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OCTOBER 2014

The official publication of the National Auctioneers Association

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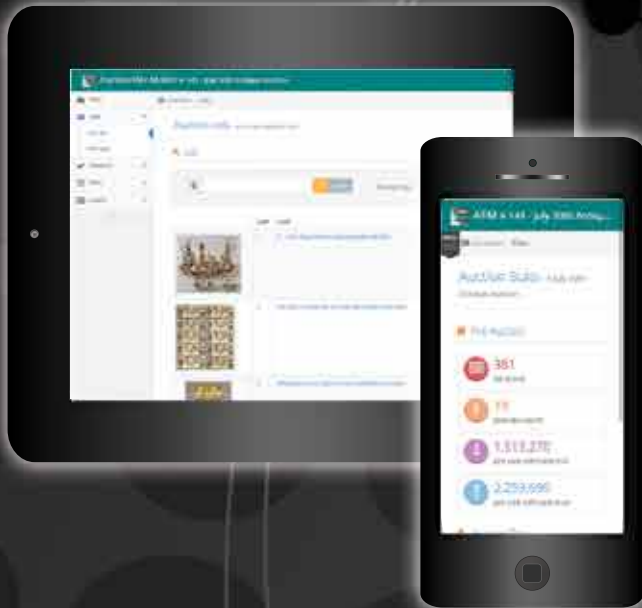
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**Thomas W. Saturley**  
CAI, NAA President

National Auctioneers Association President Thomas W. Saturley, CAI, joined NAA in 1991. He served two terms on the NAA Board of Directors as Presidential Appointee before being elected as Vice President in 2013. Prior to that, Saturley served one term as a Director beginning in 2002, and was awarded the NAA President's Award of Distinction in 2003. Also, he served on the Board of Governors for the Auction Marketing Institute.

Saturley is President of both the NAA and Tranzon Auction Properties. He has an extensive background in law, real estate, auction marketing and business management. He makes his home in Portland, Maine, with his family.

## NAA advocacy: Use your voice!

Last year, the National Auctioneers Association Board of Directors approved *Pathways to 2020*, the multiple-year business plan that will help us achieve the vision of our Association: ***NAA members will be the preferred auction professionals used in the marketplace.***

As you can see with our plan ([www.Auctioneers.org/financials](http://www.Auctioneers.org/financials)), the vision statement is supported by three strategic imperatives: education, advocacy and promotion.

The successful merger with AMI 10-plus years ago and the creation of the Educational Institute allowed the NAA to provide members with educational opportunities to meet the ever-changing world of the auction professional. We have spent significant volunteer, financial and staff resources ensuring the curricula is relevant. And while this will always be a “work in process,” we have made great strides and will not lose sight of this core responsibility.

Now, it is time to turn our attention to promotions and advocacy. At the October NAA Board of Directors meeting, we will launch two new committees: Promotions, to be chaired by Board member Tim Mast, CAI, AARE; and Advocacy, to be chaired by Board member David Whitley, CAI, CES. These committees will be charged with developing a sustainable strategy in which to implement our two additional imperative objectives. Although we recognize the success of these ventures requires careful thought, discussion and planning, we are already beginning to implement activities in furtherance of our objectives.

### Be heard in ivory discussion!

As many of you are aware, the documentation for the ownership, trade and sale of antique ivory pieces is currently undergoing some extensive regulatory review. In response to this activity, we sent a letter to the Director of the Fish and Wildlife Service, Daniel Ashe, asking him to reassess the implications of Director's Order No. 210 (see page 27). The Order was designed to strengthen trade controls on ivory as elephants, rhinoceroses and other animals face extinction due to poaching. However, what is not recognized is the difficulty of the implementation of Director Ashe's order and how it affects our businesses. Please make sure to read NAA's letter.

Please make your own voice heard. We have prepared a sample letter for you to send. If all of us send a letter and get our friends and colleagues to do so, we can make our NAA voice be heard. **We can't do this without you.**

### NABT

Elsewhere, I recently attended the annual fall conference for the National Association of Bankruptcy Trustees in Salt Lake City, Utah. NABT members are Chapter 7 trustees, their staff, judges and associated professionals and businesses. In fact, many NAA members are associate members. In their own words, NABT is committed to improving the administration of bankruptcy by promoting professionalism, education, and the open exchange of ideas among its members and other members of the bankruptcy community.

I was invited to participate on a panel that addressed what Trustees should do when they get the “big case.” My visit with them was impressive. This organization is very positive about their relationship with our profession. They understand the need to use auction professionals, and they understand that NAA members are committed to professionalism.

NAA will continue to work with NABT but again, **we can't do this without you.** Consider joining NABT if you sell personal property, real estate or business liquidations. This is a group to get to know from the inside – it will help your business. NAA will continue to identify organizations like NABT to achieve our vision and help you expand your business opportunities. But, we need your help to solidify these partnerships.

There is a common thread in this column. NAA is committed to developing plans to improve the promotion of our members to various partner groups. We are committed to identifying areas where we need to advocate on your behalf to various governmental entities.

This is an exciting time in NAA's history. With your continued help, true advocacy is possible and we will succeed!



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**On the cover:** When the sun begins to set on your career, you need to have a clear direction for your exit strategy, family or not.

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# NAA Education

## AARE completes rewrite, will debut at Designation Academy



**A**fter nearly a year of work by volunteers and staff, the National Auctioneers Association will offer a redesigned AARE at its Designation Academy in December.

The AARE rewrite committee, chaired by EI Trustee Jason Winter, CAI, AARE, has looked at the needs of today's learners and, with an eye toward filling those needs, designed not just a new class but a whole system of continuing education for AARE designees.

"Most AARE students today come to us as either Auctioneers looking to sell real estate or, increasingly, real estate agents looking to begin auctioning real estate as a part of their portfolio of services," Winter said. "With that in mind, we've created a designation class that's designed to take people through the process of prospecting, booking a sale, conducting a sale and follow-up."

What's especially new for AARE, commented NAA Director of Education Aaron Ensminger, is the new system of designations for AARE designees.

"We're creating specialty courses that will be offered through a variety of ways, both online and in person," he said. "They'll allow AARE-holders

to get extra education in a deeper format on specific areas of specialty. We plan to offer, in our first batch, specialties in Land, Commercial, Residential and Marketing Real Estate Auctions.

"We'll also be identifying places where AARE designees can get AARE-specific education. We'll offer 'AARE Continuing Education' at Conference and Show, CAI and also online. These classes will be open to all, but at least one class will be required every three years for AARE holders."

AARE will be offered December 8-10 in Las Vegas. Register at [auctioneers.org/events/view/designation-academy-las-vegas-december-2014](http://auctioneers.org/events/view/designation-academy-las-vegas-december-2014). ❖



## Women in the Auction Industry Summit set for November

This November, the Women in the Auction Industry Summit will take place in Kansas City – the latest example of a brand new educational event geared to meet the growing and changing needs of today’s NAA auction professional.

“It’s undeniable that there are issues and educational topics unique to women in the industry,” said Aaron Ensminger, NAA Director of Education. “The extremely active groups for women in the industry in social networks such as Facebook are testament to that fact.

“When any group presents a growth opportunity through education, we want to be sure we’re ahead of the curve on providing what those groups need.”

This unique event will feature speakers presenting sessions on such topics as: networking; vocal care & health; and more. They

will be presented from a perspective unique to its attendees.

“One of the sessions I’m most looking forward to is the ‘family’ panel,” commented Janine Huisman, CAI, ATS, BAS, GPPA, an NAA Educational Institute Trustee and one of the event’s organizers. “The family aspect of the industry is impossible to ignore, and women find themselves in different positions in all kinds of family dynamics in the industry.

“Women marry into auction companies, have people marry into their auction companies, are born into an auction family, and even go to work for a completely unrelated auction company. All of those dynamics take some practice and skill to navigate, and it’s our job to ensure people have the right tools.”

The Women in the Auction Industry Summit will take place at the Embassy Suites Airport Hotel in Kansas City, Missouri, Nov. 17-18. Register through the NAA website at [auctioneers.org](http://auctioneers.org), or call (913) 563-5432 with questions. ❖

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**Appraisals for Auctioneers**

# Thinking outside the circle

Business owners must carefully balance future professional interests with family needs.

By Nancy Hull Rigdon

Deciding which way to turn when it's time to start thinking of a career exit strategy can be a tough call.



Auctioneers who lead companies that have stayed in their families for decades sometimes can run into unfamiliar territory: the younger generation isn't interested in carrying on the family business.

To successfully navigate the next steps in that scenario, business owners must carefully balance the best interests of their companies with family needs, say NAA members familiar with that circumstance.

Randy and Barbara Ruhter know this situation well. The couple recently sold their business, Ruhter Auction & Realty, in Hastings, Nebraska, outside their family.

“We really broke new water,” Ruhter says of the ownership change, which was official July 1. “There was no model for us to follow.”

Ruhter started the farmland and equipment auction company in 1967, and through the years, many family members, including his two brothers, joined the business. He and his wife began carving out their business succession plan a few years ago – a time when they decided the company soon



Andy Imholte, BAS, ATS

While Andy Imholte, BAS, ATS, has a role in the family company, Auctioneering is not his career focus. He works full-time in graphic design while managing auction benefits for his father's business, Black Diamond Auctions, which specializes in real estate auctions.

needed change, yet it was evident their two daughters weren't likely interested in owning the company.

"We didn't try to entice them. They are very successful and happy where they are," Ruhter says of his daughters, who have built careers in finance and communications.

While he knew that down the road there was a possibility his daughters' circumstances could change, he stuck to a promise he made early in his career.

"I made a decision a long time ago that I would not hold the company's reigns past my time to where I ride it until it fails," says Ruhter, 69. "Our industry changes rapidly, and I knew it was time for a younger generation with new and innovative ideas to step in."

The Ruhters decided to explore the option of selling the company to an individual or individuals familiar with the internal aspects of the company. Ultimately, they executed a buy-out agreement with two of their employees. As part of the deal, Randy Ruhter will remain with the company as an employee for five years, while Barbara Ruhter serves as a consultant.

"I wasn't comfortable handing my name over to an outsider," he says of his decision. "We're really pleased with how this turned out and excited about the future of the company, and I think a big reason why is because we sold to people we knew well and trusted.

"We were able to test drive them, so to say, and became confident that they would continue the business as we desired."

Following the ownership change, Ruhter offers fellow Auctioneers in similar situations a couple of pieces of advice.

"Surround yourself with good people,"

he says. "And, take your time wading through everything. It's best to really analyze every detail."

Often, Auctioneers find success by putting family emotions aside to focus on what's best for individuals and companies. This is the case with Andy Imholte, BAS, ATS, whose father, Frank Imholte, CAI, AARE, CES, owns Black Diamond Auctions in St. Cloud, Minnesota.

While Andy has a role in the family company, Auctioneering is not his career focus. He works full-time in graphic design while managing auction benefits for Black Diamond, which specializes in real estate auctions.

"I focus on the areas where my passion lies. I really love graphic design and benefit auctions," he says. "I really respect what my father has built, but ultimately, I realized that I didn't have the passion in that area of auction that's necessary for success."

He adds, "My parents always focused on what they were passionate about, and they passed that on to me."

Imholte is one of five children. While all five have degrees in areas outside of Auctioneering, they are all involved in the family business in some capacity. In addition, four of the siblings, including Andy, are licensed Auctioneers.

Although the family industry isn't Andy Imholte's professional focus, Auctioneers hold a significant, irreplaceable role in his life.

"I am thrilled to be a part of the auction community. The camaraderie that exists among Auctioneers is something I've never found anywhere else," he says.

J.P. King Auction Company, which opened in 1915, stands as another family-owned auction business that



Christie King Ray, CAI, AARE, BAS

Christie King Ray, CAI, AARE, BAS, serves on her family company's board while owning a separate company, C. King Benefit Auctions, which offices inside J.P. King.

may not stay in the family when it's time for a change of ownership.

The King family's fourth generation runs the Gadsden, Alabama, real estate auction company today. Craig King, CAI, AARE, serves as president; his brother, Scott King, CAI, AARE, serves as executive vice president; and Christie King Ray, CAI, AARE, BAS, who is Craig and Scott's sister, serves on the company's board while owning a separate company, C. King Benefit Auctions, which offices inside J.P. King.

Craig and Scott King's children, however, now college students and in their 20's, are focused on interests outside of auctions.

"Our fifth generation is highly questionable," Scott King says.

In turn, succession of the business, which could occur many years down the road, may very well involve players without the last name King. As Scott King looks to this future, he does so by keeping business and family priorities separate.

"Sure, we'd love to see a family member take over, but from a J.P. King perspective, we're focused on the best interest of the company," he says. "We want to find the highest quality people possible to be a part of J.P. King, and that may or may not be our children."

At the same time, Scott wants what's best for his children.

"Above all, we want our kids to find and pursue their passions and find happiness – whatever that may be," he says.

It's with this professional and personal balance in mind that the Kings will drive the business into the future.

"We're going to continue to run our business and grow our business, while always leaving the door open to our children," he says. ❖

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# Max out your marquee

By Tim Luke, MPPA



## Lights, camera, action!

Benefit and regular auction events can be compared to blockbuster movie openings with pre-event publicity, promotion of auction items, and headliners. The selection of these headliners – your marquee items – is important for your advertising and marketing because the right items will help generate the excitement you need for a blockbuster auction the same way headlining performers always attract the general public to buy tickets.

Marquee items possess special characteristics, or to put in reality TV terms, they have the "it" factor. The overall number of marquee items is proportional to the number of items in your auction. Benefit auctions with 10 lots may only need two marquee items to get the buzz going for the auction. Regular auction events with several hundred lots need between 10 and 20 marquee items. Every auction has its own unique qualities, so how do you select marquee items to highlight? The best criteria for selecting your marquee items include: press worthiness, rarity and desirability.

Identify the items that check out against these simple criteria, and your sales will be on their way to becoming record-setting standouts. Let's take a look at each one in more detail.

### Press Worthiness

The possibilities are endless for this category.

The media loves items that have a special story, possess historic significance or are part of an incredible collection. (It's not a personal thing, by the way. The media loves those things because that's what their viewers, listeners and readers love. Think about it in those terms.) The six-figure expected selling price or pre-auction estimate will pique the interest of the press as well.

The proceeds, all or a portion, from the sale may be donated to a local or national charity. Be selective and clearly articulate the novel attributes of your marquee items. The press can only focus on and highlight a few items, so do the heavy lifting for the press by sifting through your items and showing the ones capable of generating public interest. Tell a good story, and the reporter will gladly tell it to the public.

### Rarity

Too often, this word is thrown around and over used. Marquee items must truly possess the "rare" quality or it won't work. Your job is to verify how rare the item is and highlight it so that the press and general auction public understand the item's significance. Almost 100 percent of the time, verifying means having the responsibility of providing indisputable proof or evidence of the item's rareness.

Examples of this include: the only known example in a specific condition; one of only a certain number produced that year; or, the only

*Ed. note: This is the second piece to the four-part "Auction Psych" series, which will appear now through the Dec./Jan. issue of Auctioneer. The series will explore several subtle but crucial aspects to psychology's role in an auction setting. -ck*

# Use a marquee lot's drawing power to your event's full advantage.

## Auction Psych, part 2

known color variation offered at auction in such-and-such years. Having these types of facts communicates to the press and general audience you have done due diligence and research.

### Desirability

This criteria is the most fluid, and it constantly changes. As auction professionals, our job is to keep our fingers on the pulse of what the public finds desirable. This means checking other auctions, consulting with auction professionals around the country and being observant of auction selling prices overall.

Your diligence pays off when faced with a desirable item hidden or undiscovered in a collection or estate. Plus, the added bonus is that you will be better prepared on knowing which item to highlight and how to do it effectively in your marketing and promotional plan.

The targeted promotion of a smaller group of buzz-generating auction items in advertising and promotion is more economical than trying to promote and list every single item offered in an auction. It also leads the curious auction-goer to wonder what other treasures are hidden in the auction.

Marquee items serve as the hooks for the press and auction public. Focus on a consistent marketing message of your marquee items in all your advertising. It will help brand the auction and extend your reach to more potential bidders. Once bidders are reeled in, provide them with a website auction listing, complete with photographs. Or, provide a printed catalog with all lots listed. Remember to utilize the basic criteria we've discussed for selecting your marquee items: press worthiness, rarity and desirability. The synergy of these three criteria working together provides the momentum toward a successful auction day. ❖

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By Carl Carter, APR

Carl Carter is President of NewMediaRules Communications, which has provided public relations and marketing communications services to auction companies throughout the U.S. since 1994.

# A matter of style

Use a reference to keep your marketing materials correct and consistent.

To a communications geek like me, it's like Christmas morning when the new edition of the Associated Press Stylebook comes out – especially when the language has been in a state of flux, with new terms being introduced and other words taking on new meanings.

I first used the Stylebook four decades ago, and it has been my constant reference ever since for rules of grammar, punctuation, abbreviations, titles, addresses and a few thousand other things that mark the difference between a professional product and one that doesn't feel quite right.

You want to be both correct and consistent in everything you publish, mail or put on your website, for the same reason you want to dress professionally for your market segment. It's a matter of presenting a clean, consistent image.

That's harder than it looks, especially in an auction company with a number of agents and other employees creating marketing materials. You may have three different agents writing the marketing copy on properties they have signed up. Maybe your web designer is writing what goes on the Internet, and your graphic designer

is writing your ads. Even if you're doing it all yourself, you're probably going to be inconsistent from one day to the next. I am, and I've been writing professionally for my entire career.

We need a touchstone or two. A reference. Something to remind us of the need to be consistent across different communications platforms. So, why the AP Stylebook? It doesn't have to be. There are other guides, such as the Chicago Manual of Style (a bit stodgy for my taste). Reuters has a good one as well, and you can access it free online. Or, you can write your own. Plus, you need a dictionary regardless





of what style guide you adopt. The Associated Press uses Webster's New World Dictionary, but as a practical matter, they're all good enough. I use Dictionary.com most of the time because it's fast, free and reliable.

I use and recommend the AP Stylebook as a basic guide for two reasons.

First, it is the basic reference for the one thing we all read – news. Most reporters and editors have one at their fingertips, and the really good ones will refer to it constantly. Your sellers and bidders are accustomed to this style. It “sounds right” to them. So, when you're referring to a location, you'll know its “2840 Parkland Ave.,” which is located on Parkland Avenue. This will usually be the style your readers will consider correct. It'll keep the focus on the property you're selling, not on how you describe it.

Second, the AP Stylebook is updated regularly to reflect recent changes in how we use language. It was about 50 pages when I first began to use it. My current copy is over 500 pages. By

the way, it's OK now (but not “okay”) to say “over” when you mean “more than,” which is also still OK. You may not have much reason to use terms like emoji and selfie (both included in the 2014 edition), but some auctioneers are beginning to accept bitcoin (not Bitcoins). You'll know to send people to your website (not web site), which is on the Web (capitalized).

You don't have to slavishly follow every entry. I don't. Notably, the new AP Stylebook requires spelling out the state on first references in most cases. But, when you're trying to wedge information into a small print ad, feel free to abbreviate, so long as you do it the same way every time.

The important thing is to take the guesswork out of day-to-day language decisions. Whatever you use will require some exceptions for your business. Make a list of those and staple it into the back of your style guide of choice.

It'll pay off in countless ways, and it will simplify your life in the long term. ❖



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# What are your bad check choices?

**Question:** I recently conducted an auction and a successful bidder wrote a bad check that did not get discovered until after I settled with the seller. What rights do I have? Who can I sue?

**Answer:** In most auctions, it is recommended that a registration agreement is entered into between Auctioneers and bidders. This contract allows Auctioneers to obtain key information (such as, telephone number, address, driver's license number, date of birth, etc.) as a condition to obtain a bidding number and to include terms of sale. Auctioneers need the key information so they have the recourse against persons who write bad checks. In addition, as part of the registration agreement, Auctioneers can include terms for damages and collection costs in the event a bidder writes a bad check or otherwise breaches the agreement. These measures give Auctioneers the ability to pursue such persons and to potentially recoup their expenses.

When a check has been dishonored by a bank, the bank is informing the Auctioneers that funds were insufficient to pay the amount of the check. When provided notice of dishonor by the bank, Auctioneers have to determine how to react. There are a number of considerations to factor into an Auctioneer's reaction to a dishonored check. Auctioneers should initially contact the bidder to see if he or she will deposit sufficient funds in the account or otherwise honor the check. If not, Auctioneers can contact their local prosecutor to explore criminal liability on the part of the check writer. Depending on the circumstances surrounding the bounced check, a prosecuting attorney may elect to prosecute the individual for writing a bad check. Auctioneers should notify the local prosecutor of the facts relating to the dishonored check. However, the decision to pursue criminal prosecution will reside with the prosecutor and they may not always agree that the facts support a finding that the bounced check was a criminal act.

Furthermore, any party receiving a dishonored check has the right to civilly pursue the check

writer for damages. In Indiana, the General Assembly enacted a statute that is intended to discourage people from writing bad checks. It allows a business that receives a bad check to collect treble damage and legal fees.

It is advisable for Auctioneers to engage an attorney to pursue the claim against the bidder. If Auctioneers are able to prove the facts supporting their claims, then, at least in Indiana, the court may award them treble damages. Some states have statutory provisions that allow the individual who received the bad check to collect attorney fees as well. Even if the statute does not provide for the recovery of attorney fees, if an Auctioneer has an attorney fee provision in the registration agreement, he or she will be able to contractually pursue attorney fees.

Whether or not Auctioneers decide to pursue their legal remedies, either criminal or civil, they should consider taking precautions to avoid such situations. Technology provides Auctioneers with the ability to cash checks at the point of sale. The electronic funds transfer equipment, while it may be costly, avoids

<sup>1</sup> In Indiana, check deception and check fraud may be felonies and carry a certain jail sentence. See Ind. Code §35-43-5-5 and Ind. Code §35-43-5-12.

<sup>2</sup> In Indiana, damages that may be recovered against someone for writing a bad check include triple the amount of the check, actual damages, court costs and attorney's fees. See Ind. Code § 34-24-3-1.

Auctioneers accepting a bad check and then investing their time (which is not compensable) and resources to collect on the check. Auctioneers who accept checks should not rush the settle with the seller. Instead, wait at least a few days to make sure the check clears. In addition, Auctioneers may want to accept credit cards. Again, there may be expenses associated with the equipment and service for processing credit cards, but it may avoid the expense and hassle of accepting a bad check.

Auctioneers may also keep a private list of people who have presented them with bad checks in the past. If those bidders attend another auction conducted by the Auctioneer, the person managing the bidder registration should inform them that they will not be permitted to register unless they agree to pay in cash, certified funds or credit card. This may be a delicate measure to communicate to a bidder, but it may save time and money.

Auctioneers, like all businesses, may receive a bad check in the course of conducting their business. If that occurs, Auctioneers should be aware of criminal prosecution and

their civil remedies in such situations. When Auctioneers receive a bad check, exploring their rights with prosecutors and their own counsel will hopefully result in a full recovery. However, there is no guarantee that the person writing the bad check has the means to make payment on a judgment. Further, there are expenses and time that are associated with pursuing damages on a bad check. Auctioneers who take a proactive approach may avoid the issue or at least minimize the risk of accepting bad checks. ❖

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**Steve Proffitt**

Steve Proffitt is general counsel of J. P. King Auction Company, Inc. ([www.jpking.com](http://www.jpking.com)). He is also an Auctioneer and instructor at Mendenhall School of Auctioneering in High Point, N.C., and Reppert School of Auctioneering in Indiana. He welcomes questions from readers about auctions and auctioneering. Readers' communications may be edited and revised. Proffitt will answer selected questions, but he cannot provide personal answers. His answers do not represent legal advice or the formation of an attorney-client relationship and readers should seek advice from their own attorneys on all matters. Please submit questions to [sproffitt@jpking.com](mailto:sproffitt@jpking.com) or c/o J. P. King Auction Company, Inc., 108 Fountain Avenue, Gadsden, AL 35901.

# Always speak carefully

When in the field or on the water and the weather is warm, I pay a lot of attention to my surroundings. This is Alabama. We have a lot of snakes. I'm not afraid of snakes, but it's one of my priorities to avoid receiving a very unpleasant surprise from a "bad" one I might not see if I don't stay alert to the danger.

Fraud is like a snake. It's often camouflaged and, if you don't detect it before it strikes, it can hurt you. Garden-variety fraud turns on the misrepresentation of a "material fact" on which another person relies and is thereby damaged. This is an important point Auctioneers should understand.

I'm going to use two examples of statements given by Auctioneers to describe auction lots to make a distinction between the fraudulent misrepresentation of a "material fact" and benign "sales talk." Let's start with what a material fact is and its importance.

## Material fact

A fact is a piece of information that can be proved to be true. A "material fact" for a bidder is information relative to an auction lot and which might be of such importance as to affect the bidder's decision to bid or not for the lot, as well as influence how much the bidder might bid.

## Lee's bed

A number of years ago when I had young children, I was in the market for a single bed for a son (I have three, plus four girls, but who's counting?) who was

ready to graduate from a crib. I had just walked into an auction when the Auctioneer announced he was offering a twin bed. From a distance, it looked okay. I had never seen it up close, but that was back when I was much younger and more foolish.

The Auctioneer eagerly announced, "Here's a great wooden bed that is really nice."

That's what I wanted and, after a few bids, I had bought it ... with no inspection. What was I thinking? Later at home, when I went to put the bed together, I found one of the posts was split open and being held together by ... a rubber band. Ouch!

The description the Auctioneer had given for the piece had caused me to bid for it. So, did he misrepresent any material fact? He did not. This is because the Auctioneer gave only two facts in his description and both were truthful. He said the item was a bed and it was. He added that the bed was made of wood and it was – split wood, but still wood.

## Sales talk

What about the Auctioneer's statements that the bed was a "great" one and "really nice?" Neither of those comments was a fact. Instead, both references amounted to nothing but the Auctioneer's opinion – his personal judgment.

The difference between a fact and an opinion is crucial, because the law allows sellers and their agents (such as Auctioneers) fairly wide latitude in the use of what is known as "sales talk." Sales talk is exaggerated buildup which is also known as "puffery." It is given by sellers to prospective buyers in an effort to convince them to purchase whatever is being offered for sale.

Examples of sales talk which are often given by Auctioneers and other sellers include such words and phrases as "best I've ever seen," "exquisite," "fantastic," "finest," "great," "museum quality," "real value," "spectacular piece," "top quality," and "unbeatable deal." The law allows most sales



talk. This is because it occurs so frequently in selling that prospective buyers realize it is nothing but hollow hype and are unlikely to believe it and be harmed.

I suffered the bed as it was, repaired it, and Lee slept in it for several years. Now, let's contrast the bed with another lot in another auction.

### “Waterford bowl”

I was at an auction looking to buy some furniture. I had been successful in winning the pieces I wanted and the auction was nearing its end. I was at the back of the room and walking toward the cashier to pay for my purchases when I stopped to speak to several fellows I know. Just then, the Auctioneer announced he was offering “a beautiful, Waterford crystal bowl.” I was about 60 feet away, but I like Waterford and decided on a whim to bid for the piece. After a bit of competition, I won it.

At checkout, the cashier's assistant handed me a piece of glass. I was expecting the “beautiful Waterford crystal bowl.” This was not it. I declined the piece and that led to a confrontation with the Auctioneer.

Mr. Auctioneer had just finished the sale when Ms. Cashier called him to come and speak with me about the disputed piece. I am not a sarcastic or rude person, but there are some people who can rub my last nerve the wrong way. This guy was one of them. He was loud, aggressive and sarcastic. Oh boy ...

When Mr. Auctioneer heard I didn't want the piece, his immediate reaction was that was too bad ... for me. He emphatically stated that I had purchased the item and had to pay for it. Ouch!

I asked Mr. Auctioneer if he was aware that his description of the lot was both fraudulent and a violation of section 2-313 of the Uniform Commercial Code – the warranty of description statute. I pointed out that he had severely misrepresented several material facts about the piece. I noted it was not Waterford ... it was not crystal ... and it was not even a bowl. I concluded that this allowed me to nullify the sale and I would not accept the piece.

The debate ended before it got going. Mr. Auctioneer stalked off with his ashtray and I paid for my other purchases.

### Misrepresentations

So what material facts did this Auctioneer misrepresent? The three

I previously mentioned – it was not “Waterford,” not “crystal,” and not a “bowl.” The round object had four notches cut into its top edge at 90-degree intervals and these were sized perfectly to hold four, burning Marlboros. The item was an ashtray and my interest in that was a thousand miles south of zero.

The Auctioneer's description had caused me to bid for the lot, and the description wasn't accurate. If he had correctly represented the piece, I wouldn't have bid and probably those who competed against me wouldn't have bid either – and certainly not near the amounts that we did bid. The other bidders and I were fooled by the misrepresentation of these material facts which affected our decision-making to bid to purchase the piece.

By the way, it didn't matter whether the Auctioneer purposefully or accidentally misrepresented the item. He may even have believed the description he gave was true. Either way, the errant representations amounted to a civil fraud.

The Auctioneer also described the piece as “beautiful.” That word is an adjective and was merely the Auctioneer's opinion. As such, it was only sales talk and was not an actionable misrepresentation.

### Conclusion

Auctioneers should keep two thoughts close when at the auction block:

First, material facts can be extremely important to prospective bidders in their decision to bid and buy, so Auctioneers should use care in describing the lots they offer.

Second, an Auctioneer's opinion (not facts) is his or hers alone. When he or she shares those opinions with prospective bidders, the auction professional engages in sales talk and should always speak carefully to guard against sales talk crossing into the representation of material fact, which could create liability for both Auctioneer and seller. ❖



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Special thanks to the National Auctioneers Foundation for the support of various education speakers throughout Conference and Show.



A strong group of 78 Benefit Auctioneers convened in Nashville for what was another successful NAA Benefit Auction Summit.

## Benefit Auction Summit again delivers big

By NAA Staff

Continuing to show a strong, growing interest within the auction industry, the benefit auction segment was well represented with 78 of the best Benefit Auctioneers in the business in Nashville, Tennessee, for the National Auctioneers Association's Benefit Auction Summit, Sept. 15-16.

Rick Stroud, CAI, BAS, welcomed the attendees with a reception at the Embassy Suites Vanderbilt hotel Sunday evening, which would prove to be the first in a series of compelling and entertaining sessions.

This year's event was highlighted by two speakers with strong ties to the Association of Fundraising Professionals (AFP), Andrea Kihlstedt and Andy Robinson. Day to day, they help train nonprofit boards to be fundraisers, and they shared those techniques with Benefit Auctioneers. Attendees learned new techniques for working with boards, keeping them engaged and helping to create a stronger team for events.

In what has become a staple at this event, the Strategic Learning Auction (chaired by Susan Johnson, BAS, CES) kept everyone engaged. This year's keystone was a demonstration of using online

bidding for Fund-A-Need events, and attendees saw this strategy employed in many different ways throughout the afternoon. The auction also saw a silent auction conducted via cell phone, with Mary Cooper, BAS, and Committee Chair Lynne Zink, CAI, BAS, CES, providing oversight.

Other speakers included Kathy Kingston, CAI, BAS and Zink. Both speakers challenged the attendees to think differently about their business in different ways. While Kingston demonstrated the trends in philanthropic giving and charitable contributions, Zink showed Benefit Auctioneers that they can streamline the business side of what they do to be more productive and book more events.

The Auctioneers in attendance were also treated to a panel discussion, hosted by Trisha Brauer, CAI, BAS, of the different ways to use the most recent technology in their benefit auctions.

The Summit closed on Tuesday with a raucous and entertaining Great Ideas session, which has proven to be one of the highlights of the event. Benefit Auctioneers love to share their best techniques, and this year's event was no exception. ❖

# Toxic ivory?

Does **Director's Order No. 210** mean the end of ivory sales at auctions?

By James Myers, contributor

New regulations on ivory affect assets of all kinds, including pianos and other common items.



# New rules regarding the trade of ivory have created a stir in the auction industry.

In fact, many Auctioneers are now leaving potentially valuable sale items off the auction list for fear of being prosecuted for violating the law, which now requires proper documentation of the ivory pieces – even those that are a century or more old and couldn't possibly be certified.

According to a report released by the White House in February, the problem of poaching is bigger than conserving endangered animals. The increased demand for these luxury goods has created an uptick in poaching, which includes people in “terrorist entities and rogue security personnel.” These factions are often “in collusion with government officials in source countries ... wildlife trafficking now threatens not only national and global wildlife resources, but also national and global security,” reads the report, titled National Strategy for Combating Wildlife Trafficking.

Citing the National Strategy report, the U.S. Department of Interior Fish and Wildlife Service has offered “Director’s Order No. 210,” which directs service employees to strictly

implement and enforce all criteria under the Endangered Species Act’s antique exception, which means the importer, exporter or seller has the burden of proof to show items meet all of the criteria under the exception.

For instance, worked elephant ivory imported as part of a musical instrument, which is not an uncommon item for Auctioneers, must have been legally acquired prior to Feb. 26, 1976, and cannot have been subsequently transferred from one person to another person for financial gain or profit since Feb. 25, 2014. Furthermore, and this is the sticking point for Auctioneers, the instrument must be accompanied by a valid Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) certificate. The order became effective this past February and will remain that way unless it is amended, superseded or revoked in the next 18 months.

The NAA has reached out to Daniel Ashe, director of the U.S. Fish and Wildlife Service, to reconsider the order and asked its members to do the same (see page 27). In the letter, signed by Hannes Combest, CAE, chief executive officer of the NAA and Thomas Saturley, CAI, president of the NAA Board of Directors, Ashe is informed that the tightened regulation create undue hardship on an industry made up of small-business owners.

“Auction professionals have a fiduciary responsibility to sell their clients’ assets, and this process is burdened significantly when most clients do not have the means or ability to provide proper documentation for antique ivory pieces,” reads the letter. “There are many instances when such credentials simply do not exist.”

Another issue addressed in the letter is that Auctioneers will not likely seek alternate means of proof because the FWS has indicated it will “not accept any transfers without significant documentation identifying the age of the piece.”

Robert Doyle, CAI, CES, is a past president of the NAA and is active in Auctioneer associations in his home state of New York, where Auctioneers are getting a double whammy. The New York legislature passed a law, which was signed by Governor Andrew Cuomo in August, that allows for the sale of antiques that are proven to be 100 years old or older and containing 20 percent or less of its mass to be elephant ivory. The bill was pushed quickly through the Senate and Assembly and was signed on World Elephant Day, Doyle said.

“I believe that 99.9 percent of all citizens would object to

poaching and the slaughter of elephants for their body parts,” said Doyle. “But, banning all antiques & relics with more than 20-percent ivory in their composition has nothing to do with the issue.”

Doyle points to a 1859 Steinway piano with elephant ivory keys; an 1860 Colt revolver with carved elephant ivory factory made grips; an ivory-inlaid Federal card table dating to the early 19th century; and an 1880 mahogany sewing case with fitted ivory sewing implements. While these items are well documented, nothing exists regarding the documentation of the actual ivory in the items. Doyle said he’s already sent

back a major consignment of ivory pieces to the owner because they can’t date it.

“Let’s do our part to impede poaching while preserving the rights of Americans to continue to buy and sell legitimate antique artifacts that contain elephant ivory,” he said.

David Whitley, CAI, CES, owner of Rocky Mountain Estate Brokers, Inc., and Whitley Auctions, in Eaton, Colorado, will not sell anything with ivory in it at this point.

“In my opinion,” Whitley said of Order No. 210, “it is effectively ending the sale of ivory. There is no way to make sure the item you’re selling is legal.”

Whitley and Doyle both expressed fears that they could be made an example of should they sell accidentally sell something that violates the new rule.

“I don’t want to be the person they decide to prosecute,” Whitley said.

The problem Auctioneers face, Whitley said, is that they can’t properly document an ivory item that dates back two centuries. Another problem is identifying exactly what type of ivory you’re dealing with, some of which could be prehistoric while others come from walrus tusks. Some pieces aren’t even ivory – they’re plastic, yet to the untrained eye, it looks like ivory.

“It creates a chilling effect,” he said, on both selling and on the value of the pieces collectors have amassed over the years. “My not being an expert on ivory – I’m not wanting to sell.”

With more and more World War II veterans’ estates coming to auction, Auctioneers are bound to find ivory items these servicemen brought back from the Pacific Ocean Theater. Whitley has personally dealt with collections like these over the years and said from this point forward, he’d have to do a “lot of research to determine if I was comfortable to sell it, and probably wouldn’t be.”

Whitley says the next move is for auction advocates to call upon the Fish and Wildlife Service and ask it to realign its position and have the law clarified so that items that were previously legal can remain legal.

“The NAA is on top of the issue and doing all it can,” said Whitley. ❖

*Do your part! Download the letter template, personalize it with your own story and what this means for your business, and send it to FWS Director Dan Ashe. Make your voice be heard!*

# Use your voice against Order 210!

Let the U.S. Fish and Wildlife Service know how Director's Order 210 regarding ivory will impact your business!

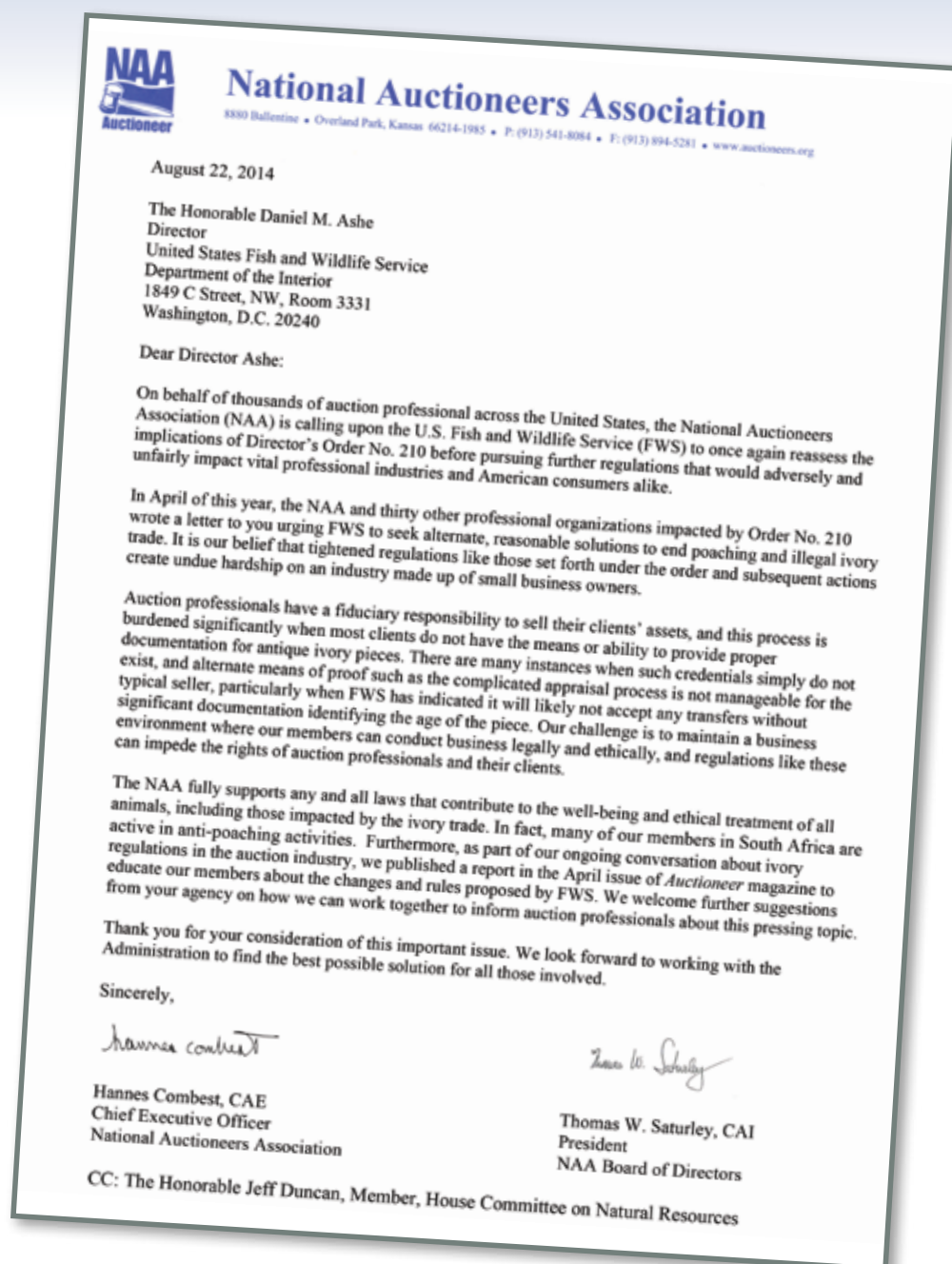
**A**s reported in the April issue of *Auctioneer*, the U.S. Department of Fish and Wildlife Service has issued regulations that significantly restrict the sale of items containing African elephant ivory. The National Auctioneers Association has sent a letter to FWS opposing these and further proposed regulations (right).

The NAA also is encouraging members to submit their own letter to FWS Director Dan Ashe, who made amendments to the original order May 15, 2014.

Use a letter template provided by NAA that you can send via email or regular postal mail:

- 1) **Go** to the NAA home page at [www.auctioneers.org](http://www.auctioneers.org).
- 2) **Look** for the template in the "Spotlight" section on the home page.
- 3) **Download** the template and fill it out to fit your specific information.
- 4) **Email** your letter to [dan\\_ashe@fws.gov](mailto:dan_ashe@fws.gov) or mail it to the address listed on the template letter.

To read the full amendments made by Dan Ashe to Director's Order No. 210, go to: <http://www.fws.gov/policy/a1do210.pdf>.



# Control that **BLINKING** blog!

Four blogging principles will strengthen your content marketing effort.

By Curtis Kitchen, editor

Have you ever sat down to start typing and suddenly go blank? There are ways to help you avoid that and instead keep your content marketing strategy strong.

## BANG!

From the farthest reaches of your mind, and in a nanosecond, comes this brilliant, industry-altering idea. No, seriously this time, unlike the hundreds of other brain duds you've had, this one is so amazing that you already can see past all planning and development. You can see right through all implementation and roll-out. It all makes so much sense!

Slow and steady growth? Ha! You have no time for that! You've already also worked out the acceptance speech at your industry's Hall of Fame induction ceremony, complete with an itchy bitsy white lie about the timing of it all:

"Thank you so much! Innovation is such a funny thing, you see, as I'd had this idea in my head for a really long time ..."

Was "a long time" a huge white lie? Nah, because let's be honest, a nanosecond can feel like a really long time. Just ask the before and after of deciding to eat a bad gas station burrito.

That terrible decision aside, snap back to now and you're ready to deliver your gift to the world. The mental pot is bubbling over the sides, and you've got to get things down on your blog now. Right now. Get it while it's hot now.

You sit to spit brilliance like you are Eminem with a pen. Your fingers are ready at the keys and ... the white box of nothing greets you.

The blog's blank "new post" box peers into your soul. The cursor blinks rhythmically, hammering away at the core of your idea. You have so much to say! ...

\*BLINK\* ... Where to start? ... \*BLINK\* ... What to start? ... \*BLINK\* ... How to start? ... \*BLINK\* ... STOP BLINKING AT ME! ... \*BLINK\*... I hate you, cursor ...

## \*BLINK\*

You felt it slipping. You still feel the words but no longer can articulate them. Your diamond of an idea zoomed right into zirconia. Your mind's eye still sees your Hall of Fame speech notes, which are now blurry with mental tears.

**You need your site or blog or whatever it is that serves as the anchor to your content marketing structure. You need it because, if you understand the purpose of content marketing, you know it props you up as an expert in your field.**

Who needs a stupid BLINKING BLOG ANYWAYS!

First, let's be fair – it wasn't the blog's fault. If the idea was that great, it wouldn't have been so shallow as to lack enough depth where you can't remember what

it was. (Trust me; I'm a pro at these thoughts.)

Second, you do. You need your site or blog or whatever it is that serves as the anchor to your content marketing structure. You need it because, if you understand the purpose of content marketing, you know it props you up as an expert in your field. Without the anchor, your content marketing plan, your industry standing and your fleeting ideas are destined to drift.

So, with a hat-tip to P.M. Dawn's 1991 classic, how do you set adrift on content marketing bliss? Keep these four blog pointers in mind for when the next lightning bolt of inspiration hits:

## 1) Focus on the idea's "middle" first and develop the rest last.

While this is contradictory to the natural beginning-middle-end concept, look at your idea this way: The beginning isn't important because it is just an introduction to the middle, and neither is the conclusion because it's a summary.

Without the middle, you don't have a point. Focus on it because it is that darned middle that jumbles things up. In your brilliant flash, you saw the meat-and-potatoes middle. Get it down on paper immediately. Get as much out because the longer you wait, the more chance you give yourself to go off on thought tangents and get them tangled in the ambiguity of irrelevant thought. Spill out the guts of your post, and then cap it with a tidy, relevant front and back.

## 2) Develop your thought, but write with urgent purpose.

It's laughable now to remember back to the days when writers thought the Internet meant they were no longer going to be bound by the confined nature of printed space. They would be able to write, and write, and write! However, what they found (the good writers anyways) is that they are still bound; it's just by today's shorter attention spans.

So, as a blogger, you have two charges: 1) Cleary and fully state your point so that readers can easily recognize your

expertise; 2) Without leaving critical information out, do it in as few words as possible.

This ties back to the first point in that you have to learn how to budget your space. I generally work on a percentage scale: No matter the word count, 80 percent of the content should be the middle, with 10 percent each going to the intro and close. Is this a hard and fast rule? No. Will it help keep you on track? Certainly, it will. If you've never tried this approach, do the math and figure out your word limit. Do this until you get a good feel for how long sections of your content piece should be.

## 3) Never, ever is there room for grammar or spelling errors.

If you want to be viewed as an expert, this is the single most important pointer to take away from this article. Contrary to text and social media's beliefs, good grammar is not dead. Keep a dictionary handy. Keep a stylebook close. Spellcheck until you break the feature in your word processing program. And, when it's broken, read it again and look for all of the "their and they're" errors that spellcheck won't catch because, though wrong, it was spelled correctly.

Nothing kills credibility like misspellings and bad grammar. People came to you looking for an expert. Don't let sloppy copy destroy your chance to be positioned ahead of your competitors.

Now, if you're not comfortable with the thought of all eyes constantly grading your written communication skills, no sweat ...

## 4) There's no shame in hiring out.

Your thoughts are your own; who writes them out for you isn't the important part. I'm amazed at the number of business owners I've come across that think hiring out is just for the "big boys." It's not.

And, don't let budget be an excuse; after all, it's your company reputation on the line. That said, it doesn't mean you have to throw around silly amounts of money. If you don't have access (for whatever reason) to traditional



public relations and marketing firms, you should find a local university's public relations/media/marketing/English department. Approach them with the idea that you would like to present the opportunity for their best students to work in a real-life environment. You'll be amazed at how motivated students can be, and you'll love the reminder of how great motivation and talent can be. The best part: you're the beneficiary.

So, there you have it. Remember to get your idea down when it is most fresh; keep to the point; scrub your post free of credibility-killing errors; and, if this critical component to your content marketing plan isn't your cup of tea, seek out all options for help.

Do these things, and you'll have no problem defeating that dreaded ...

\*BLINK\* ❖

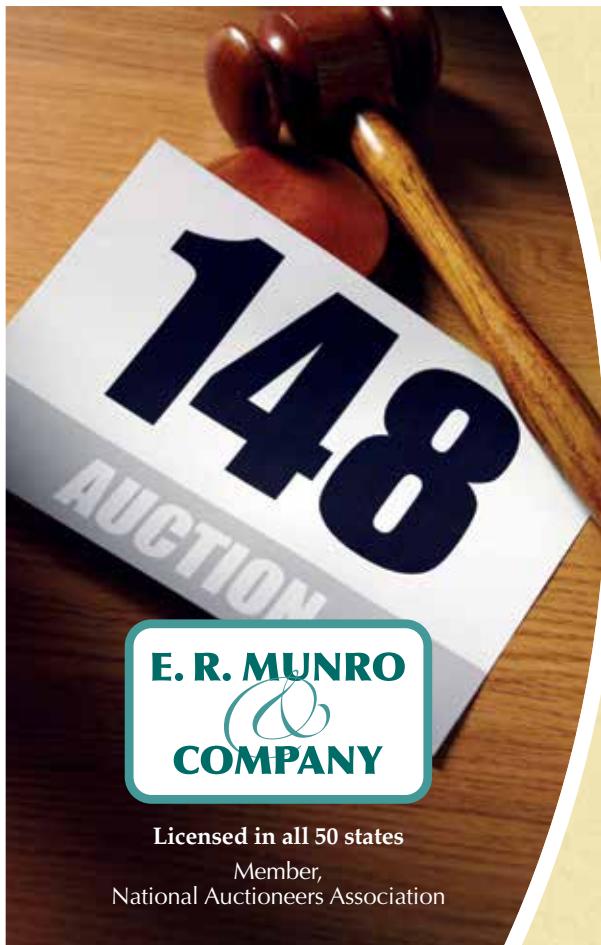
Keep the thoughts moving, and you'll be able to keep your blog's message pointed in the right direction.



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# The right job

## Forrest Mendenhall, along with family and staff, strives to “do the right job” in training auction students.

By James Myers, contributor

**F**orrest Mendenhall, CAI, AARE, absolutely hated the dairy farm life, something he learned from being brought up on one.

However, while he and his father didn't see eye to eye on dairy cows, they did enjoy going to auctions, something Forrest found a part time job in during his teenage years.

“I had it in the back of my mind that's what I wanted to do,” said the High Point, North Carolina, native who is a 1995 inductee into the National Auctioneers Association Hall of Fame.

Things moved to the forefront during Mendenhall's time at North Carolina State University (where he paid his way by raising beef cattle, which were much less troublesome than their dairy cousins), when he got to know a man named Col. Fred Matthews, who operated auto and livestock auction houses.

After college, he attended Auctioneering school in Indiana and went to work with Col. Fred. He wound up traveling through a handful of eastern states and Tennessee, working for a couple of different companies and doing six to 10 auctions a week before returning to High Point to start an auto auction business with his brother.

“We didn't have any Auctioneers to help us out,” said Forrest of when their business started to take off.

There weren't any auction schools around at that time, so he trained a handful of employees in the auction trade. Soon, others approached him about wanting the same kind of training.

“It wasn't intended to be an auction school,” said Forrest, who couldn't have known 52 years ago how big the school would become.

The Mendenhall School of Auctioneering has grown into a 17,000-sqft facility with alumni that include former NAA presidents, IAC winners and NAA hall of famers. Forrest,

84, has been around long enough to see the offspring and grandchildren of past graduates enroll at the school.

“I love seeing new people coming in,” said the octogenarian. “When you're surrounded by young people, it helps to keep you younger.”

Wayne Mendenhall, Forrest's son, works in the family Auctioneering business and is also a bid calling instructor at the school. He's only the second generation of Auctioneers in his family, but the industry is all consuming.

“It's our life,” said Wayne of the auctioneering business.

The matriarch of the group, Betty Jo, has the official title of secretary, but Wayne says she's the “den mother” at the school and is the family's “live wire” and a “stick of dynamite” with a huge, extroverted personality. She and Forrest celebrated 50 years of marriage in September.

They work as a group, including Forrest's daughter who works a manager at the school, to create an atmosphere that benefits students. They've evolved with the regulations required of them and have gone above and beyond. For instance, the state requires 80 hours of schooling, but the Mendenhalls offer 95.

“If they go out and do the right job,” Wayne said of their philosophy at the school and the education they offer students, “it promotes the whole industry. If they're trained well and do a quality, professional job, that's good for the rest of us.”

About 90 percent of students coming in are affiliated with auction companies. Others are hobbyists or newcomers looking for an education to get a step up into the business. For decades, the female enrollment was consistently around 10 percent of the class. It's risen to 20 percent now, with many women interested in getting into real estate auctions, said Wayne.

Another change many in the industry have witnessed is the presence of online auctions. Even the Mendenhalls, stalwarts of



the live auction process, are seeing the benefit of online auctions. However, Wayne says he doesn't see a day when there will be no need for a quality bid caller.

"When you can get the people there and get the live bidders versus the Internet," Wayne said of the electric atmosphere of a live auction, "you don't get that connection (on the Internet auctions)."

With Wayne's young son waiting in the wings, and if Forrest has his wish, it is possible the Mendenhall name will continue to be a presence in the family business. Forrest said they will continue to bring instructors to the school who are not only savvy Auctioneers and instructors, but also excellent communicators.

For more information about the school, visit <http://www.mendenhallschool.com/Default.htm>.

Forrest Mendenall (bottom) turned a back-of-mind thought into a career that now includes his son, Wayne, and perhaps a grandson someday.



# Rosen-colored view

NAA member and IAA President Kyle Rosen, a fourth-generation auction professional, sees potential for both groups to collaborate more.

By Nancy Hull Rigdon

**A**s President of the Industrial Auctioneers Association and member of the National Auctioneers Association, Kyle Rosen sees potential for collaboration between the two groups.

Rosen serves as Vice President of Auction Services at Rosen Systems, his family's company of industrial Auctioneers and appraisers in Dallas, Texas. While some of the ways in which he foresees the NAA and IAA working together would require planning, one way requires nothing more than members of both groups picking up the phone.

"If NAA members are involved in projects where they could benefit from consulting with industrial Auctioneers, I encourage them to not hesitate to call an IAA member, preferably one involved in both the IAA and NAA," Rosen says.

Members of the IAA specialize in selling industrial machinery and equipment used in a variety of manufacturing industries, and the members have significant experience in joint ventures.

"I wouldn't want an NAA member to walk into a specialty plastic plant and shy away from an auction because the Auctioneer wasn't familiar with the equipment," he says. "If you can dial into that expertise, you can go from wanting to turn away a project to a situation where everyone benefits."

He adds that, likewise, he encourages IAA members to reach out to NAA members when their knowledge may be useful.

Rosen sees several shared interests between the NAA and IAA and believes the two organizations could collaborate in those areas. For instance, the IAA is very involved in developing webcasts and digital marketing, and could bring the NAA into those efforts in ways that would benefit both groups. Also, the groups



Kyle Rosen is a fourth-gen Auctioneer. His grandfather, Ralph (on the stand), conducted auctions in the 1940s.

could join forces on political action and licensing law issues affecting the auction industry, he says.

The passion with which Rosen approaches all aspects of the auction industry has deep roots.

Rosen, a fourth-generation Auctioneer who graduated from auction school in 2005, was always drawn to the auction profession.

“I spent a lot of summers running sheets and cleaning machines, and I always looked up to my grandpa and my dad as I watched them on the auction stand,” Rosen says.

His father, Michael Rosen, serves as president of the family business, and Kyle Rosen describes working with his father as an honor. The family is less than three years away from a major milestone. In 2017, Rosen Systems will celebrate 100 years.

The company was one of the original members of the IAA when it formed about 20 years ago, and Rosen continues to see the advantages that IAA membership brings. His membership,

he says, demonstrates his expertise in the field to clients, and additionally, Rosen’s NAA membership has proven invaluable on a personal level.

“The thing I love about the NAA is the real sense of family,” he says. “When you’re sitting down for meetings, you’re with your competitors, yet everyone feels a sense of camaraderie.” ❖



“The thing I love about the NAA is the real sense of family.”

– Kyle Rosen, IAA President

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For those times you have to check out a new site, follow these 10 tips on keeping you and your staff safe.

By Curtis Kitchen, editor

About a month ago, we included an article in *Auction E-News* that told the horrible, tragic story of a real estate agent who, while conducting a perfectly ordinary open house look at a property, became the victim of a carjacking and sexual assault.

Our internal numbers showed many NAA members took keen interest in the story, which is why some of the information shared in that piece is here now in expanded fashion – giving each of the 10 safety checklist points adequate room to be discussed in greater detail.

Auction professionals often work in similar situations as realtors, and sometimes in even more remote or secluded areas. Therefore, the National Association of Realtors' list for its members has valuable information and suggestions for NAA.

Abide by these rules as often as you're able, and always remain cognizant of your surroundings when out doing auction sale pre-checks and evaluations.

As NAR encouraged its members to follow these steps, NAA strongly does the same for its members. Here are the 10 ways for auction professionals to stay safe:

## 1 **If possible, always try to have at least one other person working with you at the open house or on a site visit.**

The old adage “there is safety in numbers” is especially true in these circumstances. Whether it is you or someone on your staff, you should encourage more than one person going to a site at the same time. At the very least – on days where manpower is short – at least remain in regular, scheduled contact (see point No. 8) so that if something does happen, people will have the opportunity to recognize a potential problem much sooner.

## 2 **Check your cell phone's strength and signal prior to the open house or site visit. Have emergency numbers programmed on speed dial.**

This is a problem for many professionals these days. We're on our phone all day, or forget to shut down those battery-zapping apps, and when we need our phone in an emergency, it is dead. I am now at the point where I have a dedicated USB cable in my home, my vehicle and in my carry-on bag. This isn't 2005 – none of us is new to the idea that we have to make our phone's battery life part of our daily lives, especially when we know we are headed somewhere that could be potentially unsafe.



## 3 **Upon entering a house or building for the first time, check all rooms and determine several “escape” routes. Make sure all deadbolt locks are unlocked to facilitate a faster escape.**

Scouting a place should start from the moment you first see it as you're rolling up to the curb or door. Look around, take notice of your surroundings. Are there other buildings nearby? Are there trees or bushes where someone could be? Even take a quick peek at the roof. Does it sound paranoid to think this way? Perhaps. Others, in a different setting, simply call it reconnaissance.

Once you're inside, it's the same game. Especially if you're someplace alone, approach corners, hallways, stairs, basements and other similar places with caution.



**Don't assume that everyone has left the premises at the end of an open house. Check all of the rooms and the backyard prior to locking the doors.**

## **4 Make sure that if you were to escape by the back door, you could escape from the backyard. Frequently, high fences surround yards that contain swimming pools or hot tubs.**

Again, know your surroundings. Take mental notes of your exits. Simple, standard stuff.

## **5 Have all open house visitors sign in. Ask for full name, address, phone number and e-mail.**

This is sound advice for auction professionals who find themselves in open house situations on occasion. For others who may just be checking out a venue or home as a potential auction site, or even hosting a crowd on the day of the auction, this is where having another staff person with you is helpful. One person can be at the door or point of entry while the other is working elsewhere. When it is just you in those situations, keeping an eye on who is entering the property can become pretty tricky in short order.

## **6 When showing the house, always walk behind the prospect. Direct them; don't lead them. Say, for example, "The kitchen is on your left," and gesture for them to go ahead of you.**

This isn't something many people think about when they are supposed to be in the "lead" for a site visit or open house. Leaders lead, right? Not in the interest of safety, they don't have to. This subtle shift still gives you some control over where people are headed in the venue, while you're able to lead the conversation. Obviously, it also allows you to keep your eyes on the stranger or strangers at all times.

## **7 Avoid attics, basements, and getting trapped in small rooms.**

If you haven't noticed by now, more than a couple of these points center on one thing: Know your surroundings at all times. If you did the right thing and showed up early enough to get a look around before your client or open house attendee arrived, then you know where the small and/or limited access spaces are located. The best way to avoid problems in these areas is to avoid these areas altogether.

## 8 **Notify someone in your office, your answering service, a friend or a relative that you will be calling in every hour on the hour. And if you don't call, they are to call you.**

This was touched upon briefly in the first point on this list. If you must do a site visit on your own, for sure you should have a regular contact plan set up with someone. The most important part to the whole thing? Make sure you stick to the plan. Call when you are supposed to call. Don't resort to a text message because your co-worker, friend or family member won't be able to tell if it came from you or someone else. Call. Call. Call. It really can't be stated any more clearly than that.

## 9 **Inform a neighbor that you will be showing the house and ask if he or she would keep an eye and ear open for anything out of the ordinary.**

Remember back in your younger years (or maybe even now for some of you, for that matter) when you wanted to throw a party, and you felt it right to give the neighbors a heads up so that you could hopefully avoid any trouble? It's still a good idea. Remember, if you've never been to the home or venue before, the surrounding people don't know you just as much as they don't recognize others.

Introduce yourself, state your business for being there, and take any potential edginess off that may exist for folks. Making friends is never a bad thing, especially when doing so can help keep you safe.

## 10 **Don't assume that everyone has left the premises at the end of an open house. Check all of the rooms and the backyard prior to locking the doors. Be prepared to defend yourself, if necessary.**

When the visit is all done, it's time to do everything in exact reverse order. Have someone there with you so that you're not alone. Make arrangements to call and check in with your contact in a few minutes. Check all spaces and places a final time so that nobody is left, and do it systematically so that you can lock a door and cross it off your list. Keep a constant sense of your surroundings.

And, this is especially true for auction professionals who may be closing down a space after a sale, be prepared to defend yourself because you may have a large amount of cash on you. People notice these things, unfortunately. Take care in planning and staying one or two steps ahead of anyone who may wish to do you harm.



Keeping in regular contact with friends or family provides peace of mind for everyone involved and also gives a more detailed, updated record of where you were and when you last spoke to someone. If needed, those pieces of information can be crucial.

Follow all  
of these  
points, and  
do your best  
to stay safe!



L-R: Randy Wells, CAI, AARE, BAS, CES, GPPA; Marvin Henderson; Mike Jones, CAI, BAS, GPPA; Tommy Rowell, CAI, AARE; Megan McCurdy Niedens, CAI, BAS; Sandy Alderfer, CAI, MPPA; Lonny McCurdy, AARE; J.J. Dower, CAI, AARE, ATS; Bill Sheridan, CAI, AARE, GPPA; Larry Theurer, CAI, GPPA.

## Lot sale provides huge planned giving boost for Foundation

Next to NAA headquarters, the lot's sale closed one chapter and opens the door for future support of the auction industry.

By NAA Staff

Showing both the efficiency of absolute auction and the beneficial impact of planned giving, the National Auctioneers Foundation sold the land adjacent to NAA headquarters in Overland Park, Kansas, Wednesday, Sept. 10.

In minutes, a happy, winning, local bidder emerged from 19 in-house and online bidders as the final bid hammered at \$75,000. A 5-percent buyer's premium was added and then donated to the Foundation Endowment Fund along with the bid, bringing the total to \$78,750, which will go toward helping provide education for future-generation auction professionals.

"Qualified bidders from as far as Tennessee and Florida took part, knowing they were going to make a purchase," said Foundation President Tommy Rowell, CAI, AARE. "That's the power of an absolute auction, and the process - from planning stages to today's sale - performed wonderfully."

Foundation Chairman Sandy Alderfer, CAI, MPPA, said the event was the result of great teamwork from NAA members.

"The team we assembled for this tough job was exceptional," Alderfer said. "The process worked beautifully. We started on a world level and found our local buyer."

Mike Jones, CAI, BAS, GPPA, from United Country, provided marketing services. J.J. Dower, CAI, AARE, ATS, from MarkNet, provided the online bidding platform, and 2013 IAC Women's Champion Megan McCurdy Niedens, CAI, BAS (and daughter of Foundation Trustee Lonny McCurdy, AARE) conducted the auction.

The lot was originally purchased in 1988 by J.L. Todd, who did so with the intent of making it available for future NAA expansion should it have become necessary. In 1994, the NAA Board of Directors believed it to be a good purchase from Todd because zoning rules at that time allowed for the addition of only 2,920sq-ft of floor space to be added without acquiring more land. Adding more than that would have violated setback and parking space requirements.

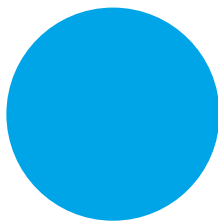
In order to fund the purchase from Todd, money was raised through donations from members. The property was subdivided into lots that were "sold" to members, state associations and others interested in the project. Initially, there were 219 lots available, ranging in price from \$300 to \$2,500.

As it turned out, the need for massive expansion never arose, and the lot remained vacant to present day, when it was then gifted to the Foundation and sold at Sept. 10's auction, becoming a perfect example of planned giving and providing huge support for future auction professionals. According to Foundation officials, it was the first piece of property to be donated to the Foundation to be sold for the benefit of the Endowment Fund, and it was the largest parcel of gifted real estate to be given to the Foundation to date.

To explore your own options for planned giving with NAA and help secure the future of the auction industry through your support, email NAA CEO Hannes Combost, CAE, at [hcombost@auctioneers.org](mailto:hcombost@auctioneers.org).

Thank you to the team that made the sale possible, and thank you especially to all of those donors who helped make the original lot purchase possible. ❖

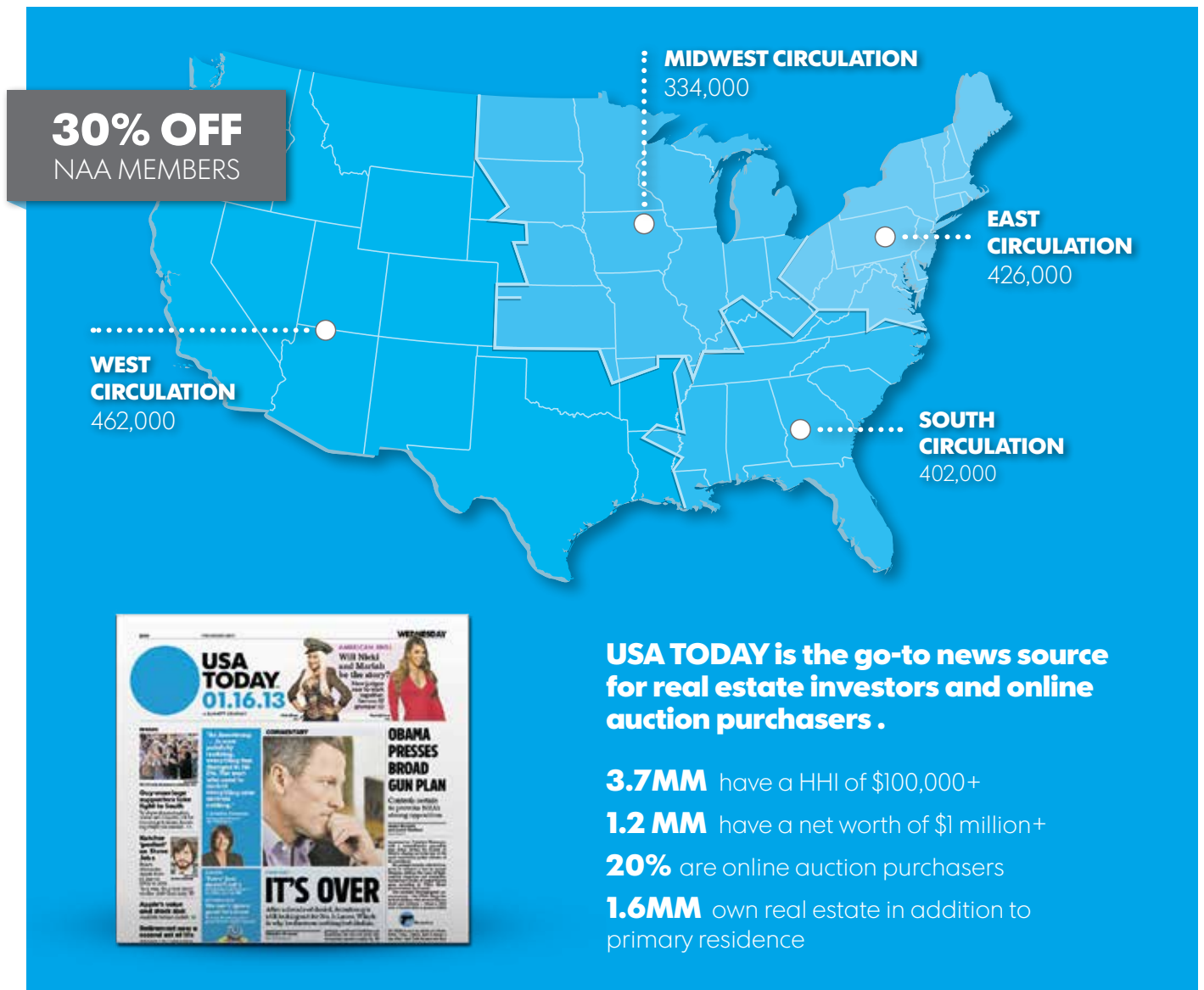




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Sources: 2012 Mendelsohn Affluent Survey, adults 18 or older, HHI \$100,000 or more; September 2012 ABC Publisher's Statement (print copies only)

# Marina docks \$3.465M at auction

**ESSEX, Conn.** – JJManning Auctioneers was pleased to announce the Aug. 5, 2014, sale at Absolute Auction of 11 Ferry St., Essex, Connecticut, on behalf of the retiring owner of this family business since 1955.

The “Essex Island Marina” complex is located on a 13.2+/- acre private island at the entrance to North Cove on the Connecticut River with a mainland dock at Ferry & Pratt Streets. The island is within 30 miles of Mohegan Sun, Mystic Seaport, Groton Naval Base & other attractions.

Improvements on this turnkey property include over 21,000 sq-ft. of building area including a dock office, restaurant, guest services, repair shop, in-ground pool, picnic areas, 125+/- slips, 14,520+/- sf. of inside boat storage & outdoor storage for 80+/- boats.

At the auction, over 100 spectators looked on as 21 registered bidders, each with \$75,000 in certified deposit funds in hand, competed for this marina property. Firm President and Auctioneer Justin J. Manning opened the bidding at \$400,000 and ended with a final purchase price of \$3,465,000 achieved. The successful bidder is currently a marina owner and operator. ❖



\$3,465,000



## Classic auto auction drives \$1.65M in museum fundraiser

THOMASTON, Maine – On Aug. 16, John D. Bottero, CAI, AARE, GPPA, Vice President/Auctioneer at Thomaston Place Auction Galleries and 2014 CAI graduate, took to the podium at the Owls Head Transportation Museum's 37th Annual New England Auto Auction in Owls Head, Maine and sold over \$1.65 million worth of classic cars.

This is the single largest annual fundraising event for the museum, and proceeds represent about 20 percent of its annual operations budget.

"It was an honor to serve as Auctioneer at the Owls Head Transportation Museum," Bottero said.

"We were extremely pleased with the outcome of this auction," said Jenna Lookner, Owls Head Transportation Museum Public Relations Director. "Thomaston Place Auction Galleries has been an invaluable strategic partner in helping us grow this event – from the planning process right up to auction day."

The auction attracted approximately 1,300 spectators and 427 bidders. Among the 160 autos included in the sale, were vehicle models ranging from the early years of the 20th Century, such as a 1909 Sears Model J Runabout, to a 2006 Jaguar X Type.

A 1948 Chrysler Town & Country convertible, with 3,236 miles on the odometer, led the results by bringing \$129,800. A 1954 Chevrolet Corvette convertible roadster, with mileage of 80,085 miles, sold for \$75,900; and another Corvette, a 1967 convertible model, brought \$74,250.

A very rare 1923 HC Stutz Model S4-6, one of only two known, hammered down at \$67,100. There were also many purchase options for bidders with more modest budgets, such as a 2003 BMW 325i sedan that sold for \$5,775 and a 1989 Toyota Landcruiser that brought \$4,620. ❖



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# Mecum Auctions hits \$31.4 Million in The Big D

**WALWORTH, Wis.** - Mecum Auctions' 2014 Dallas collector car auction, held Sept. 3-6 at the Kay Bailey Hutchison Convention Center, brought \$31,428,039 in total sales with 766 of the impressive lineup of 1,155 cars hammering sold.

In only its fourth year, Mecum's Dallas auction has become one of the largest sales on the Mecum Auctions' calendar, with results that continue to surpass expectations serving as a solid indicator of the event's certain growth and sustained success.

The auction's top seller was a 1969 Chevrolet Corvette L88 Convertible (Lot S108.1) that hammered at \$680,000. One of only two 1969 L88 convertibles finished in Black-on-Black, this race car disguised as a production vehicle was ordered new by renowned L88 racer Tony DeLorenzo adding to the significance and desirability of this already spectacular car.

Following the L88, two Camaros claimed spots two and three in top sales with the first Camaro delivered to Yenko Chevrolet (Lot S114) gaveling at \$300,000 and a Gold Spinner Award-winning 1969 Yenko (Lot S91.1) achieving a sale price of \$285,000.

The top 10 was also dominated by Ford GTs, which have become a market favorite in recent years. Three 2005s and one 2006 made the list all hammering at well over a quarter-million dollars. ❖



\$255,000

The complete top 10 sales at Mecum's Dallas auction includes (all individual sales reflect hammer prices):

1. 1969 Chevrolet Corvette L88 Convertible (Lot S108.1) at \$680,000
2. 1967 Chevrolet Camaro (Lot S114) at \$300,000
3. 1969 Chevrolet Yenko Camaro (Lot S91.1) at \$285,000
4. 2005 Ford GT (Lot F192.1) at \$280,000
5. 1967 Chevrolet Corvette Convertible (Lot S136.1) at \$270,000
6. 2005 Ford GT (Lot S129.1) at \$260,000
7. 2006 Ford GT (Lot S224) at \$255,000
8. 2005 Ford GT (Lot S172) at \$255,000
9. 1971 Dodge Hemi Challenger R/T (Lot S100) at \$250,000
10. 2013 McLaren MP4-12C Spyder (Lot F140.1) at \$215,000

# Summer art & antiques sale bucks trends in Maine

**THOMASTON, Maine** – Strong results at Thomaston Place Auction Galleries' Summer Fine Art and Antiques Auction helped close Maine's unofficial antiques week with a bang, Aug. 23-24. In spite of the great weather, bidders packed the gallery and participation by telephone, absentee and internet bidders hit record levels for this auction.

"The action we saw at this sale was extremely encouraging across all categories, even in furniture," said Owner and Auctioneer Kaja Veilleux. "It was wonderful to see aggressive competition for many of the great items we offered."

Leading the sale was an original, 23 ½" tall bronze by Frederic S. Remington, "The Bronco Buster", signed and stamped by the Roman Bronze works. After a heated battle among multiple phone bidders, this sculpture achieved a selling price of \$138,500.

A rare Native American treaty from upstate New York, the Canajorie Patent Treaty between settlers and the Mohawk tribes dated May 27, 1766, also generated strong interest and brought \$57,500.

When a circa 1890-1910 Sioux beaded deer hide pictorial vest came to the block, bidders occupied every available phone line, with overflow on the absentee book and internet, Estimated at \$5,000 to \$10,000, spirited competition drove the selling price for this fine Native American masterwork to \$34,500.

This auction included over 260 paintings and drawings, ranging from

Old Masters pieces to contemporary Maine works. There was exceptional bidder interest in a group of paintings from the Maine estate of author and socialite Brooke Astor. These included: "The Courting of a Hound", an oil on canvas work the John Frederick Herring, Sr. (UK, 1795-1865) that fetched



\$34,500; “A Story of the Sea”, an oil on canvas painting by Alfred Wordsworth Thompson (NY/MD/NJ, 1840-1896) that brought \$29,900; “Guardian of the Forest” by Heywood Hardy (UK, 1843-1933) that reached \$26,450; “Colgate Gardens on the Hudson” by George Henry Smillie (NY/CA, 1840-1921) that achieved \$17,250; and Jean Lurcat’s (NY/France, 1892-1966) oil on canvas abstract work of three flowering bulbs that also reached \$17,250.

Several important marine paintings also attracted enthusiastic bidding. This group included “Rescue at Sea”, a monumental oil on canvas work the Adolf Johannes Petrus Levolger (Netherlands, 1869-1952) that brought \$26,450, a painting by Felix Francois Ziem (France, 1821-1911) depicting a large ship arriving at The Basin that sold for \$18,400, and a portrait

of the three-masted schooner “Jose Oliverri” by S.F.M. Badger (MA, 1873-1919) that reached \$9,200.

Other high flying artwork included: “Cindy Sherman”, a pair of 1995 silkscreens on canvas by Deborah Kass (NY, 1952 - ) that achieved \$19,550; an unsigned painting depicting an idyllic mountain landscape with ruins attributed to Adam Pynacker (Netherlands, 1621-1673) that sold for \$12,650; and a duck hunting watercolor entitled “A Good Set of Blacks” by Aiden Lassell Ripley (MA/NY, 1896-1969) that brought \$12,075.

A group of early religious art also fared well in the sale. Top lot in this category was a French or Northern Italian late Gothic limestone figure of Mother Mary holding the Bible that rocketed past its \$6,000 to \$8,000 presale estimate and fetched \$23,000. Other key results included: a French Romanesque stone bas relief portrait of an enthroned St. Peter that brought \$13,800 (versus a presale estimate of \$2,000 to \$3,000), an 18th Century Asian bronze sculpture depicting Shiva, probably from the Mekong Delta region, that sold for \$16,100, and a 16th or 17th Century Spanish bas relief carved wooden tabernacle of a Standing Madonna with Child that fetched \$10,925.

Furniture appeared to enjoy a resurgence in interest, and several exceptionally fine pieces exceeded presale estimates and achieved strong prices, such as an 18th Century Boston Chippendale secretary-desk that reached \$17,825, an 18th Century Chippendale oxbow front 4-drawer chest in figured mahogany that sold for \$8050, and an early Italian carved walnut credenza that fetched \$5,750.

Several other finely crafted items attracted frenzied bidding. These included a circa 1890 French gilded bronze mantel clock and garnitures with cloisonné decoration that brought \$29,900; a 17” tall Meissen figure of Count Bruhl’s tailor astride a goat that sold for \$16,100; an Art Deco period platinum, topaz, and diamond clip by Cartier that achieved \$10,925; a Hermes Birkin handbag in Veau Courchevel leather that fetched \$7,475; and a necklace composed of 20 Japanese carved bone ojime beads that reached \$6,325. ❖



# Bidder fires \$299k for original German FG42 machine gun



\$299,000

**ROCK ISLAND, ILL.** – Two sayings come to mind after Rock Island Auction Company’s September 2014 Premiere Firearms Auction: “The best never goes out of style,” and “What’s old is new again.”

These adages were proven especially true thanks to top performances by reliable “blue chip” regulars such as Winchester and Colt, excellent prices on some of the sale’s most distinguished items, and collectors who breathed new life into several genres. All that, plus a warm reception for the Gene Smith Military Collection, the Donald Kotecki Collection and Part II of the Von Norden Collection, added up to a successful auction that totaled over \$11.6 million in sales.

The auction’s first day felt like the 1830’s all over again with the way collectors were snatching up the smaller, personal protection arms of that era. Two unmarked cane guns in lots 132 & 133 each went for 246 percent and 184 percent more than their high estimates, respectively, and a Remington Dog Head cane gun in lot 3106 sold for \$6,900 –138 percent over its high estimate.

Also popular from the era were the Marston derringers, like that in lot 162, and palm pistols like that in lot 1272, which each sold for 149 percent & 138 percent over their high estimates. Curiosa arms from that age of developing firearms design also achieved high prices, such as the harmonica

pistols in lots 1318 & 1319, each of which sold over their high estimates, the Gyrojet pistol in lot 683 that more than doubled its high estimate at \$6,325, and the prototype Krnka pistol in lot 760 that crossed the block for \$13,800.

The second day of the sale contained some of the auction’s top items, and they did not disappoint the crowd looking for a show. Arguably the star of the auction, the original German FG42 light machine gun with numerous accessories, had the attention of bidders from around the world. Sitting patiently in lot 1465, it waited its turn and then watched as the bidding took place. Eventually, the hammer would fall, and this amazing piece of firearms and military history would have a new home for the sum of \$299,000.

The “C Company” Colt Walker in lot 1164, from Walker’s own Company and with a rich history of extensive use by other military units, now resides with a collector who will appreciate such history to the tune of \$161,000. In another testament to the phenomenal German collections entrusted to Rock Island Auction Company, available to the collecting community was the grandfather of the legendary StG-44, the rare and desirable MKb-42(H) in lot 1470. The only example remaining in private hands, this historically important firearm rang the bell at \$149,500.

Other items that exceeded expectations that day were the



\$92,000

Springfield Model 1795 flintlock musket in lot 1104 that more than quadrupled its estimate at \$11,500, and the Russian-shipped, Taliban-used, Afghan Army captured Smith & Wesson Third Model Number Three revolver in lot 1202. Perhaps the most unusual provenance we've ever assigned to a Smith & Wesson, it piqued the interest of several collectors, but would go home with only one after more than doubling its high estimate and achieving \$10,925.



\$161,000

While Sunday is typically a day of rest, the bidding was anything but serene during the final day of the auction.

The bidding battles started early when lot 3064 was sought by two online bidders. The Smith & Wesson Model 2 Army revolver with Civil War provenance had a high estimate of \$3,500, but would eventually sell to a determined bidder for \$9,200.



\$161,000

Lot 3372, a Remington bronze entitled "Trooper of the Plains," found two tenacious collectors who would not let it be had for less than \$7,475 – nearly five times its high estimate. Day three also saw some high dollar action when the finest known prototype Baby Luger in lot 3427 was auctioned to an eager German collecting public, smashing its high estimate of \$95,000 and finding a new home for \$161,000. Almost 20 lots later, it was easy to tell that a desirable item would be crossing the block; the phone bank was abuzz with callers and over a dozen bidding cards were thrust forward ready to be flipped skyward to signal a bid. All the excitement was for lot 3448, a watercolor painting documented as made by Adolf Hitler during his years in Vienna. The bidding was fast and easily exceeded its high estimate of \$15,000 by finishing at a notable \$34,500.



Even the end of the day, when one might expect some tired eyes after a long weekend, was not the time to relax! Lot 3806's Colt Super .38 pistol in its box, formerly of the J. P. Morgan Collection, breeched its high estimate of \$5,500 in a bidding battle that finally stopped upon reaching \$10,350.

Another anticipated twosome of Colts were the elaborate matched pair of Cole Agee cattle brand engraved SAA revolvers with their Navajo silver and turquoise grips in lot 185 that smashed their \$25,000 high estimate en route to a price of \$37,375. Top it all off with the first year production M1911, SN147, in lot 1612 that sold for \$51,750 and you've got yourself a manufacturer that is as coveted as ever among collectors. ❖



# Auctioneers move farm items fast

By Karin Milliman, special to *Auctioneer*

**CLARE, Mich.** — “I don’t believe there’s a fence row within 500 miles that has a piece of farm equipment on it because it’s all here. My, they have a lot of stuff to sell,” voiced a gentleman browsing through the massive selection of farm-related items that were about to go across the auction block.

Yoder Brothers Auction Service, Clare, Michigan, commissioned such a huge amount of items to sell that it had to be split into two days. So, Friday, Aug. 22, their huge two-day consignment auction was about to begin.

“This consignment auction has been going on for 30 years, this year,” Auctioneer LeRoy Yoder said. “I always sell off a couple of wagons first to get the crowd warmed up, then open a couple more rings and move to the larger equipment.”

Stainless steel seemed to be in demand. A new-looking stainless steel milk strainer was carried away for a \$70 bid, and a stainless steel bucket sold for \$80. A milk strainer that had more than a bit of surface rust was held up next, and Auctioneer Yoder joked, “It’s for your grade B milk. It may not qualify for your grade A milk.” The rusted item brought a \$30 bid.

If anyone was bored with the Auctioneering process or was waiting on a coveted item to sell, they were welcome to take some time off and check out the vendors who were set up at various locations around the field.

“If they are selling what relates to what we are selling, why not?” LeRoy Yoder said. “I turn vendors away because I only allow so many and it has to be related to my sale.”

After the wagons were cleared, the attention was focused on the large display of farm equipment that was coming up for sale next. With pieces as far as one could see, LeRoy Yoder had some good advice for the crowd: “Hesitation is a thief of time. It will jump up and bite you. If you don’t bid fast, I’m moving on and you will miss out.”

A Massey Ferguson 65 tractor was a diesel, and the bidders were told it was in great running condition. Even though it had not been used in about four years, this one started for the crowd. It took a high bid of \$3,500 to take it away.

A three-seat sleigh had gorgeous crushed black velvet seats. It had been recently refurbished and the crowd milling about all had something to say about picturing themselves and family members being pulled by a horse on their way to visit farm neighbors or grandma in the winter. Its bright red color on the outside and a lantern and bells

completed the appealing picture. It sold for the final bid of \$800. An old silo loader had captured a lot of attention. It still had a lot of its original paint, and several runners were included right along with it. It brought a final bid of \$2,200. And a bale loader brought the closing price of \$900.

A McDeering corn binder with new wood and a manual had large metal wheels to handle the fields. It sold for \$1,200.



\$2,200

“I sell how the buyers want to buy things. What works at one auction doesn’t go over at all with another group of bidders. Every auction is different and we, as Auctioneers, have to feel the crowd out and see how they want the items sold so everyone wins,” LeRoy Yoder said. ❖

*This article first appeared in its entirety in the Sept. 15, 2014, edition of The Auction Exchange & Collectors News.*

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Elizabeth Swicegood



*I joined the NAA because I believe in the auction method, and I know a distinguished and long standing organization such as the NAA will be our valued partner in this industry for many years to come.* ”

Elizabeth Swicegood  
Mocksville, N.C.

# Setting your salary

## What's the right amount for a small-business owner?

One of the greatest perks of owning a small business is flexibility. You can set your own hours and salary. You can plot the firm's trajectory without consulting your boss, upper management or even corporate policy. But, that same flexibility may become a curse if handled unwisely. A small-business owner without discipline and a well-thought-out strategy may fall into serious financial trouble. Employees in larger firms often rely on the human resources department to establish pay scales, retirement plans and health insurance policies. In a small company, all those choices – and many more – fall to the owner, including decisions about personal compensation.

While there's not a one-size-fits-all formula for determining how much to pay yourself as a business owner, here are three factors to consider:

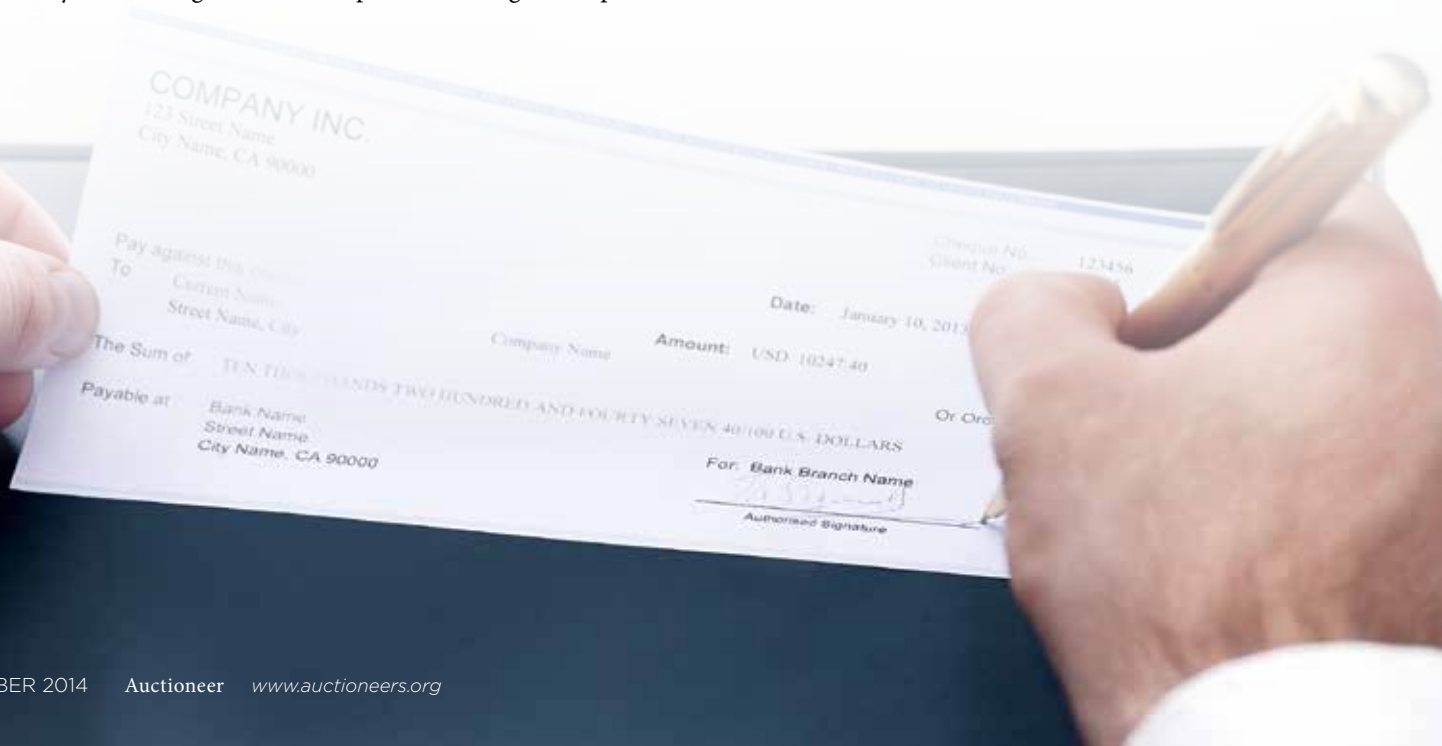
**Personal expenses** – Tracking your business and personal expenses separately makes it easier to track the firm's cash flow, and lets you know how much salary you can realistically draw without hurting profitability.

Start with your household budget. Then, determine how much you're willing to draw from personal savings to keep

your household afloat as the company grows. For a startup company, owner compensation may be minimal. Beware, however, of going too long without paying yourself a reasonable salary. Be sure to document that you're in business to make a profit; otherwise, the IRS may view your perpetually unprofitable business as a hobby – a sham enterprise aimed at avoiding taxes.

**The market** – If you were reworking for someone else, what would they pay for your skills and knowledge?: State by answering that question, then discuss salary levels with small business groups and colleagues in your geographic area and industry. Check out the Department of Labor and Small Business Administration websites. In the early stages of your business, you probably won't draw as salary that commensurate with the higher ranges of salaries, but at least you'll learn what's reasonable.

**Affordability** – Review and continually update your firm's cash flow projections to determine the salary level you can reasonable sustain while keeping the business profitable. As the company grows, the level can be adjusted upward. ❖



# Self-employed? Get tax breaks

Running your own business has tax advantages.

**W**hen it comes to taxes, being self-employed has some advantages. Whether you work for yourself on a full-time basis or just do a little moonlighting on the side, the government has provided you with a variety of attractive tax breaks.

**Save for retirement** – When you're self-employed, you're allowed to set up a retirement plan for your business. Remember, contributing to a retirement plan is one of the best tax shelters available to you during your working years.

Take a look at the SIMPLE IRA, SEP IRA, or Solo 401(k) and determine which plan works best for you.

**Hire your kids** – If your business is unincorporated, employing your child under the age of 18 might make sense. That's because your child's earnings are exempt from Social Security, Medicare and federal unemployment taxes. This year, your son or daughter can earn as much as \$6,200 and owe no income taxes. You get to deduct the wages paid as a business expense.

**Deduct health insurance** – Are you paying your own medical or dental insurance? How about long-term care insurance? As a self-employed individual, you may be able to deduct 100 percent of the cost of these premiums as an "above the line" deduction, subject to certain restrictions.

**Take business-use deductions** – Self-employed individuals can also deduct "mixed-use" items directly against their business income. Use your car for business and you can deduct 0.56/business mile driven. The business-use portion of your computer purchases, Internet access and wireless phone bills is also allowable. And, if you meet the strict requirements, claiming the home office deduction makes a portion of your home expenses tax-deductible. ❖

## Support the kids of St. Jude by participating in *Auction for Hope.*

Nine-year-old Kayla has a million-watt smile. When it spreads across her face, which is often, it shows the light inside her that not even childhood cancer can dim.

One day in 2012 ended with Kayla crying in immense pain. Kayla's blood showed abnormalities. That night, she was brought to St. Jude Children's Research Hospital®. St. Jude is where doctors send their toughest cases because St. Jude has the world's best survival rates for the most aggressive childhood cancers. At St. Jude, Kayla was found to suffer from acute lymphoblastic leukemia (ALL).

At St. Jude, Kayla began receiving chemotherapy. St. Jude's groundbreaking therapy for children with ALL has revolutionized leukemia therapy worldwide and increased the survival rate from 4 percent when St. Jude opened in 1962 to 94 percent today.

Chemotherapy for ALL usually lasts more than two years, which can seem like forever to a child. But Kayla has stayed positive, even during the hardest times. Two years could also add up to a lot of bills for a family facing childhood cancer. But families never receive a bill from St. Jude for treatment, travel, housing or food – because all a family should worry about is helping their child live.

"Kayla has a great personality," her mother says. "She enjoys life, and she is an entertainer at heart." When Kayla grows up, she wants to have her own television show.

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## Auctioneer began company with his wife

Dale E. Standley, CAI, AARE, 81, was born April 4, 1933, near Prescott, Iowa, to Ferman and Carrie Standley and passed away September, 1, 2014. He was preceded in death by his parents; son, David Standley; son-in-law John Nichols; grandson Jeffrey Nichols; sister Lola Reed; and brother, Leo.

Dale and his family moved from their Nevinville, Iowa farm in 1960 to Omaha, where he briefly worked for Fruehauf, where he was an accountant for Master Furniture, Western Wine, and United Distillers.

In 1977, he and his wife started Standley Auction & Realty Co. In his recent

semi-retirement, he made the Council Bluffs airport his second home and loved returning to flying. Dale is survived by his wife of 63 years, Donna (Kralik); as well as many immediate and extended family members. ❖

## Retired state trooper became Auctioneer

Edward T. Haroff, CAI, AARE, trooper (retired), New York State Police, 66, passed away Jan. 10, 2014 with his family at his side. He was born Feb. 22, 1947, in Oceanside, N.Y., the son of the late Edward C. and Rosemary T. (Boone) Haroff.

Ed patriotically served in the U. S. Army in the Military Police (MP) and was a Vietnam veteran.

Ed proudly served as a trooper in Troop B,

New York State Police, from 1968 to 1995. Upon his retirement from the New York State Police, Ed owned and operated Haroff Auction and Realty in Schroon Lake, N.Y.

Ed was a consummate businessman with a passion for his auction business, which he built from auctioning livestock and antiques in Schroon Lake to a specialization in real estate and auctioning tax foreclosure properties in 16 municipalities throughout New York state. He also owned and operated Adirondack

Mobile Shredding in Schroon Lake, N.Y.

During the winter months, Ed enjoyed spending time with his wife, Linda, at their home in West Palm Beach, Fla.

In addition to his devoted and loving wife of 22 years, Linda A. (Reeves) Haroff; Ed is survived by his sister, Betty Ann (Bill) Force of Charleston, Ill.; his daughters, Jennifer L. (Jamie) LaPerle and grandchildren, as well as many other family members. ❖



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### August 2014 Graduates of The Mendenhall School of Auctioneering

The Mendenhall School of Auctioneering August 2014 graduating class consisted of 17 students from 18 states, including Colorado, New York, North Carolina, Pennsylvania, South Carolina, Virginia, Washington and West Virginia.



### August 2014 Graduates of The Reppert School of Auctioneering

Reppert Auction School graduated class 239 on August 31, 2014 in Indianapolis, IN. Students represented Indiana, New Jersey and Arizona.

# SEO:

## Not as scary as you think

Have you ever Googled yourself? What about your organization or publication?

If you search by name, you should be at the top of the list. But, what if you search by your specialty instead? Your magazine, company or organization may not be as high on the list as you'd like.

This is where search engine optimization (SEO) comes in to the picture, and if it's not on your radar yet, it should be.

"For small businesses especially, it is so important to have a good looking and compelling search engine optimized website," said Ashley Sweren, owner of Firework Writing in San Jose, California. "You can have a David and Goliath situation and [still] outrank bigger businesses. Your search engine ranking can build credibility and clout."

### Cheap and effective

For a publication, SEO can play an important role in building a brand, said Anatoly Zadorozhny, owner of Los Angeles-based Marketing1on1, which specializes in SEO services. "If a magazine is putting out quality content, it should be found on Google," he said. "It's probably the cheapest and most effective marketing you can do."

What does that process involve?

"Search engine optimization is taking measure to ensure your website ranks highly when individuals in your target audience conduct relevant searches," said Sweren, who

provides freelance writing and editing services in addition to SEO consulting.

"I get a lot of hits from people looking for fireworks. I really want people searching for freelance writers and editors," Sweren said. Fortunately, SEO has helped her attract those people, too.

Business owners sometimes are intimidated by SEO, or they assume they can't afford it. That's just not true.

"A lot of people think it's advertising," Sweren said. "When you do a search and businesses pop up on the side of your screen, those are advertisements."

Most people understand the difference between a paid search result and an organic one, she said.

"The organic search results tend to have a little more clout."

So, how do you improve your website's searchability? It starts by understanding those "search engine spiders" or programs that silently move from link to link on the Internet, grabbing content and depositing it onto search engine indexes. They depend on the carefully chosen keywords and phrases they find on your site to determine how to list it. Therefore, it's worth taking time to think about the words that best describe the things your target audience wants from you.

On the Google Adwords Keyword Planner (<https://adwords.google.com/Keyword-Planner>), for instance, you can enter your website's URL (Internet address), and the site will suggest keywords. You also can play with keywords you're considering, and it will show you the number of people who search for that word along with suggestions for other words that may be more effective.

### Placement is key

Once you finalize your keywords, you'll want to add them to three places on your website. First of all, work them into your website copy. You also should add your keywords to your title tag, which shows the title that will show up in search results.



“Most companies put their company name there,” Sweren said. “That’s a waste of real estate. It’s actually more beneficial to put keywords there.”

Sweren also suggests adding keywords to your site’s meta description tags, which provide a brief description of web pages. If someone runs a doggy daycare, for instance, people searching for it online might find the name of the business followed by a short descriptor: “daycare and dog boarding.”

Other strategies to consider: optimize the images on your site by placing keywords on your image alt tags, which will boost your page rank and allow your images to appear in image searches. Don’t forget to work keywords into your website address as well.

Once guest arrive at your site, they should find it helpful and easy to use. It should be easy to find your contact information, for example. Another helpful tool, Google Analytics (<http://www.google.com/analytics>), allows you to look up visits to your site and see where people are spending their time.

“If I see people are spending a lot of time on the upper right

corner, I need to make sure there’s important information there,” Sweren said.

While increasing your exposure is critical, you have to be careful not to overdo it. Don’t link your site to link farms – sites that exist for the sole purpose of increasing other sites’ search rankings. Not only are links to these kinds of sites ineffective, they actually can harm a site’s rating.

“Google penalizes what it calls ‘unnatural inbound links,’” Zadorozhyy said.

It helps to read up on the best approach to SEO and Google policies, Zadorozhyy added, because they’re constantly evolving. “SEO changes every four to six months,” he said.

Sweren acknowledges that SEO does require a time investment, but it’s worth, she said.

“Only 1 percent of searches go beyond the second page. SEO is more important than ever.” ♦

*This article first appeared in the September 2014 edition of Print Matters – a Johnson Press of America publication.*

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## DESIGNATION ACADEMY

*Las Vegas, Nevada • Bally's Las Vegas Hotel & Casino • December 7-14, 2014*

## CERTIFIED AUCTIONEERS INSTITUTE

*Bloomington, Indiana • Indiana University • March 22-26, 2015*



# CONFERENCE AND SHOW

*Addison, Texas • InterContinental Dallas Hotel • July 14-18, 2015*

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Please note that the information above is subject to change as events approach. This calendar will be updated as information becomes available.

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### EARN YOUR DESIGNATION!

Check out the Education Calendar for upcoming NAA education opportunities. You can also visit the full education calendar on the NAA website at [www.auctioneers.org/education-calendar](http://www.auctioneers.org/education-calendar).



# MEMBERSHIP APPLICATION

Please complete all four sections of this form.

To apply for membership in the NAA, choose one of these application methods:  
 Complete this form with credit card information and fax to (913) 894-5281  
 Complete this form and return with payment to: NAA Membership, 8880 Ballentine, Overland Park, KS 66214

## 1 PLEASE CHECK ONE. Membership in NAA is open to individuals, not companies.

MEMBERSHIP TYPES		
MEMBER	An active auction professional that subscribes to the NAA Code of Ethics and embraces the NAA Mission and Vision. <b>RECEIVE PRINTED MAGAZINE.</b>	<input type="checkbox"/> \$300 (1 Year) <input type="checkbox"/> \$535 (2 Year) <input type="checkbox"/> \$725 (3 Year)
	<b>RECEIVE DIGITAL MAGAZINE ONLY.</b>	<input type="checkbox"/> \$275 (1 Year) <input type="checkbox"/> \$490 (2 Year) <input type="checkbox"/> \$660 (3 Year)
<input type="checkbox"/> SPOUSE	An active member can add his/her significant other for an additional fee. Spouse members subscribe to the NAA Code of Ethics and embrace the NAA Mission and Vision. <b>(Includes Auxiliary membership for spouse for one year.)</b> Spouse's Name (Required): _____	\$150
OPTIONAL FEES		
<input type="checkbox"/> NATIONAL AUCTIONEERS FOUNDATION DONATION	The National Auctioneers Foundation is the fundraising partner of the NAA. Funds promote the auction profession and industry. Donations are tax deductible.	\$50 donation
<input type="checkbox"/> MEMBERSHIP NAA AUXILIARY*	The Auxiliary is a source for the promotion and advancement of the auction team. Membership is open to all NAA members and spouses. One year membership per person. <input type="checkbox"/> Self <input type="checkbox"/> Spouse *Auxiliary Member's Name (Must Complete): _____	\$25 per member

## 2 MEMBERSHIP INFORMATION (Please Print)

TOTAL AMOUNT DUE \$

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Nickname \_\_\_\_\_

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Check here if you are a previous NAA member.  Male  Female

Number of Years in Industry \_\_\_\_\_ Year of Birth \_\_\_\_\_

Highest Level of Education Completed \_\_\_\_\_

Name of auction school attended if applicable \_\_\_\_\_

Referred By (Optional) \_\_\_\_\_

## 3 METHOD OF PAYMENT (PLEASE CHECK ONE)

Payment in Full (One Payment Total):  Check  Credit

Payment Plan (Three Payments Total - See Reverse):  Check  Credit

Credit Card # \_\_\_\_\_ Exp. Date (MM/YYYY) \_\_\_\_\_

Card Holder Name (Print) \_\_\_\_\_ Card Sec. Code (CVV) \_\_\_\_\_

Signature \_\_\_\_\_

## 4 AUCTION SPECIALITIES

It is recommended that you indicate your specialties. This information is available on the NAA web site where the public can search by speciality. You may choose up to FIVE.

- |   |   |
|---|---|
| <input type="checkbox"/> Antiques & Collectibles                  | <input type="checkbox"/> Firearms                                 |
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| <input type="checkbox"/> Art & Galleries                          | <input type="checkbox"/> Heavy Equipment & Construction Machinery |
| <input type="checkbox"/> Auto & Motorcycles                       | <input type="checkbox"/> Industrial & Manufacturing Equip.        |
| <input type="checkbox"/> Bankruptcy                               | <input type="checkbox"/> Intellectual Property                    |
| <input type="checkbox"/> Benefit & Charity                        | <input type="checkbox"/> Jewelry                                  |
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| <input type="checkbox"/> Estate & Personal Property               | <input type="checkbox"/> Restaurant, Food & Spirits               |
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# NAA Member Benefit Highlights

NAA Member Services: (913) 541-8084 — Fax: (913) 894-5281  
memberservices@auctioneers.org — www.auctioneers.org

## NAAuction.com

Built specifically for the consumer, this website provides the public with information and education about the profession and industry, and connects buyers and sellers with NAA Auctioneers and their auctions.

## NAA Logo

Promote your membership in the NAA by using the association logo on your website, business cards, advertisements, letterhead and more!

## Constant Contact

NAA Auctioneers receive a discount when they use Constant Contact, an e-mail marketing provider. Communicate easily and efficiently with your clients, announce your next auction to everyone in your e-mail database list and save money! Get a 60-day free trial for up to 100 e-mail addresses. After that, pre-pay and get a discount of up to 25% off! Get started by visiting [naa.constantcontact.com](http://naa.constantcontact.com)!

## Auctioneer magazine

Stay tuned to current news and trends impacting the auction industry and profession. This full-color magazine is produced monthly for NAA members.

## Auction E-News

Get up-to-date on events, education and news at the NAA with this free members-only e-newsletter delivered to your inbox on the second and fourth Wednesday of each month.

## NAA Media Directories

NAA Auctioneers have access to media directories for all 50 states. Access these online directories at [www.auctioneers.org/directories](http://www.auctioneers.org/directories).

## Online Mentoring and Networking Forum

Share information with fellow members and ask questions about the auction profession when you participate in the NAA's members-only forum. Check back frequently as many topics are discussed on this very active forum. Call NAA Member Services at (913) 541-8084 or log on to [www.auctioneers.org](http://www.auctioneers.org) for more information.

## Auction Calendar

Members can post their auctions for free on the exclusive NAA Auction Calendar hosted at [www.NAAuction.com](http://www.NAAuction.com).

## NAA Education Institute

The NAA is dedicated to providing professional development opportunities for the auction industry. Members enjoy discounts on all educational events, seminars, designation and certification programs. Designation programs include: CAI, AARE, ATS, BAS, CES, GPPA and MPPA. Learn more at [www.auctioneers.org](http://www.auctioneers.org) or e-mail [education@auctioneers.org](mailto:education@auctioneers.org).

## Buyers' Guide

The NAA has collected information from those companies who have developed products and/or services with the auction company in mind at [www.auctioneers.org](http://www.auctioneers.org).

## NAA Credit Card Program with Free Check Recovery

Save on processing rates when accepting credit card payments from your sellers for their purchases.

## NAA Knowledge Center

Watch or download previous Conference & Show educational seminars, past IAC competitions and other NAA educational sessions. Each month, NAA members have access to a free seminar from a previous Conference and Show. Individual, track or all-access passes are available.

## Discounted Advertising Rates

Reach your target buyers thanks to the NAA's exclusive auction advertising programs. Receive discounted advertising rates with USA TODAY, Investor's BusinessDaily, The Wall Street Journal and TheNetwork of City Business Journals. Other contracts available on request.

## Publications

"Waiting For the Hammer to Fall - A Guide for Auctioneers" and "Auction Law" by Kurt R. Bachman and Joshua A. Burkhardt provide legal guidance and up-to-date information on issues Auctioneers encounter in their course of business.

# NAA Payment Plan

Be part of the National Auctioneers Association and stay on a budget when you choose the NAA Payment Plan, which allows you to spread your membership dues over three consecutive months.

## **Membership - Printed Magazine (\$300)**

\$100/month for three consecutive months

## **Membership - Digital Magazine (\$275)**

\$92 for first and second months; \$91 for third month

## **Member and Spouse Membership (\$450)**

\$150/month for three consecutive months

**Installment Payments by Credit Card:** I understand the terms and conditions of the payment plan and authorize the NAA to automatically apply payment to my credit card on the 25th of each month (three consecutive months).

**Installment Payments By Check:** All payments by check must be received by the 25th of each month (three consecutive months).

**\*PLEASE NOTE: FAILURE TO MAKE THREE CONSECUTIVE MONTHLY PAYMENTS WILL RESULT IN THE CANCELLATION OF YOUR NAA MEMBERSHIP.**

Return completed form to the National Auctioneers Association by email to [accounting@auctioneers.org](mailto:accounting@auctioneers.org), fax to (913) 894-5281 or mail to 8880 Ballentine, Overland Park, KS 66214.

## **Mission**

*The National Auctioneers Association exists to provide critical resources to auction professionals that will enhance their skills and success.*

## **Vision**

*National Auctioneers Association members will be the preferred auction professionals used in the marketplace.*

These are just a few of the outstanding benefits of NAA membership. For a complete list of member benefits, visit our website.

[www.auctioneers.org](http://www.auctioneers.org)



## IN THE RING

**PAGE** *"In my opinion, it is effectively ending the sale of ivory. There is no way to make sure the item you're selling is legal."*

26

**David Whitley, CAI, CES, NAA Advocacy Committee Chairman**

*Whitley Auction  
Eaton, Colorado*

**PAGE** *"I made a decision a long time ago that I would not hold the company's reigns past my time to where I ride it until it fails. Our industry changes rapidly, and I knew it was time for a younger generation with new and innovative ideas to step in."*

12

**Randy Ruhter** - on when it was the right time to explore selling his business

*Ruhter Auction & Realty, Inc.  
Hastings, Nebraska*

**PAGE** *"If a magazine is putting out quality content, it should be found on Google. It's probably the cheapest and most effective marketing you can do."*

56

**Anatoly Zadorozhyy, Owner of Marketing1on1**

*Los Angeles, California*

## AROUND the BLOCK

- **Auctioneer registration is no longer required in the state of Michigan.** The change, which became effective June 21, 2014, is officially recognized as "Public Act 151 of 2014" and was a repeal of Article 29 of Occupational Code, 1980 PA 299, which provided the registration requirements for Auctioneers. Go to [www.legislature.mi.gov/documents/2013-2014/publicact/htm/2014-PA-0151.htm](http://www.legislature.mi.gov/documents/2013-2014/publicact/htm/2014-PA-0151.htm) to view the action.
- On Sept. 12, at 1:32 p.m. (CT), **Proxibid celebrated the 100-millionth bid in company history.** "Celebrating our 100 millionth bid is a major milestone for Proxibid," said Ryan Downs, President and CEO of Proxibid. "For more than a decade, our team has worked to provide buyers and sellers with a superior online commerce experience. Reaching our 100 millionth bid is a testament to the dedication our team puts forth every day."

Proxibid was founded in 2001 to provide auction companies with the ability to webcast their auctions live online, enabling bidders anywhere in the world with an Internet connection the ability to participate. Over the last 13 years the site has evolved into an online Marketplace, joining buyers and sellers

of items spanning 15 asset categories with multiple transaction methods including live and timed auctions, instant purchase and make offer capabilities. More than \$3 billion in inventory will pass through the Marketplace this year alone, further illustrating the strength of the Marketplace.

- **NAA member Michael Chambers** was recently awarded the National Auto Auction Association's "Bernie Hart Memorial Trophy" for 2014. The award honors "the most visible person in the auction industry."
- Jack Nitz and Associates recently became the newest franchisee of United Country Auction Services, the largest integrated organization of auctioneers and real estate professionals in the United States. The new Fremont office will operate as United Country - Jack Nitz & Associates and will specialize in selling commercial and industrial equipment, as well as agricultural, commercial and residential real estate.

## MEMBERS' CORNER

### Hope and goodwill comes in all colors.

Just ask the residents and followers of the elephant that stands proud with its trunk in the air out in front of Hack Ayers Auction and Real Estate in La Follette, Tennessee. Each month, the elephant trumpets a new cause for awareness, celebration or both in colorful fashion.

One month, it may be picking up the color baton for breast cancer awareness. The next month, it may reflect support for childhood cancer awareness month, Relay for Life, those who manage daily life with Down syndrome or simply supporting local high school football. And, like any reasonable pachyderm would, he also gets in the holiday spirit, whether it is Christmas, the Fourth of July, St. Patrick's Day or another holiday.

"The elephant has become a local celebrity," said Traci Ayers-Dower, CAI, AARE, whose father, Hack, began the family business in 1957 and is also an NAA Past President (Traci's husband, J.J., is an NAA Past President also). "People stop and take photos all the time." ❖





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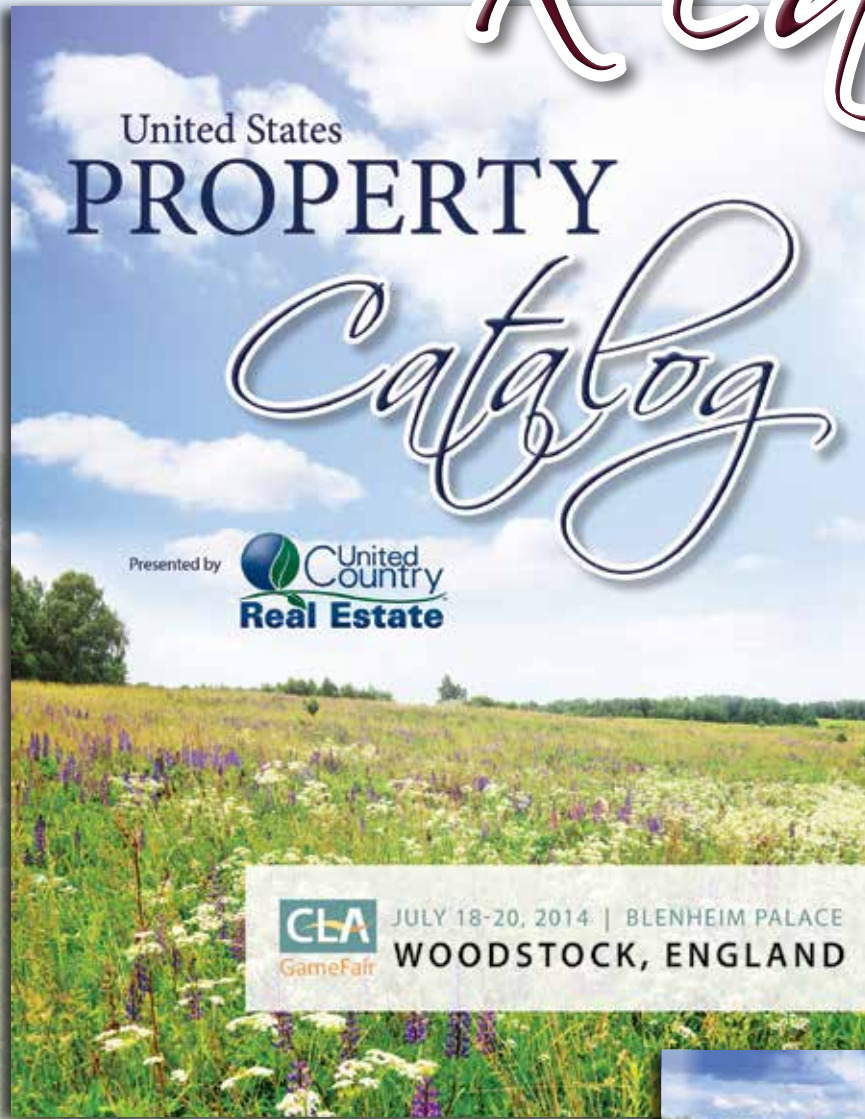
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