

EXECUTIVE SUMMARY

Board of Auctioneers Meeting

Meeting Type: General Board Meeting, Department of Business and Professional Regulation, Northwood Centre Boardroom, Tallahassee, Florida

Meeting Date: March 12, 2008

Board Members: Michael Moecker, Chair
Craig Accardo
Donald Shearer
H. Fred Dietrich, III

Other Attendees: Tim Vaccaro, Division Director
Anthony B. Spivey, Executive Director
Renese Jones, Government Analyst I
Barbara Edwards, Assistant Attorney General
Jessica Leigh, Prosecuting Attorney
Michael Green, Unlicensed Activity Coordinator

Major Issues/Actions

- Mr. Green provided the board an update on the progress being made in the unlicensed activity office. The office has produced brochures regarding hiring only licensed auctioneers to help combat unlicensed activity in the auctioneer profession. Mr. Green requested recommendations from the board on distribution or drop-off points in the state for the brochures highlighting the department's effort to educate the public against unscrupulous auctioneers. The board provided Mr. Green some possible sites the brochure may be distributed.
- Ms. Leigh presented a case load status report to the board. The case load includes a total of 15 auctioneer cases in the legal department.
- Ms. Leigh presented four cases to the board for disciplinary action. Two cases resulted in one-year probation, and two ended in revocation. An additional case was presented as a motion for rehearing. The board denied the request for a rehearing as the case has been referred to the district court of appeals.
- The board reviewed a recovery fund claim presented by a customer. The claim was denied based on the fact the claimant did not provide proof of obtaining payment from the auctioneer.

- Staff presented an application to the board for licensure by reciprocity. Because of a past criminal history relating to auctioneering, the board voted to deny the applicant's request for licensure.
- Ms. Edwards reported to the board the rule for reinstating null and void licenses has been reviewed by the Joint Administrative Procedures Committee. JAPC had some concerns that the form number of the application for reinstatement is not listed in the rule. Ms. Edwards addressed this matter with the board by presenting a department approved form for reinstating null licenses. The board will revert to the department form if specific information from the current board form can be transferred to the department form. Mr. Vaccaro spoke with the board on this matter and will advise if information can be transferred to the department form.
- The Executive Director presented an overview of the financial status of the board as of the end of September 30, 2007. The operating account has a balance of \$157,775; the unlicensed activity account has a balance of \$30,942; and the recovery fund operating account has a balance of \$826,401.

Anthony B. Spivey
Executive Director
March 25, 2008