

EXECUTIVE SUMMARY
Board of Auctioneers Meeting

Meeting Type: General Board Meeting, Ameila Island Plantation, Florida

Meeting Date: March 13, 2009

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

Other Attendees: Anthony B. Spivey, Executive Director
Renese Jones, Government Analyst
Barbara Edwards, Assistant Attorney General
LeChea Parson, Prosecuting Attorney

Major Issues/Actions

- The prosecuting attorney presented three cases, each for motion of waiver. One case (Thomas Pittman) resulted in the license being revoked; the two remaining cases (Gavin Abadi) were changed from motion for waiver to informal hearings, because Mr. Abadi appeared to present mitigating information. Mr. Abadi's cases resulted in two fines and costs in lieu of suspension of his license. Mr. Abadi paid the costs to the staff by presenting cashier checks made payable to the Department.
- The Assistant Attorney General noted that the rule for reinstatement of a null and void license has been resubmitted to the Joint Administrative Procedure Committee for review. Ms. Edwards indicated she will apprise the board of the results of the review from JAPC at the next board meeting in June.
- Ms. Edwards informed the board she will provide information to the board containing guidelines to use when placing a licensee on probation.
- Mr. Moecker informed the board he met with Senator Baker regarding Senate Bill 482 which will require fingerprinting of apprentices and auctioneers. Mr. Moecker indicated the bill did pass in the Senate committee and that Representative Boyd, author of a similar bill, House Bill 63, agreed to sponsor the language in SB 482.
- The Executive Director provided the financial reports to the board for the December 31, 2008 period. The operating account contains a balance of \$108,339; the unlicensed activity account contains a balance of \$33,193; and the recovery fund account contains a balance of \$691,771. The board informed the Executive Director that they will inform members of the various auctioneer associations of the recent cash sweep from the recovery fund. The board wants the

licensees to understand that as the account is reduced to amounts below the \$200,000 threshold, a surcharge will be required from each licensee to bring the account to its statutorily mandated level.

- Mr. Moecker provided the Executive Director information on a previously licensed auctioneer, whom the board had revoked who is still allegedly conducting auctions. The Executive Director will present the information to the Division of Regulation for review. Additionally, Mr. Moecker provided information to the Executive Director on landlords taking possession of tenants' property for non-payment of rent and subsequently auctioning off the property. This information will also be provided to regulation for review of any alleged unlicensed activity.

Anthony B. Spivey
Executive Director