

EXECUTIVE SUMMARY

Board of Auctioneers Meeting

Meeting Type: General Board Meeting, Hilton Regency Hotel, Orlando International Airport

Meeting Date: March 23, 2005

Board Members: Fred Dietrich, Chair
Michael Moecker, Vice Chair
Craig Accardo
JoAnn Hill

Other Attendees: Anthony B. Spivey, Executive Director
Donna Salters, Government Analyst I
Daniel Biggins, Assistant Attorney General
Brian Higgins, Prosecuting Attorney

Major Issues/Actions

The meeting consisted of mainly concerns of the board relative to Internet auctions and various other subjects as listed below :

- Two discipline cases were scheduled with one resulting in a continuance and one resulting in a fine levied in the amount of \$1,500.00 and investigative costs of \$504.18 along with a two-year suspension followed by four probationary board appearances.
- The board voted to award Mercato D'Ecopa a settlement for a claim against International Auction Group, Inc. in the amount of \$37,900.00 to be paid from the Auctioneer Recovery Fund.
- The board chair requested of the prosecuting attorney that all future recommendations regarding discipline guidelines be presented to the board in writing so that the board members can review the information prior to administering discipline. Mr. Higgins indicated he would oblige this request.
- The board has requested that collections attorney Mark Drexler provide a briefing on his collection process when attempting to recoup funds from licensees who have been ordered to pay a fine. The board requested this information be presented at the next meeting for information purposes.

- The financial statements for the second quarter of the 2004-2005 fiscal year were discussed with the Board. The only request made was to have an analysis of the past 10 years of board finances presented to the board. The board plans to use this information to determine if fees should be adjusted. The board indicated this request was made previously but the information was not provided.
- During the public comment portion of the meeting, members from the audience expressed concern that individuals are using the Internet to represent themselves as auctioneers. The board was informed of the actions by the department in seeking out individuals in the phone book yellow pages and also reviewing sites on the Internet. The board was appreciative of this information. Additionally the board was advised of the public service announcement being planned in conjunction with two other board offices profiling the auctioneers in the announcement to aid in combating unlicensed activity.
- The board requested that Deputy Division Director Jerry Wilson attend the next meeting and provide an update on the status of investigations relative to auctioneer cases.
- The board requested that the board chair and one staff member attend the annual auctioneer association meeting in Pittsburgh on July 18-23, 2005.

Legislative/Rule Promulgation

- The board chair informed the board of proposed legislation he presented to legislators in Tallahassee. Mr. Dietrich would like to have legislation passed that calls for auctioneers to be fingerprinted and have background checks. He also requested that the statutes expound more on the language in general on the regulation of auctioneers.

Action Items

- Submit information regarding alleged unlicensed activity to the Division of Regulation.
- Request Finance and Accounting to prepare an analysis of the board's operating account.

Anthony B. Spivey
Executive Director
March 23, 2005