# Auctioneer

JUNE/JULY 2013

The official publication of the National Auctioneers Association































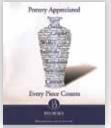
















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J.J. Dower
CAI, AARE, ATS, NAA President

National Auctioneers Association President J.J. Dower, CAI, AARE, ATS, became a member of the association in 1987. He earned his CAI designation in 1991 and was President of the Tennessee Auctioneers Association, in which he is a Hall of Fame member, in 2001-02. Dower, a partner in LaFollette, Tenn.-based Ayers Auction & Realty a MarkNet Alliance member, also serves as CEO of MarkNet. His wife and business partner, Traci Avers-Dower, CAI, AARE, and their two daughters, Addison Ayers-Dower and Alissa Dower, also are NAA members.

# Association poised to help members succeed well into the future

s this article goes to press, registration for the International Auctioneers Conference and Show stands at a four-year high, and it will only go up! Membership numbers are beginning to stabilize. As we've previously reported, our finances are stronger than ever. Task forces are working on recommendations that the Board of Directors will discuss in July and finalize in a plan that will lead NAA into the next three to four years.

These factors combine for good news: NAA is stable and ready for the future.

That was a goal I had when I started on the Board in 2008. And while I get to report our sound position, the work has happened because of a team of people – people currently serving in leadership positions and those who had previously served.

It has been hard work. We've made decisions that weren't popular with some of our members, but we communicated the reasons we made those decisions. The Board has a commitment to transparency, and we have developed policies and procedures to ensure we continue on a transparent path. Our meeting summaries, as well as every audit, are on the web, and the reasoning behind our decisions appear in the *Auctioneer*.

Sometimes, we whiffed. (I can't resist the golfing term!) And when we missed, we went back and fixed what we could. We don't have a crystal ball that can see into the future, but we have put policies in place that give us guidance as well as flexibility to change if need be. We've developed financial policies and have implemented checks and balances that ensure that our financial position will not be compromised. We have implemented a Human Resources Audit Committee to make sure staff at Headquarters is well equipped. We developed an evaluation process for our Chief Executive Officer and will work on succession plans in the next year along with a crisis management plan for the organization in case something happens to the building. These policies are important to have but can be

developed only after the organization is stable.

# **Future plans**

We are preparing now for the future – not just for NAA, but for you, the NAA auction professional. We revised our mission and vision to reflect our current state and where we want to go in the future. And our vision is directly related to you because we want to ensure that NAA members will be the preferred auction professionals used in the marketplace. And how will we do this? Through our mission: providing critical resources to auction professionals that will constantly enhance your skills and success.

The three task forces I appointed have great recommendations that will support the NAA vision. Please know that things will not happen immediately. We have to work within the confines of our resources – both financial and human! But that is the point of having the multi-year plan – we are thinking about what we can do and when we can do it, without over-taxing our resources. And we will constantly reevaluate our plans because they will be measurable.

I'm excited when I think about NAA's future. I'm proud I had a part of making it happen and humbled that you allowed me this position.

I have one more year on the NAA Board, and I'll spend it as Past President. This time next year, I will be anticipating the end of six years of service. It will be bittersweet. I'll be happy to be free of meetings and conference calls, but I will miss being a part of an amazing leadership team.

Thank you for giving me this opportunity and please continue to support NAA – it is our organization.

JJ Dower



# Auctioneer 6 Auctioneer 6

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The official publication of the National Auctioneers Association

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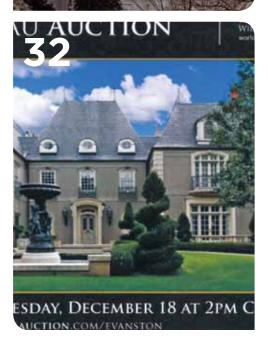
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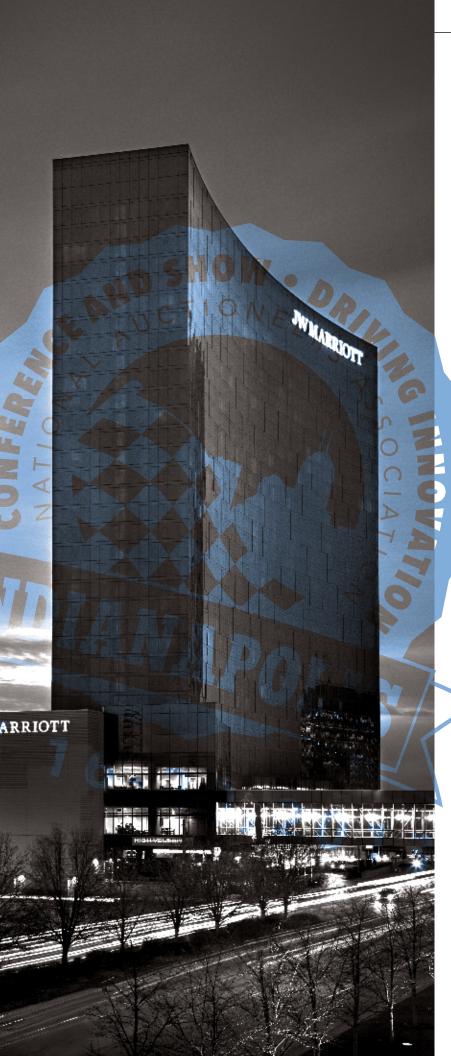
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# DRIVING INNOVATION

Add fuel to your auction business with a revitalizing pit stop in Indianapolis

By NAA staff

Auction professionals ... start your engines.

The 64th International Auctioneers Conference and Show in Indianapolis on July 16-20 promises to offer an exciting downtown experience, innovative education and unmatched networking opportunities.

First, just outside the conference hotel, the JW Marriott Indy, is White River State Park, with 250 acres of green space, trees and trails tucked into a downtown urban setting.

The park includes numerous attractions, including the Eiteljorg Museum of American Indians and Western Art, Indiana State Museum, the NCAA Hall of Champions and the Indianapolis Zoo.

Soldiers and Sailors Monument on Monument Circle is one of the city's most iconic destinations, and new to the city is the Indianapolis Cultural Trail, an 8-mile bicycle and pedestrian-friendly landscaped path.

The Indianapolis Motor Speedway is about four miles northwest of downtown.

# **Kicking things off**

Inside Conference and Show, the fun and learning starts with Jeffrey Cufaude's keynote speech. He calls himself an architect of ideas and has an Indianapolis-based business, Idea Architects.

Cufaude's past experience includes serving as Executive Director of two national associations and working as a student affairs staff member at two public universities. He now aims to build communities of ideas and idealists through his writing, facilitation, consulting and speaking.

Expect Cufaude's keynote to explain why innovation is increasingly important for organizations to embrace, offer some simple habits that attendees can incorporate into daily life to foster innovative results, and show examples of what innovative organizations and individuals look like in action.

# **Speakers**

Speakers lined up for this year's Conference and Show include Devin Henderson, who plans to present "Share Your Magic: Performing at your best to make a real difference, every day."

Devin Henderson is a magician — one whose tricks often lead to positive changes in audience members' personal and professional lives.

There's also Andy Imholte, ATS, BAS, who is set to present "Lights, Camera, Auction."

Imholte hopes those in his audience walk away not only knowing what video and photography equipment to purchase, but also how to start using the devices effectively. He'll give advice on shooting photos and video of auction items by giving details in areas including lighting, green screens, light boxes, megapixels and YouTube.

In addition, Kathy Kingston, CAI, BAS, plans "Death of a Benefit Auctioneer: How to avoid killing your auction career."

Kingston, an author, Auctioneer and consultant based in Hampton, N.H., seeks to use her presentation to help auction professionals avoid common mistakes. Outside of avoiding pitfalls, Kingston says her interactive presentation will offer entrepreneur strategies, highlight everchanging industry trends and ways to capitalize on the changes.

# Field trips

Outside the JW Marriott, the National Auctioneers Association has planned opportunities for attendees to learn more about auctions, government, automobile racing and appraising masterpieces.

There is "Traveling Tour: Christy's Auction

House" set for July 17. The field trip will help attendees understand the ins and outs of setup for the company's events.

Those on the tour will learn about aspects of the weekly auctions, including how the auction house schedules various items. Many consigned items have assigned auction times.

Next, there is "Walking Tour: Learn How to Work with Your State Representative" on July 17.

NAA members will get a tour of the Indiana State Capitol and learn how to effectively communicate with elected officials, how a legislative bill is created, how a bill becomes law, and how public policy affects Auctioneers and their businesses.

One of the more popular opportunities might be "Traveling Tour: Indy 500 Museum" on July 18.

Attendees will have the opportunity to see a facility touted as one of the most highly visible museums in the world devoted to

automobiles and auto racing.

The trip to the Indianapolis Motor Speedway Hall of Fame will feature a tour of the warehouse in the building's basement. The behind-the-scenes tour will include a look at cars that are in the process of being restored, versus cars on display in the general portion of the museum.

Last, "Walking Tour: How to Appraise Museum Quality Art & Antiques" on July 18 should help hone attendees' eyes for fine arts during a trip to the Indianapolis Museum of Art.

Aspects such as design, age, detail and

condition will be evaluated at the museum.

# **Continuing education**

Some of the best courses at Conference and Show are the multistate-approved Auctioneer licensing classes. This year should be no exception.

The courses are as follows:

# July 17 "UCC and Contracts"

(Three hours of continuing education credit)

Instructor: John Schultz, ATS

This course is an intermediate course tailored for the practicing Auctioneer to serve as a refresher on the Uniform Commercial Code, the importance of solid contracts and an examination of case review and case studies to illustrate issues of weak contracts, warranties and application of the UCC in auctioning personal property.

continued »



#### July 18

# "State Specific Comparative Auction Law"

(Three hours of continuing education credit)

Instructor: Wendell Hanson, CAI, AARE, GPPA

This course is designed for the multi-state licensed Auctioneer who wishes to have a clear understanding and legally comply with the various state laws as they move from one state to another. This course presents an auction law overview of all 13 states requiring continuing education (AL, AR, GA, IN, IL, KY, NC, SC, TN, TX, VA, WA, WI) and explores the legal similarities and legal differences between each state.

#### **July 19**

# "Industrial Auctions: 2013 and Beyond"

(Three hours of continuing education credit)

Instructor: Burdette Wilber
This course is designed for the commercial and industrial Auctioneer who wishes to explore ways to stay competitive in the rapidly changing marketplace.

#### **July 19**

# "Business Practices: Post Auction - How We Handle Money, Taxes and Data"

(Three hours of continuing education credit)

Instructor: Wendell Hanson

This course is an intermediate-toadvanced business practices course designed to address issues facing multi-state and travelling Auctioneers specific to how information and funds are collected, managed, handled and distributed. This course will include a review of payment processes and escrow and trust accounting practices, with a more advanced discussion on fund security, data security, consumer protection and other federal regulations affecting Auctioneers that present unique challenges for multi-state licensed professionals. ❖



# 25-YEAR CELEBRATION OF THE IAC TO HONOR CHAMPIONS

# Commemoration plans to incorporate NAA membership, general public

#### By Nancy Hull Rigdon

contributing writer

he emotion and prestige surrounding the 25-year anniversary of the International Auctioneer Championship has drawn the interest of a television producer.

Cary Aasness, an IAC winner and Co-Chairman of the anniversary committee, says a cable TV producer is considering filming the 2013 IAC competition and 25-year celebration. The interest, Aasness says, is understandable.

"The IAC involves a lot of adrenaline, nerves and activity in a short amount of time, which I think could make for compelling TV," says Aasness, of Aasness Auctioneers in Dalton, Minn.

Regardless of whether the TV possibility comes to fruition, Aasness and other organizers are excited for the plans to honor the IAC's first 25 years. The commemoration is sched-

uled to coincide with the annual IAC competition at the 2013 International Auctioneers Conference and Show in Indianapolis on Friday, July 19.

The plans include recording testimonials from past winners, the debut of a new ring, a group photo and a luncheon. Assness said organizers seek to involve all National Auctioneers Association members, not just those involved with the IAC.

The testimonial recordings as well as other documentation could become multimedia on the NAA website, Aasness says.

"The bid calling, the salesmanship, the interaction with the buyer and seller – that's all intriguing for aspiring champions and the general public as well," he says.

The luncheon will allow for socializing among champions and other members.

The new IAC ring will have an updated look that is unique to the IAC. These will be avail-

able to past winners as well as new winners.

IAC winners are known within the auction industry as some of the best bid-calling Auctioneers in the world. The IAC judges Auctioneers on presentation, chant, voice timbre, body language, interview answers and other performance elements of effective auctioneering.

The IAC was created in 1988, and separate divisions for men and women were created in 1994.

The first IAC winner was Paul C. Behr, CAI, BAS, of the World Wide College of Auctioneering Inc., Centennial, Colo. Behr will take the NAA President reigns in Indianapolis.

In addition to the anniversary plans, organizers are anticipating a record number of entries for the 2013 IAC competition. The competition typically draws up to 85 competitors, and organizers are expecting up to 120 participants this year.

Aasness, a 2005 champion, looks forward to celebrating with others who have traveled down the same road.

"It is a such a hard accomplishment to obtain in our industry," he says. "It can be narrowed down to the good fortune of somebody who works hard to place themselves in the position to earn it."

Aasness won eight years ago, and the memories come rushing back each year. "When it comes down to the end and it's 7 or 8 o'clock and you've been going for 12 hours already, you're wondering, 'Do I have enough strength and interaction left within myself to win this?" he says.

Assness reiterates that the plans aren't just about the champions.

"There's something about a champion that kinda sets you apart, and at the same time, I've always wanted to be very approachable to anyone within the industry," he says. "It's important for the NAA membership to understand that all of us are approachable. This isn't just about us. It's about everybody within the profession." \*

# SCHEDULE CHANGE

New for this year, the NAA has moved the open comment period from the Annual Business Meeting to the Town Hall Meeting on Wednesday, July 17, from 11 a.m. to noon. It will take place in rooms 103-104.

The NAA made the change in order to minimize the length of the business meeting.





"

Service to our auction industry is an honor. I am ready and eager to serve our auction family. This July your support and your vote for NAA Director would be appreciated."







# CONFERENCE FIELD TRIPS



**Traveling Tour: Christy's Auction House** July 17, 11 a.m. to 1:30 p.m.

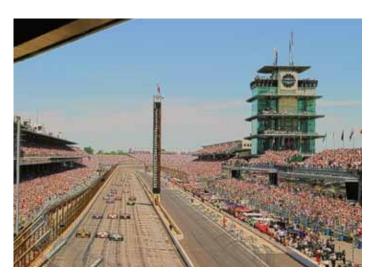


Walking Tour: Learn How to Work with Your State Representative
July 17, 1 p.m. to 4 p.m.

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# **Online sales tax** might change auction **business models**

#### By Sarah Bahari

contributing writer

Dennis Stouffer is no fan of taxes.

But the Maryland Auctioneer does not think a proposed sales tax on online sales would hurt his business.

"I have kept an ear to it, but I don't see it having a big effect on us," says Stouffer, owner of Stouffer's Auction & Real Estate Co. in Smithsburg, Md. "So far, we're not expecting any revenue cuts to come from this."

Congress is considering an Internet sales tax that would pave the way for millions of consumers to start paying sales tax on online purchases.

The Marketplace Fairness Act, which has already passed in the U.S. Senate, would allow states to require online retailers to collect sales tax on purchases made by their residents. Businesses with sales under \$1 million annually would be exempt.

## A million or more

That means Auctioneers whose online sales exceed \$1 million a year would be required to charge tax.

As online shopping has grown into a \$226 billion-a-year business, small brick-and-mortar business owners and some large retailers like Wal-Mart have lobbied for the online sales tax, arguing they are placed at an unfair disadvantage.

For some business owners, the issue boils down to fairness, says Richard E. Last, Senior Director of the Global Digital Retailing Research Center at the University of North Texas.

"It's a complicated issue, and nobody likes taxes," Last says. "But online shopping has become big business. Some people argue everyone should have a level playing field."

Small online retailers say the administrative burden of collecting sales tax would curb growth and make it more difficult to compete, says Last, who is a past member of the National Retail Federation Board of Directors.

#### **New software**

Online Auctioneers also would need software to calculate the ap-

This issue goes back to the days of catalogs. We are still trying to determine the best way to de and collect sales tax.

Senior Director of the Global Digital

Richard E. Last

etailing Research Center University of North Texas propriate sales tax based on their shipping zip code. The bill requires states to provide free tax-collection software to ease compliance.

Stouffer, who specializes in estate sales, has long conducted online simulcasts of live auctions and recently began dabbling in online-only auctions. Customers who purchase items during the online simulcast are required to pick up purchases in Maryland, so Stouffer is already required to charge sales tax.

Last fall, Stouffer's company conducted an online firearms sale and was not required to charge sales tax for customers outside Maryland.

Stouffer, who is located less than a mile from the Pennsylvania state line, says he already must calculate different state taxes.

"We have to dance around state laws and taxes," he says. "Every state does things a little differently."

## Internet fairness

But Stouffer says he sympathizes with the small business owners.

"Brick-and-mortar business owners are crying the blues because they can't compete. They have too much overhead," he says. "The Internet is knocking the tar out of them."

Some small businesses are not the only ones hoping this law passes. Cash-strapped states have been trying for years to collect sales taxes from online purchases.

Last year, states could have

collected more than \$11 billion in online sales tax revenue, according to a study by the University of Tennessee.

But in 1992, the Supreme Court ruled that states did not have the power to levy taxes on online sales unless the retailer has a physical presence, such as a store or warehouse, in their state. Large online retailers, like Amazon, already charge sales tax in many states.

"This issue goes back to the days of catalogs," Last says. "We are still trying to determine the best way to handle and collect sales tax."

"People hate paying taxes, and that complicates the whole thing." •





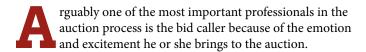




# How to increase your stature behind the podium

#### By Grant DeGarmo

staff writer



"I believe that auctions are growing worldwide, and there is going to be a need for more professional Auctioneers than there ever has been in the industry," says Paul Ramirez, of Ramirez Auction Service, Tucson, Ariz.

## First-class bid callers

"Letting people relax and put their guard down is very important," Ramirez says. "They must trust, like and respect the bid caller."

National Auctioneers Association members say one of the most important skills in advanced bid calling is knowing who the bidders are in the room before the auction begins.

"Reading the audience is the most important part," says JillMa-

rie Wiles, CAI, BAS, of Beneficial Auction Services, Canby, Ore. "Otherwise you're just talking fast. Bid callers need to watch the audience while the item is being introduced."

Human emotion plays on the bidder's desires for things they believe they deserve or for things that strongly appeal to them.

"You have to take away a bidder's rational side and find a way to appeal to their emotions," Ramirez says.

Bid callers must be careful not to make mistakes with the bid as well as not to say things that could offend bidders.

"All great bid callers have one thing in common: their reputations can take them to that next level," Wiles says. "There is no such thing as a do-over for Auctioneers."

## The auction chant

The chant may be the most memorable part of an auction. NAA members say it is the best way for a bid caller to connect with the bidders and also his or her team.

"The largest weakness I see in amateur bid callers is when they focus on speed rather than the clarity of their chant," says Lynne Zink, CAI, BAS, CES, of LynneZink.com, Joppa, Md.

NAA members say that showing their own personality in their chants can help their bid-calling careers. It's also important to stay hydrated and practice often.

"Bid callers have different filler words that roll off their tongues better. They should know their own voice very well," Zink says.

NAA members say it's important to adjust their chants based on the type of auction they are calling.

"The magic equation is having clear numbers and understanding how to manipulate the cadence of your chant to fit the audience so everyone can fully participate," Wiles says.

Zink says that at a benefit auction, Auctioneers can better connect with their bidders by personally acknowledging their bids.

"When the excitement and energy build in a room, then you can increase the speed of your chant, which is much different than the process of an automobile or agriculture auction," Zink says.

# **Future changes**

While online auctions are becoming more popular, they also may open new avenues for bid callers to find their own personal niches in which to succeed.

Wiles sees the future for bid callers changing, and they need to understand how online-only bidding will change the marketplace.

"I like to think there is a fusion or a hybrid of how the auction industry has evolved," she says. "There will never be a time of bid callers being obsolete, but I also do not think that online-only bidding is going anywhere." .\*



The magic equation is

having clear numbers and understanding how to manipulate the cadence of your chant to fit the audience so everyone can fully participate. 99

JillMarie Wiles, CAI, BAS Beneficial Auction Services Canby, Ore.



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# OUTGOING DIRECTOR



# Strategic, thorough decision-making led to effective decisions that met needs of many

BRYAN KNOX, CAI, GPPA

Of what are you most proud from your service on the Board of Directors?

I look back very fondly on the continuity that existed within this group during my service. We collectively took on some very serious, forward-thinking issues and made decisions based upon input from membership, long term goals and pure common sense. I am proud that I was able to be a small part of the progress toward the future.



What would you like NAA members to know about the association's leadership?

I only wish that the membership could experience the decision making process we (the leadership) go through with even the smallest decision.

While our Board does work as efficiently and expediently as humanly possible, every decision that is made is well thought out, dicussed ad infinitum and put to the litmus test of whether it meets our long term goals as an association.

I can never remember one time in my term as Director where I felt that any decision was made in haste without full discussion and all minds were not clear. The opinion of every board member was always welcomed and taken into consideration. Having served on a number of boards in my life, that was a very refreshing experience.

What do you see for the future of the NAA? How will it remain a vital, successful organization?

Just as our industry has naturally evolved over the years, our association will also continue to do the same. The structure, governance and function of many associations of all types are changing on a daily basis across the country as the wants, needs and desires of their memberships change. Whether we like change or not, it is a natural part of life.

Simply put, the NAA will remain a vital, successful organization as long as it can play a roll in helping its members be vital and successful in the auction industry.

Is there anything else you would like to share regarding the association, its members or the auction industry?

It is difficult to fully express how much I love and appreciate the NAA, our members and the industry as a whole.

I have been afforded the opportunity to experience success beyond my wildest dreams. While I give God the glory for any success I may have had and continue to have, I know that the NAA and the relationships that I have forged as a result of my membership has played a vital role in that success. For that, I say "thank you". ❖

# OUTGOING DIRECTOR

# Association future looks bright thanks to strong leadership, quality membership



# **IOHN NICHOLLS**

Of what are you most proud from your service on the Board of Directors?

We accomplished so many ground breaking things during the last three years; however, the fact that many different personalities and backgrounds were able to sit around the same table, and put their own opinions and desires aside in order to act in the best interest of the NAA and the auction industry has been very fulfilling. We may not have always agreed, but we left the Board room as a united body knowing that we all held true to the same mission.

What would you like NAA members to know about the association's leadership?

Having been a member for 23 years and after having questioned those who have been members much longer than me, I can confidently say that the NAA's leadership is as strong and solid as its ever been. I really feel we have the right combination of personalities and skill sets that will keep us stable for years to come. Any organization rises and falls with leadership, and Hannes Combest is in a class all by herself. She truly cares about all of the staff and all of the NAA members, and this shows in her tireless efforts toward excellence. The staff, all super stars in their own right, mirrors Hannes' passion and dedication.

# What do you see for the future of the NAA? How will it remain a vital, successful organization?

The future is bright. Please do not make the mistake of necessarily equating membership numbers with being vital and successful. The majority of organizations, clubs, and associations in the country are experiencing decreasing membership roles; however, our fiscal state is excellent and only getting better. The quality of our membership is off the charts, and our membership numbers are promising. As stated above, with the leadership and oversight that we have in place, all of the NAA members can sleep very well at night.

Is there anything else you would like to share regarding the association, its members or the auction industry?

I would like to sincerely thank the membership for the honor

and privilege of serving this great organization over the last three years. The Board experience has been a personal and professional growth experience for me like no other. I have learned so much from my fellow Board members and the NAA leadership, and have established life long friendships. The auction industry has been so good to me and my family for over 40 years, and I look forward to being able to continue to give back and serve for many years to come. Thank you again and God bless. �



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ROB WEIMAN, CAI, AARE, ATS, BAS, CES, GPPA

# Why did you want to become an Education Institute Trustee?

To help continue the great programs we have come to expect from the NAA. I have benefited from my NAA educational experiences and want to keep that ball rolling.



# What do you hope to bring to the leadership position?

I run a small auction company in a medium size city (St. Louis, MO). I want to bring my experiences as an auctioneer and background as a former High School Electrical Trades Instructor, as an Instructor at Boeing, and as a Scoutmaster in the Boy Scouts of America to the NAA.

# What types of educational programs are working at the NAA, and what types would you like to bring to the association?

I attended several designation classes and have benefited from all of them. I would love to extend the idea of summits & continue to expand them to include summits for estate auctioneers. There are a lot of auctioneers out there that still handle estate auctions. I think there is a need in the industry to provide training by the best estate auctioneers out there to the rest of us who conduct estate auctions. I'm thinking everything from setting up a tent, to using a clerking trailer, to marketing your estate auction.

# Why is education so important for auction professionals?

Education is important in that it helps us learn things the easy way. I would much rather learn from someones mistakes than to stumble over the same rock that tripped them. I once saw some guys that were about to repel over a cliff right into a bunch of wasps. I had hunted by that cliff a lot and tried to warn them. They ignored me and got the snot stung out of them. Education can not only improve things, it can often prevent lots of pain. NAA education has paid for itself over and over for me.

# Is there anything else you would like to share regarding the association, its members or the auction industry?

We are sitting at the very beginning of one of the largest transfers of wealth in the history of the USA as the baby boomer generation retires and needs to sell their estates, their farms, their commercial, real, and intellectual property. I think educated NAA auctioneers will be ideally positioned to win that work and assist in this transfer of wealth. ��

# INCOMING EDUCATION INSTITUTE TRUSTEE

# Focus on business development, negotiations and growth strengthens programs



PETER GEHRES, CAI, GPPA

# Why did you want to become an Education Institute Trustee?

The desire to serve the NAA at some level began with my first NAA designation course. Jack Christy taught the CES course in Ft. Wayne, Ind., in November of 2006. This was my first exposure to the networking power of the NAA and its unique position to deliver specific auction industry education. I knew that I wanted to be a more active and engaged member. From there I have had the great opportunity to serve on a number of committees and serving as a trustee was a new challenge and good fit for my interests, skill set and passions.

# What do you hope to bring to the leadership position?

I hope to bring the positive and proactive perspective of a first-generation; college-educated auction professional who has experience in both live and online auctions to the work of the Trustees. While this is not a wholly unique perspective in our association it is an important one. Additionally, as an auction school instructor and frequent speaker at state associations, I hope to bring an understanding of teaching to adult learners to the discussions and deliberations.

# What types of educational programs are working at the NAA, and what types would you like to bring to the association?

The programs I have most enjoyed and found effective are business development, negotiating and methods for growth. There is an art to the practice of auctioneering that is independent of the live cry or the mouse click. We need more programs - inking deals and building successful business models.

# Why is education so important for auction professionals?

The Internet has of course presented new challenges and oppor-

tunities for our auction industry. One aspect that can be easily overlooked is that the public is much more able to compare and contrast auctioneers and their practices. In the current environment it is critical that each auctioneer be aware of best practices and implementing them continuously in order to sustain and grow their auction practice. Education is the best method to achieve this goal.

# Is there anything else you would like to share regarding the association, its members or the auction industry?

The art and science of auctioneering is a fascinating and enthralling subject. Sharing the best practices with students in auction school and my fellow auctioneers has been an immensely rewarding experience. I look forward to the work of the Educational Institute. Members should know three things:

- 1) I believed whole heartily in the auction and method and believe auctioneers are the most talented and motivated marketers on earth.
- 2) I love the live auction and auction day rarely seems like work
- 3) Call me anytime: (614) 306-1435 �





Steve Proffitt

Steve Proffitt is general counsel of J. P. King Auction Company, Inc. (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 auestions 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 attornevs on all matters. Please submit auestions to sproffitt@jpking. com or c/o J. P. King Auction Company, Inc., 108 Fountain Avenue, Gadsden, AL 35901.

# All on the seller

# Auctioneers should respond to seller cancellations with careful screening, detailed agreements, documentation

"I've changed my mind. I'm not going through with the auction."

Less than 24 hours before the start of a well-marketed auction, the balking seller's telephone call stunned the Auctioneer and put a brick in his stomach. Now what?

My past two columns have focused on the threat to Auctioneers of sellers cancelling auctions. When this happens, it is almost always a result of a seller bailing out due to growing fear that selling prices will fall below acceptable levels. A cancellation damages an Auctioneer in a number of ways, including the loss of an anticipated commission and perhaps the inability to recoup costs advanced. Another significant impact can come in the form of bad public relations, particularly having to deal with disappointed bidders who vent all of their anger at the Auctioneer.

# Letter of complaint

Here's an excerpt from a letter sent to an Auctioneer by a prospective bidder following a seller's cancellation of an auction:

"Your cancellation of this auction has left a very bad mark on your name. What were you thinking? If I ran my business like you do yours, I would soon be out of business and broke. You can be sure I will inform everyone I know how you operate and urge them to avoid doing any business with you."

Note the letter was addressed to the Auctioneer, who was singled out for all of the blame. Two of my pet peeves are complaints from misinformed blowhards and cheap shots. This letter included both.

# Seller, not Auctioneer

It's a real shame when someone is so emotional and either uninformed or intellectually dishonest as to blame an Auctioneer for the cancellation of an auction. The Auctioneer seldom plays a role in such a decision. Anger directed at the Auctioneer is an attempt to tar and feather an innocent person who himself was damaged by the real culprit, a backpedaling seller. And that's where the blame properly lies – all on the seller.

Understand a fundamental concept. Unless an Auctioneer is selling his own goods, his legal role in an auction is that of an agent representing a principal (the seller). That was the arrangement here, where the Auctioneer was under contract with the seller to liquidate certain property at auction. An agent is subservient to a principal, and that's why an Auctioneer works under the direction and control of the seller. An Auctioneer doesn't make the key decisions about an auction. Decision-making is the seller's domain. The Auctioneer's role is to follow the directions the seller gives, within the bounds of law and ethics. This is how an Auctioneer works to advance the interests of a seller within an agency relationship.

The Auctioneer who wrote me had no authority to cancel the auction and didn't. The seller unilaterally decided to pull the plug on the eve of the event when jitters over possible selling prices turned into regrets about signing on for an auction.

#### **Auctioneer victimized**

This Auctioneer informed me that he had a term in his contract with the seller that prohibited cancellation. Consequently, the seller's

action breached the contract. The Auctioneer did nothing wrong, and he was the first and biggest victim of this decision. What's more, he was impacted by it far more adversely than any would-be bidder was.

As if it wasn't bad enough for the Auctioneer to receive this angry outburst that should have been directed at the seller, he also had to suffer the cheap shot that came with it: "You can be sure I will inform everyone I know how you operate and urge them to avoid doing any business with you." This threat completed the double whammy that often slams innocent Auctioneers in situations like this.

# Five steps

Unfortunately, cancellations happen. When one hits deep in the marketing cycle, here are five steps for the Auctioneer to take to protect his important interests.

First, the Auctioneer should immediately counsel the seller on what the cancellation will mean for the various parties. For the seller, the goods will remain unsold and no revenue will be generated. For the Auctioneer, the seller's breach of the auction contract will deny him his expected commission, maybe his costs advanced, and harm his reputation in the marketplace. For expectant bidders, they will be denied the right to bid to buy what the advertising promised to offer.

Second, the Auctioneer should simultaneously present a written statement to the seller that summarizes the seller's decision and instruction to the Auctioneer. Here's an example:

"I, (name of seller), have informed my agent, (name of Auctioneer), that I have decided to cancel the auction which I previously contracted with my agent to conduct on (date). I have instructed my agent to immediately stop all work on this matter and inform all interested persons that the event has been cancelled. The decision to cancel the auction was made exclusively by me and in no manner involved, or was

encouraged by, my agent."

The Auctioneer should have the seller sign and date this statement and keep it in a safe file.

Third, if the seller is one who feels remorse over the decision to cancel, the Auctioneer should try and add the following to the above statement: "I will hold my agent harmless from any action, claim, complaint, or other controversy or matter that might be pressed by anyone as a result of my decision to cancel the auction." It would also be a plus if the Auctioneer can get the seller to agree to include an amount that the seller will pay the Auctioneer to compensate him for the loss the Auctioneer will suffer, unless such a provision already exists within the auction contract.

Fourth, if the seller refuses to sign the

Auctioneer shouldn't be surprised. Most sellers who act like this don't consider, or care about, the impact of such a decision on anyone else. If the seller refuses to sign the statement, the Auctioneer should carefully note this refusal alongside the statement and then sign, date and file it. This document would show the Auctioneer's contemporaneous position and actions regarding the cancellation.

above statement, the

Fifth, the Auctioneer should subsequently write a comprehensive letter to the seller carefully outlining the events related to the cancellation, the information the Auctioneer gave the

seller about this course, and the statement (see above) the auctioneer presented to the seller for execution. The cancellation of an auction has the potential of triggering a public relations nightmare, regulatory complaint, and/or legal claim for an auctioneer. This letter is the best documentation of the events that the Auctioneer can have, as well as an essential component of a defense that might later need to be mounted.

#### Conclusion

The best thing an auctioneer can do on the issue of cancellation is to work to keep it from happening. The best hope for doing that lies with carefully screening and selecting the sellers with which you choose to do business. You want trustworthy, responsible and motivated sellers. Leave the rest for your competitors. ❖



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Kurt Bachman Attorney and licensed Auctioneer from LaGrange, Ind. He can be reached at (260) 463-4949 or krbachman@ beersmallers.com.

Kurt R. Bachman and Beers Mallers Backs & Salin LLP appreciate the opportunity to review and answer legal guestions that will be of interest to Auctioneers. The answers to these questions are designed to provide information of general interest to the public and are not intended to offer legal advice about specific situations or problems, Kurt R. Bachman and Beers Mallers Backs & Salin LLP do not intend to create an attorney-client relationship by offering this information, and anvone's review of the information shall not be deemed to create such a relationship. You should consult a lawver if you have a legal matter requiring attention. Kurt R. Bachman and Beers Mallers Backs & Salin LLP also advise that any information you send to an Auctioneer shall not be deemed secure or confidential. Please visit one of our offices to ensure complete confidentiality.

# Pay use tax, avoid penalties

# QUESTION: What is the use tax and how does it affect my business?

**ANSWER:** A use tax is a type of excise tax levied in the United States by several state governments. The state's use and sales tax work together to collect tax on retail sales, leases and other taxable transactions in the state. The sales tax is generally a tax that applies to the retail sales, leases and rentals of tangible personal property in the state. The use tax is a complementary tax and is owed by a purchaser on a transaction when the vendor does not collect sales tax (assuming the item or service being purchased is taxable). The use tax must be paid by the purchaser directly to the state imposing the tax. In general, if an Auctioneer or auction firm paid sales tax on an item or transaction, then they should not have to pay the use tax. If the Auctioneer or auction firm has not paid sales tax on an item or transaction, then they may owe the use tax. The use tax generally applies to individuals, businesses and organizations.

se taxes are not new. They have been on the books for years. The State of Ohio, since 1936, has had a use tax on the storage, use or other consumption of tangible personal property and certain taxable services in Ohio. In 1955, the Illinois General Assembly passed the Use Tax Act, which is a sales tax that purchasers owe on items that are bought for use in Illinois. The California use tax law became effective on July 1, 1935. The purpose for enacting the use tax was to keep an equal playing field for in-state and out-of-state vendors. If there were no use tax and an out-ofstate supplier did not have to charge sales tax, then it would be cheaper to buy items from the out-of-state vendor since the in-state vendor would have to charge sales tax.

The New York Department of Taxation and Finance provides information for businesses in the State of New York about the Use Tax. See Tax Bulletin ST-910 (June 17, 2010). The most

common situations in which a business operating in New York, for example, may owe use tax include the following:

- Purchases of taxable property or services made outside of New York State;
- Purchases of taxable property or services made over the Internet, from catalogs, or by phone from businesses that are located outside the New York State;
- Purchases of taxable property or services on an Indian reservation;
- Purchases where the taxable property or services are used in a different local taxing jurisdiction in the state from where they were purchased or where they were delivered;
- Withdrawal of taxable property from inventory for use by the business; and
- Use of taxable property that is manufactured, processed, or assembled by the business.

Two examples given may be helpful to consider.

The first example: "While in Florida attending a business meeting, you purchase equipment that will be used by your business in New York State. You have the equipment delivered to your business. The seller does not collect New York sales tax. You owe New York State and local use tax on the cost of the equipment, including any charge for shipping and handling." The second example: "You buy a computer through a retail Web site from a business that does not collect New York sale tax. It is delivered by a freight company to your business in New York State. You owe New York State and local use tax on the cost of the computer, including any charge for shipping and handling." Each state's use tax is different. There may be specific nuances, exemptions, and rules for payment of the use tax. In addition, businesses may be eligible for a credit for taxes paid to another state or local jurisdiction for a purchase or transaction. So, it is important to check with legal counsel or the appropriate governmental department for specific information.

Several states are aggressively pursuing collection of the use tax, including Ohio, Illinois, and New York. The Illinois Department of Revenue indicated that it gathers sales information from other states and bills Illinois residents for the unpaid tax, penalty and interest. Illinois also gathers information on overseas purchases from the U.S. Customs Service. The New York Department of Taxation and Finance states that "[f]ailure to pay the use tax you owe by the due date may result in the imposition of penalties, interest, or both." In addition to gathering information like Illinois, the "Tax Department in New York conducts both routine and special audits to promote compliance."

In summary, it is important for Auctioneers and auction firms to be aware of the use tax and the local requirements. If an auction firm fails to pay the use tax, it should be aware of the risks and potential consequences. ••



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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.

# The death of newspapers is postponed until further notice

funny thing happened on the way to the future of the media business. Reaching prospective bidders with online advertising turned out to be harder than we thought. But old-fashioned print newspaper ads are working better than a lot of us imagined they would at this point.

Six or seven years ago, the so-called media experts had this thing pretty well figured out. As people quit reading print newspapers, they would simply go to the newspaper's website for their news. Instead of picking up the Kansas City Star on the lawn, news consumers would just log onto kcstar.com, and we'd buy banner ads there. We figured we'd never miss a beat.

The problem is that we were only half right. Many readers have dropped their print subscriptions, but they got diverted and didn't make it to the newspaper websites. So the papers haven't made the money they expected on digital advertising. These two charts show the result from the newspaper's financial perspective. What this means to us is that the "replacement" conduit to local news readers didn't work out as we'd hoped.

Where did the readers go and why didn't they make it to the website? In many cases, they got diverted to various sites and smartphone apps that aggregate news from multiple sources. One of the earliest was Google News, which allowed the reader to simply say, "I want news about Kansas City" and get just that — not only from the old Star, but also from the local TV stations, local blogs, radio, wire services and other media.

More recently, smartphone and tablet apps jumped in to siphon off readers. The early leader was Google Reader, which is being discontinued this summer. But numerous others have emerged to take its place, including Flipboard, Feedly and Pulse. Throw in Twitter, Reddit, Buzzfeed and Facebook — where many get their news links — and it's a wonder anybody ever finds the way to a single newspaper's site. Most of these ways of getting to news have two things in common: 1) They pull together media by topic rather than media outlet; and 2) they offer little in the way of advertising opportunities.

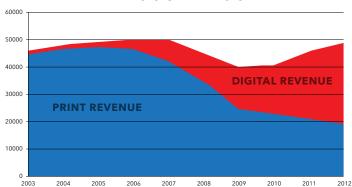
That's worrisome to Auctioneers who've always been able to turn to newspapers as an effective tool for reaching local bidders. So let's take a deep breath, look at what's happening and consider ways to make the most of it.

# The bright side

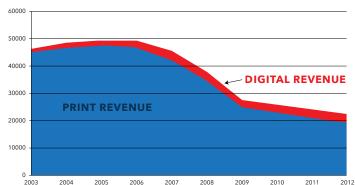
The newspapers aren't disappearing. On the whole, newspaper circulation has stabilized, and some 450 of the country's 1,380 dailies are now charging readers for online reading. That has made the newspaper business attractive enough that legendary investor Warren Buffett has been buying papers literally by the dozen (including all of Media General's 63 dailies and weeklies). Buffett said recently that he thinks newspapers can provide returns of 10 percent. That may not be the 30 percent return publishers once got, but it's a far cry from going out of business, especially if the papers can stem the loss of readers. And they're doing just that, it appears: Pew Research reports that after steadily losing readers since 2003, newspapers are now holding their own and, in some cases, even gaining readership.

**People are still reading** — in print. McKinsey

#### WHAT WE THOUGHT WOULD HAPPEN







and Co. just published a new study showing that when we're consuming news, we're getting it from newspapers and magazines 35 percent of the time. The study raised some eyebrows at first, but it tracks reasonably well with what we're seeing from other sources such as Pew. When people read a newspaper or magazine, they tend to settle back and spend 20 to 40 minutes with it. That gives them more time to reach your ad on page B4.

Small is better when it comes to reaching prospective bidders. The big papers may have a bigger circulation, but they have less of a hold on the local market because they have a lot more competition. When Buffett bought the 63 Media General newspapers recently, he passed on the big one: The Tampa Tribune. From Warren, take a cue: You'll probably get more for your money by spending your ad dollars on bigger ads in mid-size dailies rather than blowing the budget on the bigger, more expensive outlets.

It's today's audience that matters, not yesterday's or tomorrow's. In our quest to stay ahead of the trend, it's tempting to focus on the direction and overlook where things are now. That can be a big mistake. It's true that print readership has been steadily trending downward compared to online reading, but let's not forget that even now, the print newspaper reaches about 30 percent of the people in a local

community, and as noted above, we spend about 35 percent of our news-consumption time with print. Sure, it's not 55 percent any more, but 30 percent isn't hay. What other outlet is going to deliver that big a chunk of your target audience?

# The mobile puzzle

But wait ... what about all those stories we've been reading about the masses of people abandoning print and getting the news on their phones and tablets? That's still happening. It's just a little more complicated than a lot of people realize.

It's fashionable these days to lump smart-phones and tablets into a single category called "mobile," and in a lot of ways that seems logical. iPads and Android tablets use the same operating systems as smart-phones, and they look and feel like big phones (minus the phone). But when it comes to consuming news, they may be entirely different animals. The truth is that we really don't know because tablets are so new there isn't a lot of data yet about how we use them. (It takes a while for people to form their long-term habits with a new product, and even more time before researchers are able to measure those habits.)

So we have to resort to a combination of guesses and extrapolations based on the data we have available to us. We get news on multiple platforms, so it's important to remember that if a reader is checking news on his tablet, we may still be reaching him on his laptop or desktop. In fact, 77 percent of tablet users also report that they also get news on laptops, 54 percent get it on a smartphone and half get it in print.

And if my own experience is any guide, each type of gadget seems to play a different role. My smartphone use fits into the pattern described by McKinsey (mentioned above) — short bursts of activity in odd moments when I'm standing in line, waiting for service or stuck on hold. By contrast, when I pull out my tablet, I tend to be engaged in more serious reading, typically spending a half hour or more scanning news sources and reading longer articles. I carry my tablet less than I expected, and I notice that in coffee shops and restaurants that provide free Wi-Fi, there are still several laptops for every tablet being used. This may change as tablets achieve more penetration, but for now, there are still an awful lot of laptops being toted around.

So let's not panic as we see large numbers of people getting their news on tablets. By all means, we should look for ways to reach those tablets through news releases, RSS feeds and other methods that can be integrated into multi-source readers such as Feedly and Flipboard. This takes some one-on-one promotion, but it's worth it. ❖

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# STATE LOBBYING ENGLISHED BY STATE OF THE STA

#### ) I Pratt

# 2nd Vice President–Legislative Liaison Colorado Auctioneers Association

# What legislative and/or regulatory issues are affecting, or have the potential to affect, auction

Colorado's lobbying efforts

professionals in Colorado?

There are several, the most significant are several gun related bills. A ban on high capacity magazines, a universal background check bill, the ability to charge for a background check and the most onerous of all, A bill that would make anyone who ever manufactured, owned or SOLD a so called assault weapon could be held liable if it is used in a crime. Our association has sent letters, attended hearings and spoken to senators and house members in opposition to these bills that we believe unfairly limit commerce by inhibiting the ability of Colorado Auctioneers to compete with those in other states that don't have these rules. We have encouraged our members to contact their own representatives and the Governor's office. All of these bills have a chance of passing as they are sponsored by Democrats. Democrats control both houses and the governor's office in Colorado.

What efforts, if any, are your association or others in your state taking to oppose/support these efforts?

On a positive note: We have had an ongoing disagreement with the Colorado Department of Revenue regarding the sale at auction of titled vehicles and the responsibility to collect the sales tax. For decades our process has been for an Auctioneer, who is not a licensed auto dealer, to sell vehicles at auction and then send the buyer to their own county clerk to collect the sales tax. One of our members was audited and told he needed to pay taxes on vehicles he had sold at auction but did not collect the sales tax. We worked through numerous meetings with various Colorado departments to try and resolve this dispute. We were able to convince them not to pursue our member but they refused to alter their position that we needed to collect sales tax. Auctioneers dutifully began collecting taxes which caused a great deal of conflict with buyers and county clerks. Fast forward to today- A bill is working through this session with very little opposition that will allow us to revert to the process we had always used for sales tax collection. HERE IS THE LESSON!- Dig your well before you are thirsty. The Representative with whom we are working has sponsored our Auctioneers day at the capitol for 3 years. We have a great working relationship with him and he was very willing to help. All state associations should be working with at least some elected officials so you have somewhere to go if you have a problem or an issue. It can keep you from being steam rolled by the system.

# Illinois' lobbying efforts

Maxine O'Brien
Executive Director
Illinois State Auctioneers Association

# What legislative and/or regulatory issues are affecting, or have the potential to affect, auction professionals in Illinois?

Illinois law provides that only Auctioneers grandfathered at the time the auction law was enacted to sell real estate at auction. Licenses of those Auctioneers begin with and are referred to as 440s.

# What efforts, if any, are your association or others in your state taking to oppose/support these efforts?

The ISAA government relations committee has been working with legislators, lobbyists, and related state trade associations to advance legislation that will provide a pathway for 441s, who are now only able to sell personal property, to sell real estate at auction.

# Indiana's lobbying efforts

Kathy Baber
Executive Director
Indiana Auctioneers Association

1 What legislative and/or regulatory issues are affecting, or have the potential to affect, auction professionals in Indiana?

SB520 is the Eraser Committee bill that will eliminate license in the state of Indiana over a period of time.

# What efforts, if any, are your association or others in your state taking to oppose/support these efforts?

We have a state representative that sits on the IAA Board of Directors that is submitting an addendum to have the Auctioneers removed from this bill. The association sent out an email with language to the members so they could contact their state representatives and ask them not vote for this bill as it is currently written.

# **Denny Stouffer**

Director

Auctioneers Association of Maryland

# Maryland's lobbying efforts

What legislative and/or regulatory issues are affecting, or have the potential to affect, auction professionals in Maryland?

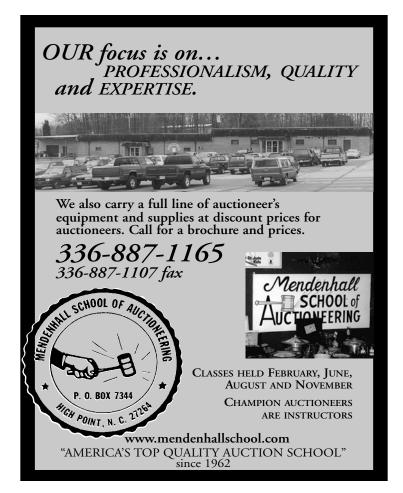
We attempt to closely monitor any proposed bill(s) that would have an effect on our auction profession or the way we conduct business. After a proposed bill is assigned to a committee, we will then discuss and evaluate it and make plans to align ourselves with any other groups and/or associations that may share our same concerns.

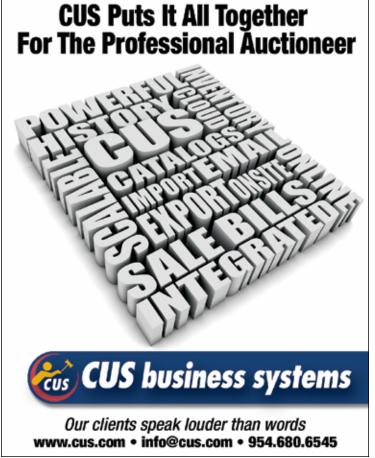
# What efforts, if any, are your association or others in your state taking to oppose/support these efforts?

We make every effort to state our position by testifying orally and in writing at the assigned committee hearing with all available Auctioneers that can make it to Annapolis that given day (the more Auctioneers, the better). We also personally talk to our own individual delegate(s) and senator and explain to them why we support or oppose the proposed bill (we do not have the luxury of a lobbyist). The above method is also utilized for a bill introduced on our behalf.

continued »

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# Michigan's lobbying efforts

Tricia Wiltjer
Executive Director
Michigan State Auctioneers Association

# What legislative and/or regulatory issues are affecting, or have the potential to affect, auction professionals in Michigan?

Michigan currently has a voluntary Auctioneer registration law in effect. As it currently exists, there are a few major flaws that need to be addressed. These issues have been addressed in an amendment, but the bill that would have amended the current law never made it for a full vote before the end of last year.

# What efforts, if any, are your association or others in your state taking to oppose/support these efforts?

The MSAA has stated it is in support of the effort to amend the current voluntary license law. Several individual members are working with some of Michigan's lawmakers to push forward a new amendment bill. The MSAA does not currently use any lobbyists in this effort due to the expense of hiring a professional lobbyist.

# Ohio's lobbying efforts

Jason Miller, CAI
President
Ohio Auctioneers Association

# What legislative and/or regulatory issues are affecting, or have the potential to affect, auction professionals in Ohio?

The Titled Vehicle bill that got passed in 2011/2012 and the current legislation that has a bill for having sales tax on services.

# What efforts, if any, are your association or others in your state taking to oppose/support these efforts?

The OAA is working with a lobbyist and Ohio CAT on language to clean up the Title Vehicle law.

# Texas' lobbying efforts

Brent Graves
President
Texas Auctioneers Association

# What legislative and/or regulatory issues are affecting, or have the potential to affect, auction professionals in Texas?

The bulk of our current law was written in 1978 and has not been updated to address current technology. Our current law specifies an Auctioneer as a "Bid Caller" and our regulatory agency, TDLR, will not address complaints filed against any auction that is not a live auction. TDLR executives have expressed a willingness, but they are not authorized under current statute. Our association receives complaints from online auctions that do not pay sellers but there is no current regulation because they are not "bid caller, license required" Auctioneers.

Additionally, we have an issue with the DMV that is now requiring sellers to become licensed dealers if they sell more than four vehicles in a year at auction or the Auctioneer (who must be a dealer in this case) must be in the chain of title. Many of our Auctioneers are mobile, dealer licenses run with a single property, our fleet sellers have no desire to do the paperwork required of maintaining a dealer's license. We believe it is an interpretation issue with DMV, but they have fined one of our members \$40,000, and he settled with them for \$4,000. This issue has caused many of our Auctioneers to lose regular and annual revenue over the past two years.

# What efforts, if any, are your association or others in your state taking to oppose/support these efforts?

For the first time in our 57-year history, we are taking real, proactive and financial steps to help protect our members and fellow Auctioneers in Texas. This past June, we established a dedicated legislative committee that was given one charge." Do what is best for the Auctioneer and the auction industry in Texas." That committee consisted of just three Auctioneers who are stewards of our traditions and dedicated to our future. We set up a PAC for the first time in history, which is a huge step for our association, and the Treasurer of the PAC as he assumes all of the liability. We hired a professional lobbyist to help us form and pass legislation. We have proposed a new Auctioneer law to include modern technology and practices that we hope will be passed this session and signed by the governor in May.

Although our legislature only meets for 140 days every two years, our association is now forced to keep an active committee because of our PAC establishment. This will allow our association to remain proactive on issues and less reactive than we have been in the past.

# West Virginia's lobbying efforts

#### **Barbara Blake**

**Executive Director, West Virginia Auctioneers Association** 

# What legislative and/or regulatory issues are affecting, or have the potential to affect, auction professionals in West Virginia?

1. Our Auctioneers are governed or overseen by the West Virginia Department of Agriculture. The commissioner of the agriculture department who had been in office for over 20 years just retired, and we have a new commissioner. As such, we just had a meeting with the new commissioner to go over issues that we are concerned about and things that we would like to see changed.

One issue is a limit of vehicles that can be sold in our state by an Auctioneer without having an auto dealer's license. There is supposedly a law in place which governs this, but we cannot get a determination as to what that number of vehicles is, and we are concerned about a law passing which would limit our ability to auction cars, trucks, etc., without a dealer license. The agriculture commissioner is looking into that for us.

# What efforts, if any, are your association or others in your state taking to oppose/support these efforts?

We, as an organization, are trying to get some changes made to the laws governing the Auctioneers in our state. We have asked for changes to apprentice Auctioneers in particular. We are asking that there be a limit in the number of years that one can hold an apprentice license before being required to take the test for a regular license. Currently you can hold an apprentice license for life. We would also like to have a requirement in place for apprentice Auctioneers to take CE classes the same as a licensed Auctioneer. Apprentices are not currently required to take any CE classes.

We have also asked that the license fee be increased and that the increase be put into a fund for CE education. The state of West Virginia does not currently provide any CE classes. They are put on by our organization and others at no cost to the state. We would like to see the state contribute to the cost of CE classes in the future.

Auctioneers in our state are not currently required to put funds into an escrow account, and we are also working with the new commissioner to have that changed. We would also like to see the time limit for keeping records increased to at least a couple of years. If you can believe it, that time limit is now six months for record keeping of auction records.

One other change that has been asked for is that anyone who sells real estate at auction must have a real estate license. That one is going to be harder to pass as we actually need to have a law passed through our legislature, and we believe we are going to have opposition from Auctioneers who are now selling real estate without a real estate license. We are working with the West Virginia Real Estate Commission to see if they will help us get this changed. ❖

# **Inquiring Minds Want To Know...**



# Which Brings In More Money To *APPRAISE* Or *AUCTION*?

Answer: It depends on who you ask!

Just remember...Not all professional credentials are created equal.

Yes, a salt shaker has value as does a dozer. At NEBB Institute, who trains, certifies and supports Certified Machinery & Equipment Appraisers (CMEA) coast-to-coast and worldwide, we know from your colleagues that they are earning significant assignment fees appraising and auctioning all types of equipment that has nuts and bolts. Salt shakers are not putting money in their pocket or landing auctions.

Yes, there is a difference. We know that the CMEA professional credential is catapulting your colleagues to excell earning appraisal money, expand their business, open doors that were previously shut, and overcoming competition. Are you? If not, you're missing out!



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# Benefit Auction Summit planning committees have many new features in store

Event to take place near Chicago in mid-September

## By Nancy Hull Rigdon

contributing writer

he one complaint about the Great Ideas Sessions from past Benefit Auction Summits? They occurred too late in the schedule.

This year, the session — an openmic best practices exchange — appears early in the itinerary to allow for follow-up conversations throughout the summit.

"The education that goes on in the hallways and after the planned sessions is phenomenal," says Kurt Johnson, BAS, who is co-chairing this year's event with his wife, Connie Johnson, BAS.

The switch is one of many ways in which the Johnsons, of Kurt Johnson Auctioneering Inc. in Saint Paul, Minn., are tailoring the Sept. 15-17 Benefit Auction Summit in Rosemont, Ill., to meet the requests of attendees.

"The survey results from last year's attendees really drove our decisions this year," Connie Johnson says.

# **Careful planning**

This marks the fourth year for the summit. Last year, close to 70 benefit auction professionals attended. This year's summit will reflect the planning of more individuals than in years past.

Previously, a handful of committee members planned the summit, and about 25 individuals sit on subcommittees this time.

"We found a place for every person who came up and said, 'I want to be involved," Kurt Johnson says.

In turn, those planning the summit represent a wide range of experiences and areas of the country.

"This has allowed us to tap into more wonderful pools of experience within the NAA," Kurt Johnson says.

With six subcommittees, those planning the summit are able to focus on several specialized areas in addition to planning content. The subcommittees are as follows:

- Sponsorship identification, a committee looking to increase revenue and heighten vendors' exposure
- Fundraising auction, a committee planning the summit's educational auction
- International Auctioneer Champion bid-calling coaching sessions, a committee honing in on an aspect that has proven beneficial in the past
- Hospitality and welcome party, a committee seeking to make all attendees feel comfortable
- Boots on the ground, a committee of attendees familiar with Chicago
- Transportation, a committee assisting attendees with airport, hotel and other travel plans

# Presentations, education

Outside speaker Charly Caldwell should be a seminar highlight, the Johnsons say. Caldwell, of Life & Business Success Group Inc., will work with Auctioneers to improve their businesses' online presences.

The fundraising auction will take a new path this year. In past years, it was called the "Fun Auction" and was a typical, fun benefit auction. This year's event will be like a course.

This means Auctioneers will model best practices as items are sold. For example, Auctioneers selling items will use various approaches — progressive bid and selling in the round, to name a couple — and explain the what, why and how of their actions as they sell.

Scott Robertson, BAS, is chairing the fundraising auction subcommittee and says adding the educational focus will tap deeper into the event's learning potential.

"The beauty of the attendees at the BAS is that they are at the cutting edge of the industry," says Robertson, of Scott Robertson Auctioneers in Matlacha, Fla. "When they can share their knowledge, success breeds success."

The event will cater to seasoned Auctioneers, Auctioneers seeking to establish themselves and Auctioneers fresh out of school, Robertson says.

Fundraising auction highlights will include a 30-minute bid-calling coaching session with three International Auctioneer Championship winners, specialists' reactions to inspirational videos and new techniques in silent auctions.

"There will be many 'aha' moments for everyone in attendance," he says.

Kurt Johnson says the educational components of this year's summit take high priority.

"From the seminars to the relationship building, we want to make sure this education stands out and is something beneficial to all Auctioneers attending," Kurt Johnson says. �

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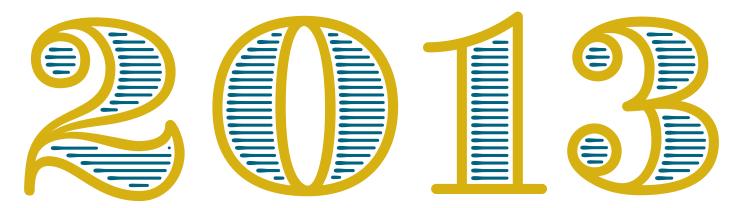


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# THE NATIONAL AUCTIONEERS ASSOCIATION'S



# **MARKETING COMPETITION RESULTS**

# GRAND CHAMPION & AUCTION MARKETING CAMPAIGN OF THE YEAR

Williams & Williams, Tulsa, Okla.



he 2013 Grand Champion in the National Auctioneers Association/ USA TODAY Marketing Competition is Williams & Williams, Tulsa, Okla.

Williams & Williams also won Auction Marketing Campaign of the Year.

Rich Penn, Rich Penn Auctions, Waterloo, Iowa won Best in Show – Photography. Wil-Iiams & Williams won Best in Show – Advertising/Public Relations.

This year's competition received more than 800 entries. A panel of marketing and advertising professionals with backgrounds in branding, promotion, public relations and

graphic design judged the entries. Criteria included creativity, effectiveness, clarity and visual appeal.

The marketing competition is a contest for NAA members. It provides auction professionals the opportunity to highlight their innovative creations from the past year. The annual competition is presented in partnership with USA TODAY.

Winners will be formally recognized during the NAA/USA TODAY Marketing Competition Awards Reception in Indianapolis at the 64th International Auctioneers Conference and Show in July. Winners receive an award and their entries are displayed at the conference. The competition comprises 63 categories in six divisions: Photography, Postcards, Brochures & Catalogs, Newspaper/Magazine Print Advertising, Public Relations & Marketing, Digital & Social Media and Auction Marketing Campaign of the Year. Two Best of Show entries are selected, one from Photography, and the other from the remaining categories. The two Best of Show entries compete against the winning entry in the Auction Marketing Campaign of the Year award for the top award of Grand Champion.

The winners are as follows:

# **AUCTION MARKETING CAMPAIGN OF THE YEAR: 2ND PLACE**

Toni Benysh, Halderman Real Estate Services, Wabash, Ind.







# BEST OF SHOW: PHOTOGRAPHY

"My Bikes Never Looked Like That"
Rich Penn, Rich Penn Auctions, Waterloo, Iowa



# BEST OF SHOW: ADVERTISING & PR

Distinctive Capabilities Video Williams & Williams, Tulsa, Okla.



**CONTINUED** »

# **PHOTOGRAPHY**

#### 1. Estates & Personal Property

Chad Metzger, CAI, Metzger Property Services, North Manchester, Ind.

#### (Second place)

Lonny McCurdy, AARE, McCurdy Auction, Wichita, Kan.

#### 2. Auction Team

"Teamwork" Nick Cummings, CAI, Schrader Real Estate and Auction Co. Inc., Washington Court House, Ohio (Second place)

Simmons Auction Team 5/24/12 James Pike, AARE, Key Auctioneers, Indianapolis

#### 3. Auction Crowd

Chad Metzger, CAI Metzger Property Services, North Manchester, Ind.

#### (Second place)

"Determining Factor" Austin Booker, Booker Auction Co., Eltopia, Wash.

## 4. Auctioneer in Action

"Lady Liberty"
Wendy Lambert, BAS, Lambert
Auction Co., Coppell, Texas
(Second place)

"Lion Eats Auctioneer" Jonathan Kraft, Kraft Auction Service, Valparaiso, Ind.

#### 5. Benefit Auction

Connie J.M. Johnson, BAS Kurt Johnson Auctioneering, White Bear Lake, Minn.

## (Second place)

"One More Time for the Kids" Kevin Oldham, United Marketing Services, Kansas City, Mo.

#### **6. Buyer Excited About Purchase**

#### Bidder #483

Jonathan Kraft, Kraft Auction Service, Valparaiso, Ind.

#### (Second place)

"Call the Bank Honey" Wendy Lambert, BAS, Lambert Auction Co., Coppell, Texas

#### 7. Equipment Auction

"Bidders in Action" Gary Boggs, CAI, Schrader Real Estate and Auction Co. Inc., Columbia City, Ind.

## (Second place)

"Not Your Everyday Fishing Boat" Rich Penn, Rich Penn Auctions, Waterloo, Iowa

#### 8. Farm Auction

"Every Man's Dream!" Jamie Cochran, J.G. Cochran Auctioneers & Associates, Boonsboro, Md.

#### (Second place)

Brumme Auction 3/22/13 David Anthony Kaufman, CAI, Kaufman Realty & Auctions, Sugarcreek, Ohio

#### 9. Real Estate Auction

"Sign of the Times" Kevin Oldham United Marketing Services, Kansas City, Mo.

#### (Second place)

Lonny McCurdy, AARE McCurdy Auction, Wichita, Kan.

#### 10. Creative Photography

"My Bikes Never Looked Like That" Rich Penn, Rich Penn Auctions, Waterloo, Iowa

#### (Second place)

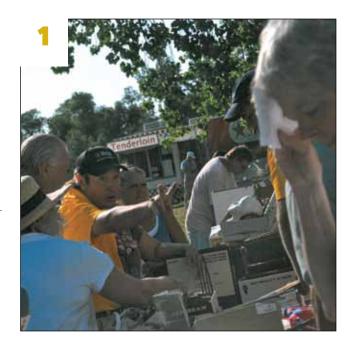
Farm Auction Aerial Scott Musser, CAI, BAS, Musser Bros. Inc., Pasco, Wash.

#### 11. Wild Card

"Crilow Farm" Curtis Yoder, Kaufman Realty & Auctions, Sugarcreek, Ohio

#### (Second place)

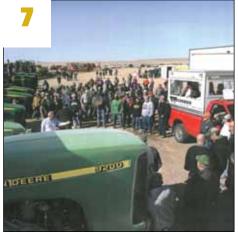
"Grandpa's Helper" Katie Imholte, Black Diamond Auctions, St. Cloud, Minn.







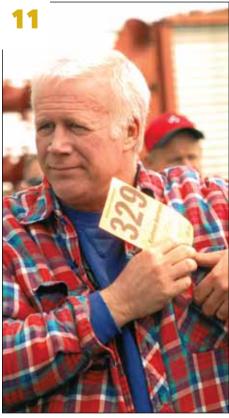














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# POSTCARD

#### 1. Personal Property (Antiques, Collectibles, Etc.)

Art Auction Richard Hart, CAI, BAS, GPPA, Baterby's, Orlando, Fla. (Second place) Mikulecky Tractor Auction Michael Schultz, CAI, Seifert Schultz Auctioneers, Upsala, Minn.

#### 2. Automobiles & Trucks

Contractor Consignment Auction James Pike, AARE, Key Auctioneers, Indianapolis

#### (Second place)

Manning Estate Kevin Oldham, United Marketing Services, Kansas City, Mo.

#### 3. General Household & Estates

Wilson Estate John Malone, CAI, Tasabah &

Associates, Paragould, Ark. (Second place)

2 BR Cottage on Sand Lake Jason Buher, GPPA, Sheridan Realty & Auction Co., Mason, Mich.

#### 4. Benefit

Art Auction Richard Hart, CAI, BAS, GPPA, Baterby's, Orlando, Fla. (Second place)

Spring 2013 Richard Hart, CAI, BAS, GPPA, Baterby's, Orlando, Fla.

# 5. Business Liquidation

Kevin Oldham, United Marketing Services, Kansas City, Mo.

#### (Second place)

Michael Fortna, Fortna Auctioneers & Marketing Group, Annville, Pa.

#### 6. Commercial/Industrial: Machinery & Equip.

**Duffield Postcard** Lea Cieslak, Purple Wave Auction, Manhattan, Kan.

#### (Second place)

"Town & Country" Roger Hansen, ĆAI, Hansen & Young, Prairie Farm, Wis.

## 7. Farm: Machinery & Equipment

Thorburn Retirement Jason Buher, GPPA, Sheridan Realty & Auction Co., Mason, Mich.

#### 8. Farm and Ranch Real Estate

Kiowa County Postcard Kevin Oldham, United Marketing Services, Kansas City, Mo.

(Second place)

155 Acres Offered in 4 Tracts Troy Crowe, Sheridan Realty & Auction Co., Mason, Mich.

#### 9. Residential Real Estate: Traditional

"The Farm House of Halifax" Jerry Manning, CAI, AARE, CES, J.J. Manning Auctioneers, West Yarmouth, Mass.

#### (Second place)

"Waterfront Estate on Devil's Lake" Doug Sheridan, Sheridan Realty & Auction Co., Mason, Mich.

#### 10. Residential Real Estate: Luxury

"Historic Home: Bleak Hill" Mark Motley, CAI, AARE, of Motley's Auction & Realty Group, Richmond,

#### (Second place)

Hallbrook Luxury Mailer Jeff Cates, CAI, AARE, CES, Cates Auction & Realty Co. Inc., North Kansas City, Mo.

#### 11. Recreational Real Estate

"Buffalo Lake Hideaway" Kevin Oldham, United Marketing Services, Kansas City, Mo. (Second place)

Gilbert Postcard

Kevin Oldham, United Marketing Services, Kansas City, Mo.

#### 12. Development Land Real Estate

389 +- AC Dev. Land Mark Motley, CAI, AARE, Motley's Auction & Realty Group, Richmond,

#### (Second place)

Wexford Subdivision David Counts, CAI, The Counts Realty & Auction Group, Abingdon,

#### 13. Commercial/Industrial Real **Estate**

Walnut Street Mailer Jeff Cates, CAI, AARE, CES, Cates Auction & Realty Co. Inc., North Kansas City, Mo.

#### (Second place)

Green Bay

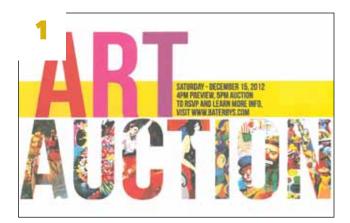
Bridget Siler, Hansen & Young, Prairie Farm, Wis.

#### 14. Multi-Property Real Estate Auction

August 21 Valley Cottage and Monsey Richard B. Maltz, CAI, CES, David R. Maltz & Co. Inc., Plainview, N.Y.

#### (Second place) Double J Resort

Jim Vander Veen, AARE, Big Red Auctions, Holland, Mich.







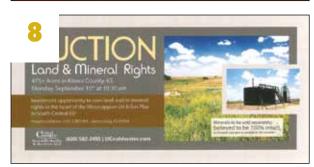


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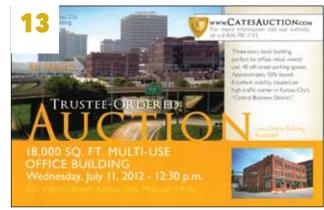














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# CATALOG

### 1. Personal Property (Antiques, Collectibles, Etc.)

Spring 2013 Richard Hart, CAI, BAS, GPPA, Baterby's, Orlando, Fla. (Second place)

Lake Side Farms Catalog Kurt Aumann, CAI, ATS, Aumann Auctions Inc., Nokomis, III.

### 2. Automobiles & Trucks

Mikkelson Falls Flyers Rich Penn, Rich Penn Auctions, Waterloo, Iowa (Second place) November Eltopia Surplus Mailer Alesha Russell, Booker Auction Co., Eltopia, Wash.

### 3. General Household & Estates

Bills Estate Arden Schrader, Schrader Real Estate and Auction Co. Inc., Columbia City, Ind. (Second place)

Hopkins Estate Liquidation Bill Bryant, CAI, AARE, GPPA, The Counts Realty & Auction Group, Lynchburg, Va.

### 4. Benefit

Spring 2013 Richard Hart, CAI, BAS, GPPA, Baterby's, Orlando, Fla. (Second place) Winter 2012 Richard Hart, CAI, BAS, GPPA,

Baterby's, Orlando, Fla.

### 5. Business Liquidation

Fun Town Factory Liquidation Brochure Jeff Cates, CAI, AARE, CES, Cates Auction & Realty Co. Inc., North Kansas City, Mo. (Second place)

Eggimann Truck Parts

Kevin Oldham, United Marketing Services, Kansas City, Mo.

### 6. Commercial/Industrial: Machinery & Equip.

Yellow Iron Auction Brochure Scott Musser, CAI, BAS, Yellow Iron, Pasco, Wash.

### (Second place)

Online Only Harry (Jay) Ruby, CAL

Harry (Jay) Ruby, CAI, GPPA, Global Force Auction Group, Thurmont, Md.

### 7. Farm: Machinery & Equipment

Lincoln Farm Gary Boggs, CAI, Schrader Real Estate and Auction Co. Inc., Columbia City, Ind.

### (Second place)

November 30 Equipment Auction Cary Aasness, Aasness Auctioneers, Dalton, Minn.

Auctioneer

### 8. Farm and Ranch Real Estate

Brochure-Mid-Delta Toni Benysh, Halderman Real Estate Services, Wabash, Ind.

### (Second place)

Midwest Farms
Dennis Bennett, AARE, CES, MPPA,
Schrader Real Estate and Auction Co.
Inc., Grabill, Ind.

### 9. Residential Real Estate: Traditional

"Villa by the Sea"
Maximillian Spann Sr., CAI, AARE,
Max Spann Real Estate and Auction
Co., Annadale, N.J.
(Second place)

"Castle House"

Barry Baker, CAI, AARE, CES, Ohio Real Estate Auctions, Grove City, Ohio

### 10. Residential Real Estate: Luxury

French Chateau Auction Brochure Williams & Williams, Tulsa, Okla. (Second place)

Private Bayfront Estate Maximillian Spann Sr., CAI, AARE, Max Spann Real Estate and Auction Co., Annadale, N.J.

### 11. Recreational Real Estate

E.C.H.O. Hunt Club Kevin Oldham, United Marketing Services, Kansas City, Mo. (Second place)

Mickle's Valley View Ranch and Canyon West Golf Club Will McLemore, CAI, McLemore Auction Co., Nashville, Tenn.

### 12. Development Land Real Estate

Kiowa Land Brochure Kevin Oldham, United Marketing Services, Kansas City, Mo.

### (Second place)

Renick Farms

Rex D. Schrader II, CAI, Schrader Real Estate and Auction Co. Inc., Columbia City, Ind.

### 13. Commercial/Industrial Real Estate

Indian Springs Country Club Auction Brochure Williams & Williams Auction, Tulsa, Okla.

### (Second place)

Walnut Commercial Brochure Jeff Cates, CAI, AARE, CES, Cates Auction & Realty Co. Inc., North Kansas City, Mo.

### 14. Multi-Property Real Estate Auction

Milwaukee Multi-Property Kevin Oldham, United Marketing Services, Kansas City, Mo.

### (Second place)

R.I.J. Holdings Jerry Ehle, Schrader Real Estate and Auction Co. Inc., Fort Wayne, Ind.

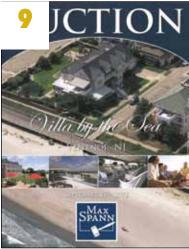


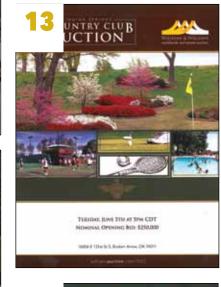




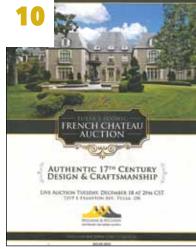










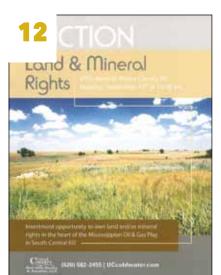














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# & MARKETING RELATIONS

### 1. News Release

Brunner Press Release Kevin Oldham, United Marketing Services, Kansas City, Mo.

### (Second place)

Mikkelson Publicity Program Rich Penn, Rich Penn Auctions, Waterloo, Iowa

### 2. Company Newsletter

Farmland Update Toni Benysh, Halderman Real Estate Services, Wabash, Ind.

### 3. Company Brochure

Introduction Brochure Melissa Davis, CAI, AARE, BAS, Reppert Auction School, Indianapolis

### (Second place)

AmeriBid Company Brochure Robert Hart, AmeriBid LLC, Tulsa, Okla.

### 4. Company Promotional/Give-Away

Florida Realtors Conference & Expo (Water guns) Beth Rose, CAI, Beth Rose Auction Co., Maumee, Ohio

### (Second place)

Topless T-shirt Mark Motley, CAI, AARE, Motley's Auction & Realty Group, Richmond, Va.

### 5. Non-Traditional Marketing

Ruzic Construction Retirement Auction Podcast Aaron Traffas, CAI, ATS, CES, Purple Wave Auction, Manhattan, Kan. (Second place)

Eltopia Seller's Guide File Folder Camille Booker, CAI, CES, Booker Auction Co., Eltopia, Wash.

### 6. Bidder Card

Richard Hart, CAI, BAS, GPPA, Baterby's, Orlando, Fla. (Second place) Motley's Industrial Auction Mark Motley, CAI, AARE, Motley's

### Auction & Realty Group, Richmond, Va. 7. Company Promotion: Signage,

Vehicle & Outdoor Advertising Outdoor Billboard with NAA & FAA Logos

Cliff Shuler, Cliff Shuler Auctioneers & Liquidators, Titusville, Fla.

### (Second place)

Auction To Go!

Mark Motley, CAI, AARE, Motley's Auction & Realty Group, Richmond, Va.

### 8. Auction Promotion: Signage, Vehicle & Outdoor Advertising

New Orleans Redevelopment Authority Streetcar Campaign Paul Lynn, AmeriBid LLC, Tulsa, Okla.

(Second place)

Robert's Stadium Andrew Wilson, CAI, CES, William Wilson Auction Realty Inc., New Harmony, Ind. PUBLIC RELATIONS

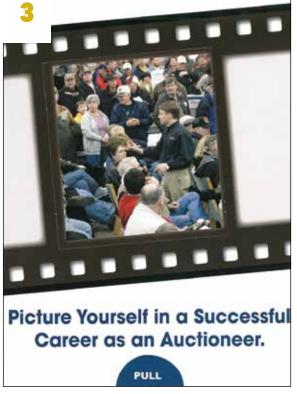
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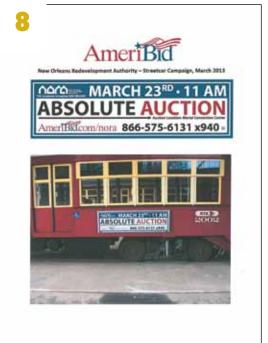












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# DIGITAL & SOCIAL MEDIA

### 1. Company e-newsletter

Lonny McCurdy, AARE, McCurdy Auction, Wichita, Kan. (Second place) William Burch, World Crest Auctions, Grand Prairie, Texas

2. Company Website

Richard Hart, CAI, BAS, GPPA, Baterby's, Orlando, Fla. (Second place)

UC Hunting Properties - UC Hamele Auction & Realty Kevin Oldham, United Marketing Services, Kansas City, Mo.

### 3. Online Advertising Campaign

Hacienda Pinilla Online Campaign Kevin Oldham, United Marketing Services, Kansas City, Mo. (Second place)

Silver Mountain Resort Email Campaign Jarem Atkinson, AmeriBid LLC, Sandy, Utah

### 4. Video: Company Promotional

Distinctive Capabilities Video
Williams & Williams, Tulsa, Okla.
(Second place)
Grafe Introduction Video
Judd Grafe, Grafe Auction Co.,
Spring Valley, Minn.

### 5. Video: Auction Promotional\*

Kiowa County Video
Kevin Oldham, United Marketing
Services, Kansas City, Mo.
(Second place)
French Chatray Austion Video

French Chateau Auction Video Williams & Williams, Tulsa, Okla.

### 6. Radio: Company Promotional\*

Matthew Hurley, CAI, AARE, Hurley Auctions, Greencastle, Pa. (Second place) Bid for Blue

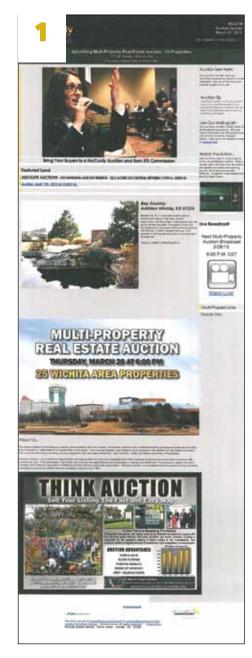
Aaron Traffas, CAI, ATS, CES, Purple Wave Auction, Manhattan, Kan.

### 7. Radio: Auction Promotional\*

L&L Farms

Williams & Williams, Tulsa, Okla. (Second place)

Matthew Hurley, CAI, AARE, Hurley Auctions, Greencastle, Pa.



\*not pictured







www.auctioneers.org

**42** JUNE/JULY 2013 Auctioneer

# PRINT ADVERTISEMENTS

### 1. Small/Medium Size: One/Two

Corporate "Integrity" Ad Rich Penn, Rich Penn Auctions, Waterloo, Iowa

### (Second place)

Miller & York Small Ad Kevin Oldham, United Marketing Services, Kansas City, Mo.

### 2. Small/Medium Size: Full-Color

Newspaper Footer Richard Hart, CAI, BAS, GPPA, Baterby's, Orlando, Fla.

### (Second place)

Hudson Estate Ingrams Magazine Jeff Cates, CAI, AARE, CES, Cates Auction & Realty Co. Inc., North Kansas City, Mo.

### 3. Large Size: One/Two Color

Spring Peotone 2013 Dan Matthews, CAI, GPPA, Matthews Auctions LLC, Nokomis, III.

### (Second place)

Upcoming Auctions Lonny McCurdy, AARE, McCurdy Auction, Wichita, Kan.

### 4. Large Size: Full-Color

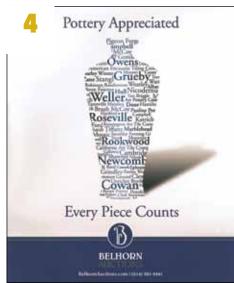
Pottery Appreciated Peter Gehres, CAI, CES, Belhorn Auction, Hilliard, Ohio (Second place)

Back Cover Film Orlando Richard Hart, CAI, BAS, GPPA, Baterby's, Orlando, Fla.









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www.auctioneers.org Auctioneer JUNE/JULY 2013

# thank you volunteer LEADERS

### **AARE Designation Committee**

Chair - Michael A. Fine, CAI, AARE David C. Hart, CAI, AARE Stephen Karbelk, CAI, AARE Mark L. Manley, CAI, AARE, CES, MPPA Bill Menish, CAI, AARE, BAS Mark H. Shear, CAI, AARE, CES, MPPA

### **ATS Designation Committee**

Chair - Aaron Traffas, CAI, ATS, CES Jason Hanks, ATS, GPPA Robert W. Mayo, CAI, AARE, ATS, GPPA Forres L. Meadows, CAI, ATS, BAS John D. Schultz, ATS

### **BAS Designation Committee**

Chair - JillMarie S. Wiles, CAI, BAS Jeffrey Maynard, BAS Neil Saffer, CAI, AARE, BAS Johnna Wells, CAI, BAS

### **CES Designation Committee**

Chair - David P. Whitley, CAI, CES Jack L. Christy, CAI, BAS, CES, MPPA Matthew Hostetter, CES Chris Pracht, CAI, AARE, CES Manson Slik, CAI, AARE, CES

### **GPPA Designation Committee**

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Located in the heart of downtown Indianapolis, visit White River State Park for the interactive NCAA Hall of Champions that showcases what it takes to be a student-athlete and the Eiteljorg Museum of American Indians and Western Art, which immerses visitors in Native American culture. Other attractions include the Indianapolis Zoo, Sports Illustrated's best minor league baseball stadium and the Indiana State Museum.

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### SHOP THE AVE AND MORE

While the four-story Circle Centre Mall is a favorite for visitors, Indy's six designated cultural districts, like Mass Ave, are the places to go for boutiques and galleries. Widely known for an electric nightlife scene and trendy shops, Broad Ripple Village is home to some of Indy's best local shops and restaurants.

### NIGHTLIFE

Located upstairs above the famous St. Elmo Steak House, 1933 Lounge is an intimate, swanky night spot where you can enjoy a signature cherry and vanilla infused bourbon cocktail or relax by the fireplace with a glass of wine in the state's largest wine cellar.

Indiana's oldest bar, the Slippery Noodle Inn, has entertained Indy since 1850. This famed blues bar has a history as a brothel, part of the Underground Railroad and gangster John Dillinger's favorite watering hole.

### **SAMPLE LOCAL BREWS**

A brewing renaissance has taken hold in Indy. Sun King Brewery took home three medals at the 2012 World Beer Cup and four gold medals at the 2011 Great American Beer Fest. A local hangout, Tomlinson Tap Room at City Market, is a hub for sampling craft beer from over ten thriving local breweries. And the Indy Brew Bus is a great way to tour and sample at leisure with a personal driver.

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# High St Auction Co. auctioned rare experiences at Royal African Gala Dinner

igh St Auction Co. auctioneered at a gala dinner in support of a prestigious charity initiative.

Prince Harry and his African counterpart, Prince Seeiso Bereng Seeiso of Lesotho, attended the Sentebale Gala Dinner, supported by Investec Asset Management. The gala dinner marked the launch of Sentebale's major capital fundraising program to build the first permanent Mamohato Centre for children and youth in Lesotho and raised a significant amount for the cause.

The Sentebale Gala Dinner took place at the Summer Place in Hyde Park, Johannesburg, South Africa, on Feb. 27.

The establishment of the Mamohato Centre in Lesotho will increase the reach of the Sentebale initiative, founded by Prince Harry and Prince Seeiso in memory of their late mothers. The Mamohato Centre, which has been envisioned to consist of the Mamohato hub, children's cabins, Thaba Bosiu meeting hall and a



campfire social area, will enable the Sentebale initiative to support and provide for more of the children and youth affected by HIV/AIDS.

In support of this program, The High St Auction Co. and its lead Auctioneer, Joff van Reenen, auctioned off a Royal Charity Polo Day, a Big Game Capture Experience and a Quintessentially British Invitation as well as a beautiful piece of jewelry made exclusively for Sentebale by Gerrad, the oldest jewelry house in the world. The auction raised a substantial amount − a strong start to the major fundraising campaign that will transform the dream of the Mamohato Centre into a reality. ❖







10-mile classic bicycle ride

### Copake Auction's annual bicycle auction sets record

opake Auction Inc.'s 22nd annual Antique and Classic Bicycle Auction was the company's most successful bicycle auction to date and grossed \$840,000.

A recent post on "The Wheelmen" website referred to the April 20 event as cycling's "Mecca." The sale featured session II of III of the Pedaling History Museum of Buffalo New York plus select additions that included contents of a museum in Virginia.

The top lot in the auction was a 1911 Pierce four-cylinder motor-cycle at \$166,750. The Pierce returned to its place of origin selling

to a Buffalo, NY, collector.

The sale had 75 vendors, hundreds of visitors, 337 registered buyers and an additional 465 registered bidders for international live Internet bidding with a total of 1,600 absentee and phone bids.

The weekend event in the Copake, NY, included a swap meet in a sheep meadow behind the auction gallery, a presentation from Lorne Shields of Toronto, Canada, on his world class collection of early period cycling photography and a 10-mile tour ride with a group of 75 cyclists. ❖

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# Prices for California & American Fine Art gain momentum at auction

American artists at John Moran Auctioneers' April 23 auction found that the normally approachable price points for such works were elevated. Paintings estimated to bring between \$1,000 and \$20,000 sold near or above the high end of their estimates, while larger works with higher estimates met with more selective buyers.

Nevertheless, prices at the sale were good overall, and a number of records were set. Overall, the sale achieved a sell-through rate of 80 percent, with 550 bidders participating.

Perhaps most notably, a large watercolor by Millard Sheets, originally estimated to bring between \$20,000 and \$25,000, achieved the artist's world record, selling for \$54,000 (all prices include 20 percent or 22.5 percent buyer's premium). Executed in the later part of Sheets' career, using transparent but rich jewel tones that evoke light filtering through stained glass, "Sunday Morning, Moorea" depicts a flock of ladies in their Sunday best spilling from a steepled chapel.

The sale included more than 200 quality, fresh-to-the-market oils, watercolors, prints and sculptures by noted artists. ❖







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### Wilson Real Estate Auctioneers, Inc., sells waterfront real estate for \$3.9 million

ilson Real Estate Auctioneers, Inc., Hot Springs, AR, sold a more than 377-acre tract known as Jewel of the Dortch Plantation at public auction for \$3,910,000.

The Lonoke County land was the site of the 1920's Dortch Cotton Ginning Operation. The gin, which was the first of its kind in Arkansas, was moved to the Plantation Agriculture Museum founded by Mr. Dortch. His home, four than two hours. ❖ agricultural buildings and a

lake cottage remain on the estate today.

After five generations, the rich and fertile ground was offered to buyers at Absolute Auction. The property was offered in 16 tracts and sold in its entirety to one bidder on auction day.

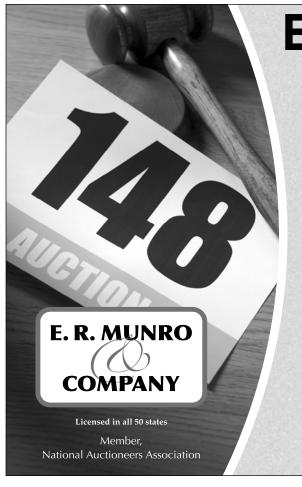
A crowd of more than 100 registered on-site and live online bidders participated in the auction, which lasted more

### **20th Century Decorative Art** and Modern Design Auction featured Warhol, Nakashima, **Chihuly, Peterson**

aminski Auctions presented to fetch between \$12,000 and its 20th Century Decora-\$15,000. tive Arts Auction June 9. The sale encompassed pieces from artists and makers such as Andy Warhol, Orrefors, Chihuly and Nakashima.

A walnut coffee table from George Nakashima was the top lot of the auction. The table features a solid walnut plank supported on an angular leg and Angel Chen, a sculpture from board. The linear contrast between the natural and finished edges gives the table a sculptural level of visual interest. Two photographs and hand drawn plans for the table add to the unique value of this Nakashima piece. The table was predicted

Among the most prominent of the prints for the sale were screenprints by Andy Warhol. Prints from other artists such as David Hockney, Peter Max and Samuel Margolies also appeared in the sale. Other items included a Jane Peterson painting, a sculpture from artist artist and craftsman Erik Gronberg, decorative pieces from well-known Modern designers including Kosta Boda, a monumental Venini chandelier and a Dale Chihuly Macchia blown glass studio bowl. ❖



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# Guitar played by Beatles legends nets \$408,000 at Julien's Auctions event

rare VOX guitar played by Beatles legends John Lennon and George Harrison brought \$408,000 at Julien's Auctions' Music Icons event at the Hard Rock Café New York in May.

The guitar received major global press as it made its way through exhibitions at locations including Newbridge Silverware Museum of Style Icons in Ireland and The Stafford Kempinski Hotel in London.

The custom guitar was built by Mike Bennett and Dickey Denney was gifted to "Magic Alex" Mardas by John Lennon in 1967.

Harrison played the guitar while

realisations.

practicing "I am the Walrus" during The Magical Mystery Tour and by Lennon while recording a video session for "Hello, Goodbye."

Other highlights from the auction collection included a Conway Twitty 1957 Gretsch Guitar that sold for \$23,750; Elvis Presley's "Jailhouse Rock" pants that sold for \$12,500; Elvis' Hammond organ that sold for \$34,375; Elvis' Sy Devore stage worn jacket that sold for \$34,750; Elvis' stage worn shoes that sold for \$46,875; Elvis' Hagstrom electric guitar that sold for \$50,000; Elvis' slot machine that sold for \$15,000; Elvis' sunglasses that sold for \$28,125; and David Cassidy's stage worn jumpsuit that sold for \$18,750. ❖

### Chippendale pie crust table tops Kaminski May estate auction

aminski Auctions' May 5 estate auction brought a diverse set of surprising and valuable items to the podium.

The top lot of the sale was an 18th Century Chippendale tilt top pie crust table. The finely carved table featured a beautiful spiral turned urn and shaft, carved knees and sculptural ball and claw feet. Tables of similar attributes and quality are listed among the "Better" and "Superior" examples in Albert Sack's "The New Finer Points of Furniture." The spiral turned and subtly tapered shaft, however, set this particular table apart from the more typical examples listed in the book. Despite recent market

trends predicting the contrary, this elegant table performed well at the podium, bringing in an \$11,000 hammer price.

A 19th Century Victorian revival walnut cabinet of exceptional quality also found a receptive market at Kaminski. Offered as Lot 7129, the piece featured fine inlays, bronze oval panels, and an original circular hand painted central porcelain medallion. The piece met its high estimate, selling for \$5,500.

From exceptional furniture to historic documents and paintings, the May estate sale brought an impressive variety of items to the Auctioneer's podium at Kaminski. ❖



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# Danny Hooper's unexpected fundraising moment surpasses expectations

aniel E. Hooper BAS, of Danny Hooper Productions, Edmonton, AB, asked for \$250,000 at a fundraiser and exceeded the goal in record time. In one minute, he raised \$350,000.

The feat occurred during Sorrentino's Garlic Stomp at the Shaw Conference Center and was the fastest \$350,000 ever raised at an Edmonton charity auction.

According to the Edmonton Journal, 35 gala guests raised their hands when asked to donate \$10,000.

The 600 people in the crowd had each paid \$300 to attend and were told that \$500,000 was needed for the Compassion House Foundation to complete the extension of a home-away-from-home for out-of-town women being treated for breast cancer, according to the newspaper.

Then, Hooper charged the crowd with raising \$250,000 in one minute., the paper reported. He asked 25 people to put up their hands and donate \$10,000 each. To Hooper's surprise, 35 hands went up. ❖

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

Mae is a girly girl. She loves dolls, the color pink and glitter — lots and lots of glitter. On this particular day, Mae is going through a large box full of dress up clothes. There are princess dresses, fairy wings and dance costumes to sort through. Mae finds what she is looking for, a frilly pink dress full of sparkles. Mae puts on the dress and a bejeweled tiara, then poses in front of the mirror, a princess ready for the ball.

Mae was first found to suffer from Wilms tumor in the fall of 2010. She received treatment at a local hospital, which included surgery to remove the tumor and her left kidney, chemotherapy and radiation therapy.

When Mae's family learned in March 2012 that the cancer had returned, they turned to St. Jude Children's Research Hospital® for her continuing treatment. At St. Jude, Mae's treatment included chemotherapy and radiation therapy.

Mae is now done with treatment and visits St. Jude for regular checkups. She recently finished kindergarten and participated in the graduation ceremony at St. Jude. Mae has two sisters, and she likes making beaded jewelry and playing with Barbies.



stjude.org/naa



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### IN THE RING

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"This issue goes back to the days of catalogs. We are still trying to determine the best way to handle and collect sales tax."

### Richard E. Last

Senior Director of the Global Digital Retailing Research Center University of North Texas

# 15

"The magic equation is having clear numbers and understanding how to manipulate the cadence of your chant to fit the audience so everyone can fully participate."

JillMarie Wiles, CAI, BAS

Beneficial Auction Services Canby, Ore.

### AROUND the BLOCK

- Elliot Paul, CAI, of Elliot Paul & Company Auctions, Stuart, FL, was named a Martin County School District winner for the Florida Department of Education's 2012-2013 Commissioner's Business Partner of the Year. The award recognizes "the best of the best among a group of first-rate, deserving business partners who dedicate their time and energy to the success of our schools."
- Phoenix-based Auction Systems opened iPai, the first wholly foreign-owned auction house licensed and operated in China. iPai operates an auction floor in Shanghai, offering an auction experience where a seller's product is bid upon by both in-person and online bidders in real time.
- A President's Gavel from Larry Harb of IT Risk Managers
   brought a record-high bid of \$1,000 during the Iowa Auctioneers
- Association Annual Convention. Brent Wears, CAI, AARE, ATS, CES, of Wears Auctioneering, Inc., Solon, IA, and Don Wagner of Wagner Prunty Auctions, LLC, Corydon, IA, split the bid and presented the gavel to the 2013 Convention Chairperson and incoming IAA President Burton Prunty of Wagner Prunty Auctions, LLC, Allerton, IA. Harb planned to donate the proceeds to St. Jude Children's Research Hospital.
- Randy Stockwell's 28-year career as an Auctioneer was recognized with an induction into the Wisconsin Auctioneers Association Hall of Fame during the association's annual winter conference at Lake Delton, WI, in January. Stockwell has owned RJ Stockwell Inc. Land & Auction Co., Dorchester, WI, with Beaner Stockwell since 1985.

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### MEMBERS' CORNER

### **Board proposes Bylaws revisions**

A t their April meeting, the NAA Board of Directors discussed several revisions to the Bylaws. This notice serves to communicate the proposed revisions to the membership that will be acted on at the July pre-conference meeting.

Over the last five years, the Bylaws and Articles of Incorporation have undergone several revisions. In October, President J. J. Dower, CAI, AARE, ATS, appointed a task force that would review the Bylaws and ensure that all revisions were in alignment with the Articles of Incorporation and make any necessary "clean-up" revisions.

All revisions have been reviewed by legal counsel.

A copy of the proposed revisions to the Bylaws can be found here:

The following revisions are proposed:

### Article II - Membership

Cleans up language relative to membership and qualifications and voting.

### Article III - Directors

Article III.3 and II.7 revises language to allow for voting within conference calls.

Article III.9 provides the Board the power to remove a Director if they violate the Code of Ethics or policy.

### Article IV - Officers

Article IV.2 – clarifies the intent of having candidates for Treasurer and Vice President come from the AMI Board of Governors.

### **Article XII - Committees**

Article XII.3 clarifies the existence of the NAA Auxiliary. ❖

### **Technology task force surveys providers**

Last spring, the NAA Board of Directors approved a plan for a task force to develop a survey of the providers for various bidding platforms. The survey was to focus not just on the technical aspects of the platforms but on the business practices of the providers. The end result is to provide auction professionals better information regarding the companies with whom they conduct business.

"There are tools that exist to show the various technical aspects of various online bidding providers," said Rich Schur, CAI,

MPPA. "But this survey goes deeper - we want to know the companies with whom we are doing business and this survey attempted to answer those questions."

The survey was sent to 43 companies and 17 responded. Questions were developed by a task force with the following members:

- · Rich Schur, CAI, MPPA, Chair
- Mike Brandly
- Peter Gehres
- · Robert Mayo
- John Schultz

- Tom Saturley
- Robert Weiman

The information contained within this packet has been taken directly from the survey. No data was changed from the providers who submitted their information. In fact, the providers who responded were given an opportunity to review their information prior to publication. ❖

The information is accurate as of May 1, 2013.

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### **Board enacts contract change**

During its April meeting, the NAA Board of Directors elected not to renew contracts on the OfficeMax and FedEx/freight discount programs due to a lack of participation. The programs will end effective June 30. Members who were utilizing the programs and wish to continue receiving discounted services should

contact the companies directly to see what programs may be available to them. If any member has any questions or concerns, please address them to the NAA at memberservices@auctioneers. org or (913) 541-8084. •

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I grew up in the Auction business and have done every job from ticket runner to Auctioneer. My Dad has been a NAA Auctioneer for many years now and I've seen all the positive benefits of being a member first hand. My only regret is that I didn't join the NAA sooner.

### **BJ Johnson**

Mcl eansboro, III.

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