

EXECUTIVE SUMMARY

Board of Auctioneers Meeting

Meeting Type: General Board Meeting, Telephone Conference

Meeting Date: September 30, 2011

Board Members: Michael Moecker, Chair
Fred Dietrich
Billy Wayne Collins

Other Attendees: Anthony B. Spivey, Executive Director
Terri McEwen, Government Analyst II
Lisa Osteen, Government Analyst I
Charlyne "Khai" Patterson, Assistant Attorney General
David Flynn, Assistant Attorney General

Major Issues/Actions

- The board reviewed six cases, all related to San Marco Auction Company, LLC that were presented as a motion for waiver of rights and final order. Upon review of the information from the prosecuting attorney, the board revoked the license and charged fines and costs in each case.
- The board reviewed an additional case as a motion for waiver of rights and final order against Patty Kay Garrett and Patty's Furniture and Auctions. Based on the information presented by the prosecuting attorney, the board charged fines and costs towards the license.
- A settlement stipulation executed between the prosecuting attorney and Mr. Gavin Abadi, licensed auctioneer, was presented to the board for review. The board rejected the stipulation by adding additional stipulations to which Mr. Abadi agreed to.
- The board reviewed applications for licensure by endorsement submitted by Thomas M. Paranzino and Timothy J. Paranzino because of license disciplinary matters in Ohio. The Paranzino's were present along with private counsel. Upon review of the information presented to the board by the Paranzino's and their counsel, each application was approved for licensure.
- Ms. Patterson provided a synopsis of the Whiley v. Hon. Rick Scott case regarding the promulgation of rules. Ms. Patterson informed the board that as a result of the case, they are not required to seek permission from the Office of Fiscal Accountability and Regulatory Reform [OFARR]. The board however, indicated they will provide a notice to OFARR of any rules they promulgate.

- The board reviewed the financial statements for the period ending June 30, 2011. The operating account has a balance of \$(200,935); the recovery fund account has a balance of \$464,413 and the unlicensed activity account has a balance of \$24,378.
- The Florida Auctioneer Association expressed interest in having the board attend the annual meeting being held in November. The board chose to instead to hold its regularly scheduled meeting in December as this would allow for timely hearing of cases or applications that may need to come before the board.
- The next regularly scheduled board meeting is December 9, 2011, in Tallahassee.
- The board requested that copies of the bill from last years' legislative session on fingerprinting of auctioneers be made available at the December 9, 2011, meeting.
- The board voted to amend or approve the following rules based upon the review mandated by Executive Order 11-01:

Rule 61G2-2.004(4) Amended to remove (4); there is no statutory authority
Rule 61G2-4.003(2), add "as provided for by statute."
Rule 61G2-4.005 approved for repeal
Rule 61G2-5.003 approved for repeal
Rule 61G2-5.004 approved for repeal
Rule 61G2-7.060 approved for repeal
- Board member Billy Wayne Collins announced his retirement from the board and indicated the September 30, 2011 meeting is his last meeting with the board. He was advised to submit his letter of resignation to the Governor's Office.

Anthony B. Spivey, DBA
Executive Director
October 11, 2011