**

A motion was made by Mr. Hartman and seconded by Ms. Kiser-Burch to accept the material facts that the respondent failed to respond to the election of rights and grant the petitioner’s motion for a waiver. The motion carried.  
A motion was made to accept the allegations of fact and the conclusions of law in the administrative complaint by Mr. Dietrich and seconded by Mr. Hartman. The motion carried.  
A motion was made by Mr. Hartman to impose an administrative fine of $1,000; $231.91 costs; restitution to complainant of the value of the items consigned and a five (5) year suspension. Motion was seconded by Ms. Kiser-Burch. The motion carried.

**Petitioner’s Motion for Waiver and Entry of Final Order (2018-046519) DBPR v. Auction Gallery of Boca Raton LLC (AB 3490).**

A motion was made by Mr. Hartman and seconded by Ms. Kiser-Burch to accept the material facts that the respondent failed to respond to the election of rights and grant the petitioner’s motion for a waiver. The motion carried.  
A motion was made to accept the allegations of fact and the conclusions of law in the administrative complaint by Mr. Hartman and seconded by Mr. Dietrich. The motion carried.  
A motion was made by Mr. Hartman to impose an administrative fine of $1,000.00; costs of $268.99; and a five (5) year suspension of license. Motion was seconded by Ms. Kiser Burch. The motion carried.

**Petitioner’s Motion for Waiver and Entry of Final Order (2018-033733) DBPR v. Jay Kielstock (AU 3249).**

A motion was made by Mr. Hartman and seconded by Mr. Dietrich to accept the material facts that the respondent failed to respond to the election of rights and grant the petitioner’s motion for a waiver. The motion carried.  
A motion was made to accept the allegations of fact and the conclusions of law in the administrative complaint by Mr. Hartman and seconded by Mr. Dietrich. The motion carried.  
A motion was made by Mr. Hartman to impose an administrative fine of $1,000.00; costs of $343.88; restitution in the amount of the value of the consigned items; and a five (5) year suspension. Motion was seconded by Ms. Kiser-Burch. The motion carried.

**Petitioner’s Motion for Waiver and Entry of Final Order (2018-033749) DBPR v. Auction Gallery of Boca Raton LLC (AB 3490).**

A motion was made by Mr. Hartman and seconded by Ms. Kiser-Burch to accept the material facts that the respondent failed to respond to the election of rights and grant the petitioner’s motion for a waiver. The motion carried.  
A motion was made to accept the allegations of fact and the conclusions of law in the administrative complaint by Mr. Dietrich and seconded by Mr. Hartman. The motion carried.
A motion was made by Mr. Hartman to impose an administrative fine of $1,000.00; costs of $331.65; and five (5) year suspension. Motion was seconded by Mr. Dietrich. The motion carried.

**Petitioner’s Motion for Waiver and Entry of Final Order (2018-045988) DBPR v. Jay Kielstock (AU 3249).**
A motion was made by Mr. Hartman and seconded by Ms. Kiser-Burch to accept the material facts that the respondent failed to respond to the election of rights and grant the petitioner’s motion for a waiver. The motion carried.
A motion was made to accept the allegations of fact and the conclusions of law in the administrative complaint by Mr. Hartman and seconded by Mr. Dietrich. The motion carried.
A motion was made by Mr. Hartman to impose an administrative fine of $1,000.00; costs of $278.13; restitution in the amount of the value of the consigned items; and a five (5) year suspension. Motion was seconded by Ms. Kiser-Burch. The motion carried.

**Petitioner’s Motion for Waiver and Entry of Final Order (2018-036381) DBPR v. Auction Gallery of Boca Raton LLC (AB 3490).**
A motion was made by Mr. Hartman and seconded by Ms. Kiser-Burch to accept the material facts that the respondent failed to respond to the election of rights and grant the petitioner’s motion for a waiver. The motion carried.
A motion was made to accept the allegations of fact and the conclusions of law in the administrative complaint by Mr. Hartman and seconded by Ms. Kiser-Burch. The motion carried.
A motion was made by Mr. Hartman to impose an administrative fine of $1,000.00; costs of $423.20; and a five (5) year suspension. Motion was seconded by Ms. Kiser-Burch. The motion carried.

**Petitioner’s Motion for Waiver and Entry of Final Order (2018-039602) DBPR v. Jay Kielstock (AU 3249).**
A motion was made by Mr. Hartman and seconded by Mr. Dietrich to accept the material facts that the respondent failed to respond to the election of rights and grant the petitioner’s motion for a waiver. The motion carried.
A motion was made to accept the allegations of fact and the conclusions of law in the administrative complaint by Mr. Hartman and seconded by Mr. Dietrich. The motion carried.
A motion was made by Mr. Hartman to impose an administrative fine of $1,000.00; costs of $268.76; restitution in the amount of the value of the consigned items; and a five (5) year suspension. Motion was seconded by Mr. Dietrich. The motion carried.

**Petitioner’s Motion for Waiver and Entry of Final Order (2018-019339) DBPR v. Stanford Auctions Inc. (AB 2785).**
A motion was made by Mr. Hartman and seconded by Mr. Dietrich to accept the material facts that the respondent failed to respond to the election of rights and grant the petitioner’s motion for a waiver. The motion carried.
A motion was made to accept the allegations of fact and the conclusions of law in the administrative complaint by Ms. Kiser-Burch and seconded by Mr. Dietrich. The motion carried.
A motion was made by Mr. Hartman to impose an administrative fine of 1,000.00; costs of $177.75; restitution in the amount of the value of the consigned items; and a three (3) month suspension. Motion was seconded by Ms. Kiser-Burch. The motion carried.

**REVIEW OF LICENSURE APPLICATION**

Auction Business Application from Omni Auctions, LLC.

A motion was made by Mr. Hartman and seconded by Ms. Kiser-Burch to approve the application for licensure. Motion carried.

**RECOVERY FUND CLAIMS HEARINGS**


After discussion, a motion was made by Ms. Kiser-Burch to issue a payment of $5,000.00 from the Auctioneer Recovery Fund to Ms. Morgan as the documentation is not sufficient to award $30,000.00 (the requested amount). The motion was seconded by Mr. Hartman. Motion carried.

**RULE AND LEGISLATION DISCUSSION –** Robert Milne, Board Counsel

No action taken.

**REPORTS**

Prosecuting Attorney Case Load Report – Ellen Carlos

Ms. Carlos reported that there were 21 Public cases and 1 Private case.

Board Counsel Report– Robert Milne

No report given.

Executive Director’s Report – Amanda Ackermann

Ms. Ackermann presented the Quarterly Financial Statements (ending March 31, 2019) and the Quarterly Complaint Report (as of April 30, 2019). She will be bringing information regarding the assessment for the Recovery Fund at the next meeting.

**OLD BUSINESS -**

None.

**NEW BUSINESS -**

None.

**THE MEETING WAS ADJOURNED AT 10:14 A.M.**