Auctional Auctioneers Association

MANAGING THE TABOO

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- 2013 Designation Academy preview

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Paul C. Behr CAI, BAS, NAA President

National Auctioneers Association President Paul C. Behr, CAI, BAS, joined NAA in 1981. A three-time World Champion Auctioneer, Behr was the first IAC Champion in 1988 and has conducted over 8500 auctions in his 42-year career. Behr is President of both the World Wide College of Auctioneering and the World Automobile Auctioneers Championship. Also, he has served on the CAI Board of Governors. Behr makes his home in Denver, Colo., with his wife. Suzanne.

Inside an NAA Board meeting

irst, can I say again how much I am thoroughly enjoying being your president for 2013-2014.

Now, October continued being very busy with the NAA Board meeting in Overland Park, Kan. Here's a little insight into how the Board works. On Sunday afternoon, I met with the rest of the Executive Committee (this includes past president J. J. Dower, CAI, AARE, ATS, vice president Tom Saturley, CAI, treasurer Chris Pracht, CAI, CES, and David Whitley, CAI, CES, who serves as the chair of the Education Institute Trustees). We met with NAA CEO Hannes Combest for a final preparation and to run through all of the materials we would provide to the Board (all 120+ pages!). Then, we had dinner with the rest of the Board - at least those who made it to Overland Park in time for dinner.

On Monday, we started the meeting at 8 a.m., and we didn't stop until after 5 p.m. I talked last month about our desire to have a multi-year business plan. During this meeting, we discussed this plan, and we hope to approve it during a conference call in December. We listened to reports from various committees, including the HR Audit Committee (I'll explain that one in a minute), the Nominating Committee and the Conference and Show Oversight Committee, as well as the Education Institute Trustees, the Foundation and the NAA Treasurer. This ensures that we are kept current on what the entire NAA community is doing. All of this, with questions and answers, took almost all of Monday morning!

Also at this meeting, we reviewed and approved the NAA Team Member Handbook. This provided the Board the opportunity to see how staff is managed. The HR Audit Committee worked with Hannes on this document and, after approving the revisions to the document, Hannes communicates it to her staff. It is important that we, as Board members, understand what the culture is that staff must live within. After all, they constitute 38 percent of our budget! So, we want to make sure they are well-served because they serve us well! That is what the HR Audit Committee is all about. This year, we will have an outside firm review our HR processes and make sure that we comply with all federal and state regulations. We hope that the audit will take place during the first quarter of 2014.

I won't go through all of the items we discussed — you can read about it on page 6. But, what I am here to tell you is that we do discuss. You won't see that in the Board summary that is posted — we only post outcomes. That is on the advice of our legal counsel who tells us that the Board's fiduciary responsibility — the Duty of Loyalty — is to discuss items and then to be of one decision. That is important, and so we discuss items, vote and then print only our outcomes.

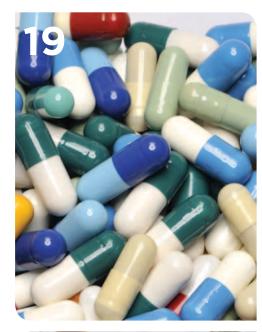
The NAA Board is a working board, but we are a team that helps and supports each other and staff. That's what I was handed as president, and that's what I intend to hand Tom when I leave in July. As a team, we don't always agree, but we have respect for each other and a genuine regard for every person who serves.

So, as you can see, I am thoroughly enjoying being president of your NAA Board. And, I hope that by showing you a little of the "behind the scenes" at the Board meeting, you will understand how NAA is governed. The Board is not a private club. We are not excluders. We are a team of people who want to do the best we can for you.

Check out our work and if you have questions, we post our names, telephone numbers and email addresses in every issue of *Auctioneer*. Use these to contact us.

And, if you are interested in joining this special group, the Call for Candidates process is outlined on page 27. I would highly encourage you to consider it — you will have a great time! I know I am!

Paul C. Behr





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range planning meeting

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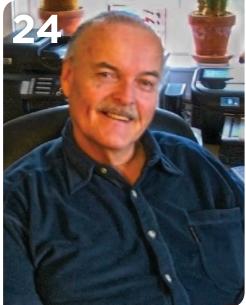
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Consider these legalities

with Internet auctions

On the cover: Auction professionals encounter virtually everything when asked to ready assets and estates for auction. Those items can include weapons, illegal drugs or other health hazards.

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The 2013-14 NAA Board of Directors (from left to right): Jimmy Dean Coffee (CAI, AARE, BAS, CES, GPPA), Director; Scott Shuman (CAI), Director; Charlotte Pyle, Presidential Appointee; Joseph Mast (CAI), Director; Rich Schur (CAI, BAS, MPPA), Director; James Devin Ford (CAI, CES), Director; Hannes Combest (CAE), Chief Executive Officer; (front row) Tom Saturley (CAI), Vice President; Chris Pracht (CAI, AARE, CES), Treasurer; Paul C. Behr (CAI, BAS), President; J.J. Dower (CAI, AARE, ATS), Past President; David P. Whitley (CAI, CES), Chair of Education Institute Trustees; Terri Walker (CAI, BAS, CES), Director. Photo by Peterson's Portrait Gallery

NAA Board looks toward 2020

Results of the set of

During the two-day meeting, Oct. 14-15, the Board discussed a multi-year business plan that will lead the organization toward 2020. Called "The Pathway to Vision 2020," this document outlines the plan that supports the newly approved mission and vision:

- The mission of NAA is to provide critical resources to auction professionals that will enhance their skill and success.
- The vision of NAA is that NAA members will be the preferred auction professionals used in the marketplace.

According to Paul C. Behr, CAI, BAS, president of the NAA Board of Directors, the plan prioritizes various activities that will help the organization move towards accomplishing the vision.

"We have been talking about the multiyear business plan for more than a year," Behr said. "But, we have been talking about the future for the last three years. This plan will help us ensure that NAA will be relevant into the next decade."

The plan will be reviewed and potentially approved at the December conference call and then communicated to the membership.

The Board of Directors also approved a Business Continuity plan. This plan details how the headquarters will respond and continue to provide member services in the face of a natural or business disaster. The plan also includes a CEO Succession plan, detailing the process of what happens if there is a planned or emergency departure by the CEO.

Behr noted that all businesses should have a Business Continuity plan, and that the Board's plan will be widely communicated to all in the leadership position.

The Board received reports from treasurer Chris Pracht, CAI, AARE, CES, indicating that the organization continues in strong financial position. Additionally, the Board received reports from the HR Audit Committee (noting that an audit of the personnel policies and procedures will occur in the first quarter of 2014) and from the Nominating Committee.

Revisions to the staff's Team Member Handbook were approved during the meeting as was a Publications Policy that details the parameters under which staff should operate in publishing *Auctioneer* magazine.

Revenue figures were reviewed and approved for 2014. According to the Board's financial policy, staff is responsible for having these figures approved prior to developing an expense budget for the organization. Staff will now take the priorities that the Board identified in its discussion of the business plan and developed the appropriate budget to be reviewed in December.

According to Behr, the Board is working extremely well together and understands the mission and vision they wish to see for the organization. The Board holds conference calls between meetings and will be holding one in December to review the staff's proposed budget and the Pathways to 2020. �

Serious business

The NAA Designation Academy focuses solely on education.

By Sarah Bahari

contributing writer

Providing the only opportunity to focus solely on auction industry education with a group of learners all doing the same, the annual National Auctioneers Association Designation Academy is set.

Boasting six designation courses of study, the Academy, which runs Dec. 8-14, in Las Vegas, quickly opens the door for auction professionals to add invaluable industry skills. For example, a personal property Auctioneer can earn his or her Benefit Auction Specialist designation. Or, Auctioneers can become appraisers, which may open the door to additional revenue streams.

Currently, over one-third of all NAA members carry at least one designation, which help build professionalism and credibility among Auctioneers, according to Aaron Ensminger, NAA Director of Education. Continuing education is a requirement of all the designations, and another benefit is that one of the easiest ways to get CEs is for an auction professional to audit his or her own designation, or earn a new one.

"A designation shows that not only are Auctioneers committed to their specialty, but they are also committed to keeping up with the profession and furthering their education," Ensminger said. "A client will know that an Auctioneer knows how to run an auction, but is also informed of the latest trends and technology."

New this year, the Academy also will offer a one-day class for instructors titled "Train the Trainer," which aims to further prepare teachers and ensure the highest quality of education.

"We want to be sure our instructors are teaching auctioneering principles as effectively as possible," Ensminger said.

Typically, 100 to 125 students attend the Academy, where an intensive format makes it possible to complete multiple designations in little time. Ensminger said focusing solely on education eliminates distractions.

"At the Academy, we are dedicated to focusing all of our time and energy to the classroom," he said. "There are no planned auctions or keynote speakers. There is not the same social aspect of Conference & Show. Education is our top priority."

In the past, AARE and CES designations

have long been the most popular, but BAS is gaining momentum, Ensminger said. Additionally, this will be the last opportunity for at least a year that Auctioneers can obtain certifications in AARE and GPPA.

Held at the New York New York Hotel & Casino in Las Vegas, the Academy also gives Auctioneers plenty of time for fun and recreation. If gambling is not of interest, the National Finals Rodeo will be running the same time.

"You can't go wrong with Las Vegas," Ensminger said. "Our members always enjoy the venue." �

NAA DESIGNATIONS

Accredited Auctioneer of Real Estate

(AARE): Created to provide Auctioneers with education and advanced training in the selling of real estate at auction.

Auction Technology Specialist (ATS): Provides training in today's technology, as well as instruction on how to use technology to improve a business.

Benefit Auctioneer Specialist (BAS): Helps Auctioneers learn to plan and conduct benefit auctions and establish a successful and profitable benefit auction business.

Certified Estate Specialist (CES): Provides Auctioneers with custom education in conducting personal property estate auctions.

Graduate Personal Property Appraiser (**GPPA**): Enhances appraisal skills and knowledge, teaching students the responsibilities of being an appraiser.

Uniform Standards of Professional Appraisal Practice (USPAP): A government designation that creates standards for professional appraisal practice.



SECONDAL OF CONTROL OF

Auction professionals who develop appraisal skills not only enhance their professional stature, they may also open an additional revenue stream.

Graduate Personal Property Appraisal skills benefit both the Auctioneer and the seller.

By Nancy Hull Rigdon

contributing writer

s Graduate Personal Property Appraiser instructor Tim Luke puts it, the GPPA program makes Auctioneers more well-rounded.

"It's all about enhancing the Auctioneer overall as a professional," Luke, MPPA, says of the course's benefits for individuals who work primarily as Auctioneers.

The course attracts both those working strictly as auction appraisers and Auctioneers looking to gain expertise in appraising that will benefit their daily business as well as open the door to a secondary career. Those daily benefits, Luke says, are the greatest rewards.

The course gives Auctioneers the appraising tools they need to not only produce professional appraisal reports,

but also effectively make day-to-day Auctioneer decisions such as deciding between selling an item or ordering an appraisal for it, he says.

"If we are Auctioneers, we are essentially already appraising every day," Luke says. "GPPA gives you more information to make you a better Auctioneer."

Luke teaches the course with Rich Schur, CAI, BAS, MPPA, who says the revenue enhancement aspect of the course remains key, Schur says.

"When you are an Auctioneer and you auction items for a customer, sooner or later, that customer will have items they need appraised. And, you want to be able to fill both roles," Schur says. "An Auctioneer who attains the GPPA designation is able to offer an additional service to customers, which brings business back to the Auctioneer." Auctioneer Kristie Brown, GPPA, completed the course in July and said the program has benefitted her business in many ways. She owns Bearfoot Enterprises in Bentonville, Va., and now has the appraising knowledge to recommend that a client sell an item in a market outside her rural area when appropriate.

"I can stand out from the Auctioneers in my area now because I know how to send my clients to the right area so that they can get more money for their items," Brown says.

In addition, she's already landed auction jobs with clients she originally worked with on the appraisal side.

"The GPPA program has been invaluable for me and my business," she says.

"Students start appraising immediately — it doesn't matter if it's a table or a chair. The approach is, 'Hey, you're an appraiser now. Let's get to appraising.' This isn't a week of classroom lectures and slides."

Tim Luke, MPPA TreasureQuest Appraisal Group, Inc. Hobe Sound, Fla.

The NAA created the GPPA professional designation to provide Auctioneers with appraisal education. The program teaches students the responsibilities of being an appraiser and provides them advanced training in Uniform Standards of Professional Appraisal Practice (USPAP) guidelines. Students must complete 35 hours of classroom training, and the next course will be held at the NAA Designation Academy in Las Vegas, Nev., Dec. 9-14.

Last year, Luke and Schur revamped the program so that students gain significant appraising experience during the course in addition to learning how to best compile appraisal reports.

"Students start appraising immediately — it doesn't matter if it's a table or a chair. The approach is, 'Hey, you're an appraiser now. Let's get to appraising.' This isn't a week of classroom lectures and slides," Luke says.

That approach, in the past, has led to opportunities like the one for students who attended the course at the JW Marriott in Indianapolis. The group went on a hotel tour with the building's engineering director. In the basement, they

appraised machines. During a previous Las Vegas course, an auction company allowed the class to appraise its collectables and memorabilia.

"We're trying to keep the program fresh, while also maintaining the high standards of appraisal writing," Luke says. Schur emphasizes the comprehensive aspect of the course. Schur specializes in appraising machinery, while Luke specializes in appraising fine arts and collectibles.

"We don't just teach you about the items you appraise. A machine guy probably won't walk out of here an expert on appraising fine art, but he will at least feel comfortable enough to ask the right questions," Schur says.

The program, Schur says, is definitely fun. Students refer to the energetic teaching duo as "Tim & Rich." The classes bond, and once a course concludes, the students stay connected through a closed-group GPPA Facebook page, where they exchange professional questions and answers.

"The class is a good time — something you'll remember for the rest of your life," Schur says. ❖

Ed. Note — According to the page's description, the GPPA Forum Facebook page is "by and for GPPA designees of the National Auctioneer Association, and those who have completed their training within the past year and have their designation pending." It can be found by searching for "GPPA Forum" on Facebook. As was mentioned in the article, the next GPPA course will be held at the NAA Designation Academy, Dec. 9-14, in Las Vegas.

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CALL FOR PRESENTATIONS

The National Auctioneers Association invites you to share expertise and experience with your colleagues.

2014 Conference & Show

Louisville, KY July 8-12, 2014

Deadline: Submissions are due on or before December 1, 2013 to Aaron Ensminger: aensminger@auctioneers.org.

PROGRAMMING FOCUS

We welcome topics of all areas related to the auction profession.

AUDIENCE

Educational sessions can range in audience size from 50 to 100 and audience skill levels vary as much as the diverse membership.

PRESENTATION SELECTION

All presentation proposals received on or before December 1, 2013 will be reviewed by the NAA Conference & Show Education Committee. Selection will be determined on appropriateness and interest of topic; level of content; comprehensiveness of session objectives; and expertise of presenter. The NAA Education Institute reserves the right to make recommendations for revisions of content within proposals prior to acceptance. Participation as a presenter is by invitation only after review of the proposal. Presenters will be notified only of their acceptance.

COMPENSATION/REIMBURSEMENT

All presenters must register for the Conference & Show. Presenters selected for sessions are given complimentary registration for Conference & Show.

RESPONSIBILITIES

All presenters are required to submit their final presentation to NAA 60 business days prior to the conference for publication on the NAA website, or for a post-conference CD (if offered). These materials, as well as handouts, are always requested by our attendees who need to reference presentations prior, during and after the conference to enhance their education.

NAA'S NON-COMMERCIAL POLICY

Participants in NAA programs are seeking valuable educational sessions and are always critical of presenters or sessions that are self-promotional. NAA policy therefore obliges presenters may not use a conference session for commercial sales pitches, self-promotion or unwarranted criticism of a competitor. Presentations should only advance the educational process; sales pitches do not and are, therefore, not acceptable. Speakers are not permitted to distribute company promotional literature, brochures or sales materials in any form to attendees during their session.

table of contents



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.

Bag the buck

Relax during the holidays, but also use the time to tune up your communications.

e're moving into the holiday season, and that means the phones are going quiet at many auction companies. Sellers and prospects are starting to take time off for holidays, so fewer folks are around to make decisions and review contracts. Besides, it's deer season. Why bang your head against a wall when there's 10-point buck to be had?

So, sure, you've earned a vacation. Take it. In a few days, though, you'll be back, and the phone still won't be ringing. Then what? Here's an idea: Take an inventory of your entire communications program.

How long have you had that logo, anyway? What are the colors in it? Does it communicate what your business today is about? Sure, your granddaddy drew it up himself, and it is part of your heritage. Your sellers and your mother assure you that it suits you perfectly.

But, what about the impression it makes on those who aren't your sellers yet? The ones who don't know about your granddaddy and years of tradition, but who filter through prospective Auctioneers based on superficial things like colors or the design of your website? Or the ones who have assets they wouldn't think to sell at auction unless you got their attention.

And, what about that website anyway? It was the envy of all your hunting buddies when you rolled it out in 2002. You have an award to prove it ... somewhere in the back in a filing cabinet. Why mess with a good thing? The copy on the "about us" page is tried and true. So is the text on your corporate brochure. Why wouldn't it be? It says the same thing. "We're efficient," you remind folks. "By the way, how do you like that Flash graphic we put on every page? And every auction page has a button you can click to get a PDF of the brochure." Stop! You realize, don't you, that those millions of iPads don't support Flash? Android tablet users generally can't see your Flash movies either, unless they're the geeky folks who have figured out a way around the defaults. Even then, they haven't, either, because Flash has been in decline for years, and most geeks are focused on HTML5.

"Oh, but there are those PDFs, and we can email them. Did I mention we can email them?"

Good for you. Sure, it's a 20-year-old format, but most machines can see them by launching a separate application or plug-in and waiting for it to load. Still, why make your prospective seller or buyer go to all that trouble just to see something that in most cases just duplicates the web page he or she is already looking at? Don't you think it strikes him funny that you didn't even remove the upside-down mailing panel?

"But wait," you assure yourself. "It's really the proposals that generate the business." Yes! All that other stuff is just fluff.

Great, so how do those proposals look? When did you last revisit all that content you plop into each one just to make it thicker? Who said thicker is better anyway? And, you're still using that comb binder you got for \$80 at Office Depot like 20 years ago? Really?

It's nice and quiet. The phone won't start running you ragged for a few more weeks. You've already dropped off that buck at the taxidermist, and the freezer is full. Gather your communications folks around and say, "Is this the best we can do?"

If you do, you might have a lot more to celebrate when next deer season comes around. �

NAA Auxiliary Trustees hold Long Range Planning meeting

By NAA staff

he National Auctioneers Association Auxiliary Trustees met at the end of September in Gatlinburg, Tenn., for their annual Long-Range Planning meeting. In addition to the Trustees, Auxiliary Hall of Fame member Ramona King and NAA Board of Directors President Paul C. Behr, CAI, BAS, and his wife, Suzanne, attended the meeting.

"This is the first meeting I have attended," Behr said. "I had no idea of the impact that this group makes on NAA, not only with the scholarships they provide to the children of Auxiliary members but also to the NAA Education."

The agenda had several items, including the revision of the Operational Manual. Past chairwoman Cindy Soltis-Stroud, CAI, BAS, and Trustee Annette McCurdy submitted recommendations for the Operational Manual, intended to document practices followed by the Auxiliary and leadership job responsibilities. The manual will be reviewed annually, and make the transition from leader to leader easier.

As part of the Operational Manual, the Trustees discussed record keeping. Hannes Combest, CAE, and one of the ex officio non-voting Trustees, noted that NAA legal counsel had advised the NAA Board to produce only the outcomes from the meeting. Minutes should not include the discussion on the particular topic. This is different than what has been produced historically at the Auxiliary business meeting. The Trustees agreed that this information must be communicated to Auxiliary members in order to keep within the legal advice provided.

The Trustees also approved a 2014 budget. The Auxiliary operates on an annual budget, much of which is distributed through the Scholarship Program. The Trustees also agreed to include funds within this fiscal year to purchase a trip package to donate



(from left to right) Rick Stroud, CAI, BAS, Cindy Soltis-Stroud, CAI, BAS, Rick Hinson, CAI, past chair Susan Hinson, chairwoman Kim Ward, CAI and Brian Ward, CAI. Submitted Photo

to the Foundation's Online Auction. In addition, the Trustees allocated money to sponsor educational programs at CAI and at the NAA International Auctioneers Conference and Show.

The Trustees also reviewed the Scholarship Process. The Auxiliary has distributed \$94,000 in scholarship funds to date. This year, the Auxiliary anticipates surpassing the \$100,000 mark and celebrating this achievement at the Scholarship Luncheon and Fun Auction.

Auxiliary scholarship applicants must adhere to the following criteria:

- A child/stepchild or a grandchild/stepgrandchild of an Auxiliary Member with continuous membership since January 1, 2009.
- Candidates applying must be graduating from an accredited high school and have been accepted into a qualified college or university undergraduate study program or a school of technology; or candidates must have completed the past year at a qualified college or university or a school of technology. (Undergraduate).
- Candidates can apply for this program

more than once, but can only be awarded the Auxiliary Scholarship one time.

- Auxiliary Scholarship Applications will be distributed by "Request Only" from November 1, 2013 thru January 15, 2014. They must be return postmarked by Feb. 15, 2014.
- Those interested in applying for an Auxiliary scholarship may request an official application through Teresa Christy, either by email (Teresa@christys.com), or by phone (317-784-0000).

NAA Auxiliary chair and host of the Long-Range Planning meeting, Kim Ward, CAI, BAS, CES, noted the meeting is an opportunity to not only conduct necessary business and brainstorm new ideas.

In addition to Ward, the Trustees include: Lori Jones, past chair; Traci Ayers Dower, CAI, vice chair; Annette McCurdy, secretary; Lucinda Terrel, historian and administrative manager; Susan Hinson, past chair; Cindy Soltis-Stroud, past chair; Debra Brock; Teresa Christie; Angela Johnson

For more information on the Auxiliary, visit www.naaauxiliary.org. �

NAA EDUCATION INSTITUTE TRUSTEE CANDIDATE REQUIREMENTS

NAA members and designation holders who wish to be considered for a position of Trustee for the NAA Education Institute in 2014 must submit information declaring their interest by Feb. 17, 2014.

Two (2) new Trustees will join the Education Institute as of the 2014 Conference and Show in Louisville. Terms are for three (3) years, and Trustees are expected to take a very active role in the planning and implementation of education efforts of the NAA. El Trustees plan the educational activities of the NAA, including designation programs such as CAI, AARE, ATS, BAS, CES, GPPA and MPPA, summits and educational offerings at Conference and Show.

TRUSTEES MUST MEET THE FOLLOWING REQUIREMENTS:

- Have an NAA designation (CAI, AARE, ATS, BAS, CES, GPPA or MPPA)
- Submit a letter confirming a commitment to serve
- Attend the International Auctioneers Conference and Show

TRUSTEE CANDIDATES SHOULD BE AWARE THAT:

- Trustees are required to participate in monthly conference calls and attend four (4) face-to-face meetings each year (one of which takes place at Conference and Show).
- El Trustees recommend candidates for appointment to the NAA Vice President
- The NAA Vice President makes the final recommendation of candidates to the NAA Board for approval
- Only two (2) Trustees will be appointed
- Terms are three (3) years
- Trustees may not serve two consecutive terms and may not serve concurrently on the NAA Board, other than the NAA Vice President and the Chair of the Trustees
- Leadership positions of Chair and Vice Chair are elected by the Trustees
- Trustees may not teach in seminar or deisgnation programs during their tenure.

CANDIDATES MUST SUBMIT ALL OF THE FOLLOWING BY 5 P.M. CENTRAL ON FEB. 17, 2014:

- 1. A signed letter of intent to seek a trustee position
- 2. A brief response (75 words) for each of eight questions listed below
- 3. A color photograph of yourself

- 4. The following profile information:
- Number of years in the auction profession
- Number of years as an NAA member
- Work history
- Education
- Prior volunteer activities

Candidate profiles will be reviewed by the Education Institute Trustees. The profile is intended to help Trustees and Board members learn more about the candidate and their respective goals and views.

PLEASE ANSWER EACH OF THE FOLLOWING QUESTIONS WITH 75 WORDS OR FEWER:

- 1. Why do you wish to serve on the NAA Education Institute Trustees?
- 2. What specific talents and skills would you bring to the Education Institute?
- 3. Should you be appointed, what would you like to accomplish during your term with the Trustees?
- 4. What is your vision for the education of an auction professional?
- 5. How has advanced education affected your success in the auction industry?
- 6. What changes do you foresee in the auction profession in the next five to 10 years, and how can the Education Institute make sure the NAA is positioned to address those changes?
- 7. In your opinion, how can auction education through the NAA enhance the auction professional's image, skills, success and satisfaction?
- 8. How do you think education should be delivered (lecture, interactive, facilitated, etc.) to an adult learner?

Please remember that we need all information by 5 p.m. Central time on Feb. 17, 2014. Please email the requested information to: education@auctioneers.org



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 attorneys on all matters. Please submit questions to sproffitt@jpking. com or c/o J. P. King Auction Company, Inc., 108 Fountain Avenue, Gadsden, AL 35901.

How to push back

When someone accuses you, stand your ground, professionally.

n Auctioneer contacted me, and he was plenty upset. A woman had attended his last auction and left him a harsh message. She accused him of using a shill bidder. The Auctioneer vigorously denied it and wanted advice on how to respond. The woman's allegation was that he had committed fraud, which is a very serious charge.

What would you do if faced with this problem? An issue of this sort needs a response that is thoughtfully prepared and carefully delivered. The next several steps will help accomplish this.

Snapshot

If someone lodges a serious complaint against you, try and steer the complainant into committing the allegation to writing, such as a note, email or letter. While that can be easier said than done, it's an important objective. You want such a complaint in writing so you have it sealed off and can address it as a "snapshot" — a picture where the facts and issues are fixed. You want to avoid having to deal with a "motion picture" where facts and issues are subject to change at the whim of the complainant. Where a complaint remains fluid, the chances are good it will morph into something different as you try to respond to it, so do all you reasonably can to nail it down at the outset.

When you can't get the complaint in writing, seek as much detail from the complainant as you can obtain and make careful notes. Act like a news reporter and ask questions that will reveal the "who, what, where, when, why and how" of the matter. Repeat the facts back to the complainant to ensure you have a full understanding. Then promptly commit what you learned to a detailed, written record.

A letter

Just like you want the complaint to come to you

in writing, your response to the complainant should be written. There are four reasons for this.

First, you want to document the complaint you received and restate all of the facts and issues to fix them in place and create a lasting record. This sets the table for your reply.

Second, you want to give a detailed and comprehensive written answer that will become part of the record. The written words you use, and the thoughts you convey, will remain unchanged and survive so long as the document that contains them does. Your written message will be exactly the same no matter who reads it, or when, and it will not be susceptible to easy alteration, misrepresentation, vagaries of the mind or other distortions. Also, every copy made of your answer will be valuable insurance for its survival.

Third, the act of sitting down and thinking a matter through to commit it to writing will cause you to remember points and see nuances that you might otherwise have missed in a hurried oral reply. Writing allows you to craft your reply in an organized and persuasive manner that will best fit your view of the matter.

Fourth, this is a unique opportunity for you to create a contemporaneous business record that could become valuable evidence in either a subsequent legal action or regulatory review of the matter. The opportunity for evidence creation exists before the legal or regulatory process begins, so time is of the essence.

When a significant complaint is made in a business setting, the best form for a reply is often a letter. Even if you intend to deliver your answer orally, follow that immediately with a written confirmation to confirm what you said. The importance of a clear, complete and correct written record cannot be overstated.

The response

A serious matter warrants the time and effort required for a suitable reply. Think carefully about what you want to say and outline your points. State everything in clear and compact language. This is your first and best opportunity to take charge of the matter, state your position on it and set the direction and tone for how it will proceed.

Avoid speculating about facts you don't know. When you state something as a fact and it's wrong, the error can severely dilute the strength and credibility of your message. Stick with what you know to be true and, if there is need to venture further, make it clear that this area remains uncertain.

Use reason and logic in your reply instead of emotion. A good business letter should be a thoughtful communication and not an angry or petty missive. You're never going to cool down a matter or persuade someone to your point of view by using an emotional tone and making inappropriate statements.

Make the best presentation of your position that you can and do it persuasively, but don't become argumentative. Analysis and reason are the best means for achieving a persuasive and convincing presentation of your points.

Address your letter to the complainant, but never lose sight of the fact that it might ultimately be read by a much broader audience. A smart writer will draft this type of letter so it can be understood not just by the complainant, but by everyone with whom the complainant might share it. You never know where your letter might be circulated, but lawyers and other advisers to the complainant are likely prospects, as are a spouse, adult children, other relatives, friends, neighbors, colleagues and coworkers. A good letter that persuaded any of these other readers to your point of view might cause them to do the same with the complainant.

So how should you respond to a person who has accused you of using a shill bidder, or some similar act of wrongdoing?

Hardball

There are times to be nice, times to be diplomatic, times to be conciliatory and times to be low key. When someone accuses you of criminal wrongdoing, and you are innocent, that charge fits none of these times. Instead, a hardball accusation often requires a hardball response. Anything less would fail to express your indignation with the allegation and determination to meet it head-on. Strong does not mean out-of-control anger. You should remain professional in every regard at all times because professionalism is always credible, persuasive and the right course.

A challenge

Over the years, I've advised clients to meet charges like this with a steely challenge. The next two paragraphs are something you should consider including in a reply letter to a complainant who does what was done to the Auctioneer who contacted me.

"You called my office and left a message

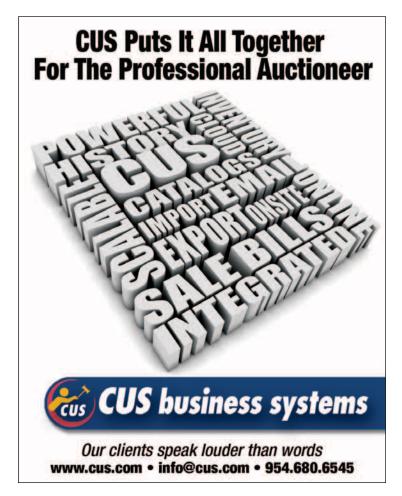
accusing me of using a shill bidder in my last auction. The use of a shill is fraud, and fraud is a serious crime. Your charge is untrue, and I emphatically deny it. I conducted this auction in a legal and ethical manner. If a fraud was committed by anyone, it occurred without my knowledge, participation or consent. I have never allowed such conduct in anv of my business dealings and never would.

"If you believe that I did anything that amounted to a fraud or other crime while conducting an auction, you should immediately send me the full details of your accusation in writing, along with any evidence that you think supports it. I will then investigate the allegation and respond to it. I do not take this matter lightly and will vigorously defend my good reputation against any false accusation and the harm that could cause."

Conclusion

By including such a challenge in your reply letter, you make it clear that you take the matter seriously and will address it accordingly. What's more, you have created a permanent record of your unequivocal denial of wrongdoing, which you can show to anyone should the need to do so ever arise.

In my experience, the vast majority of these complainants melt like ice in July's heat once a respondent lays down a hard challenge. That would yield a valuable result for you — the victory of truth over a spurious accusation. If you are ever accused of wrongdoing and are innocent, be quick to stand up, speak boldly, and show strength and resolve. And, at all times, remain professional. �





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 questions 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 vou 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.

Auctioning real estate in a virtual landscape

Question: During the past year, I have seen several auctions on the Internet. In fact, I have begun using the Internet to promote all of my auctions. Recently, I started auctioning personal property on the Internet, and I would like to look into auctioning real estate on the Internet as well. Is there any reason that I cannot conduct an Internet auction to sell real estate? What are some legal issues I need to consider?

Answer: Whenever Auctioneers consider selling real estate, there are several issues to evaluate. What interest is held by the seller and will be conveyed to the buyer? What type of deed will be used to convey that interest? There are also licensing issues to consider. Auctioneers who sell real estate must make sure they are properly licensed to do so in the appropriate jurisdiction and should follow the applicable requirements. There are several other issues that should be considered as well, such as: the type of auction, environmental, inspection, survey, title, water and zoning. The issues that will have to be addressed will depend, in part, on the value of the real estate, its location and its intended use. There will be different issues to consider for selling real estate for agricultural, commercial, industrial or residential purposes. These issues are common when selling real estate in the traditional fashion. For conducting real estate auctions via the Internet, when the Auctioneer is properly licensed, there are additional considerations. Two of these issues are complying with the statute of frauds and personal jurisdiction questions.

very state has adopted some version of the statute of frauds. The statute of frauds requires certain types of contracts to be in writing. One type of contract that must comply with the statute of frauds is the conveyance of real estate. At a traditional auction, successful bidders are physically present and will execute the purchase agreement after the fall of the hammer. The execution of a purchase agreement (the writing usually does not need to be a purchase agreement) satisfies the statute of frauds requirements. In instances where successful bidders submit bids via the Internet, the issue is more complex. If an Auctioneer wants to have original signatures on the purchase agreement, the distance will slow down the process. Another option is to use electronic signatures, such as facsimile, e-mail, or other electronic signature. Forty-seven states, the District of Columbia, Puerto Rico and the Virgin Islands have adopted the Uniform Electronic Transactions Act (UETA). Under UETA, the term "electronic signature" means "an electronic sound, symbol, or process attached to or

logically associated with an electronic record and executed or adopted by a person with the intent to sign the electronic record." Illinois, New York and Washington have not adopted UETA, but have other statutes pertaining to electronic transactions. It is important to be familiar with the requirements of the appropriate jurisdiction and to make sure there is a writing that states the essential terms and that has been signed by both parties.

An additional legal matter is whether the successful bidder is subject to the personal jurisdiction. Personal jurisdiction refers to a state's authority over a person to make legal determinations and rulings that are binding on the individual or business. It examines the individual's activities or conduct within the state. At an on-site auction, bidders physically attend the auction and bid in person. Their presence at the auction, participation and entry into the purchase agreement at the auction site generally subjects them to the personal jurisdiction of the state where the property is located. If litigation is necessary relating to the

auction, both parties would generally be subject to personal jurisdiction in the state where the auction was conducted and the property is located. In Internet auctions, the issue of personal jurisdiction is more complex.

California or Indiana

Consider this hypothetical: If an Auctioneer sells real estate located in Indiana to a California resident who submitted the bid via the Internet, there could be issues of personal jurisdiction. If the California resident changes his or her mind and refuses to close on the sale, the seller could seek to sue him or her for damages in Indiana. Can an Indiana court exercise personal jurisdiction over a California resident, who may have never been to Indiana, relating to the sale? Or, what if the California resident sues the seller in a California court? Will the California court have personal jurisdiction over the seller of the real estate? In order to analyze this issue, we would have to examine the contacts the California resident has with Indiana and the contacts the Indiana seller has with California. An individual may be subject to personal jurisdiction in another state when there are sufficient minimum contacts or the individual avails himself or herself of the laws or privileges of the state.

In the example above, there could have been a bidder's registration agreement with specific clauses to address the issue. For example, the Auctioneer could have included a provision that Indiana law will govern all disputes (a choice of law clause) and that any litigation would take place in Indiana (a forum selection clause). Auctioneers can include provisions in bidder registration agreements that state something similar to the following: "The bidder acknowledges, agrees, and consents to personal jurisdiction in the State of Indiana for any and all purposes related to the sale and purchase of the subject property." There could also be more specific venue clauses. These clauses

are added to contracts to make them easier and less expensive to enforce. If the successful bidder is from another country, however, it could change the analysis. In the above example, imagine the bidder is from China and has never been to the United States. International law may have an impact on the results. If the seller sued and obtained a judgment in Indiana, and the buyer is not present in Indiana and has no assets in Indiana, it may be difficult and expensive to collect on the judgment.

There are some unique issues to consider before selling real estate via Internet auctions. This article does not address all of the potential legal issues surrounding the sale of real estate via the Internet. Rather, this article focuses on the issues of statute of frauds and personal jurisdiction. Auctioneers should discuss these issues with an attorney and consider including specific clauses to minimize the related risk. \bigstar



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MANAGING THE TABOO

Drugs, weapons, even bodies. You found something illegal or dangerous. Now what?

By James Myers contributing wrtier

ichard Kruse, president of United Country Gryphon Realty & Auction Group, works estate sales in the inner city of Columbus, Ohio, which often turn up what he once called surprises: Small amounts of drugs, stashes of pornography and firearms that may or may not have been used in a crime. In fact, it's actually more of a surprise now if something unusual doesn't surface.

About five years ago, his company was engaged by a bankruptcy trustee to sell off a single-family home and its contents. They went through all the drawers and the pockets of the clothes and found small amounts of a powdery substance.

"No matter where we turned," Kruse said,

"we started finding more and more and more of it.

Kruse left for a couple of hours to take care of business elsewhere. When he returned, his team had found enough of the crystal substance to fill a sugar bowl.

The Columbus Police Department was

called in. They tested it and confirmed what Kruse and his team already believed was methamphetamine. He doesn't remember how much it weighed, but police estimated its street value at \$15,000 (which was more than what the property was worth) and took it away.

Kruse later learned the meth-addicted resident of the home was also somewhat senile.

He'd apparently buy his meth, hide it, forget about it and buy more.

Kruse hasn't come across a stash like that since then, but he continues to turn over to the police the guns he finds in distressed properties.

"I didn't want to be in the position where we might be handling a firearm that was used in a crime," said Kruse, who is licensed to sell firearms.

That story raises a critical question for auction

professionals: What should you do if faced with a potentially unlawful and/or dangerous item?

Commander Janice Rothganger, of the St. Joseph Police Department, in St. Joseph, Mo., has been on the force long enough to know that "hazardous things can come up in very strange and unexpected places." The first thing an auction professional needs to think about when they encounter these items is their safety and the safety of those around them, she said.

For example, chemicals, like those related to the manufacture of methamphetamine, can make one "very sick, very quickly."

"If it's something illegal or dangerous," Rothganger said, "get away from it."

The next action to take is to shut off access to the area. Let everyone working the auction know not to go near the potential danger. Instead, evacuate the structure and call police.



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Weapons of all kinds have been discovered by auction professionals, including the cannonballs, shown here, that Robert Weiman, CAI, AARE, BAS, CES, GPPA, and his staff uncovered during a routine visit before an estate sale. Submitted Photo "It's becoming more common for Auctioneers to discover explosives at estate sales, particularly those of veterans. This might become a more frequent occurrence now as an increasing number of estate sales involve those of Vietnam War veterans."

Auction professionals having the misfortune to discover a body (there are plenty of stories highlighting such occurrences) should be certain not to touch anything. Instead, vacate the area and call police. The reason, Rothganger said, is that contaminating a potential crime scene makes detectives' jobs a lot harder later on.

Weaponry is also a concern.

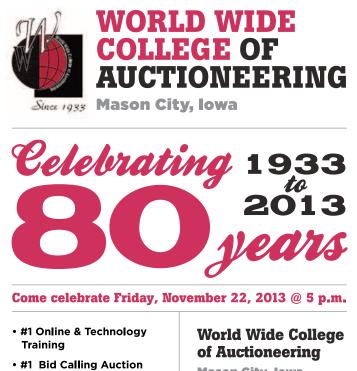
It's becoming more common for Auctioneers to discover explosives at estate sales, particularly those of veterans. This might become a more frequent occurrence now as an increasing number of estate sales involve those of Vietnam War veterans.

Robert Weiman, CAI, AARE, BAS, CES, GPPA, of Mound City Auctions, in St. Louis, Mo., worked an estate sale a couple of years ago in his hometown of St. Louis for the family of a gentleman who had been moved to a nursing home. His team busily unwrapped items stored in a box when they made a most unexpected discovery.

"It was Waterford Crystal, Waterford Crystal, Waterford Crystal, grenade," he said.

One of the auction workers carefully handed it over to Weiman who noticed a liquid seeping out the top. They later learned the liquid was nitroglycerine, an extremely unstable compound that explodes easily.

He called the police. The responding officer believed the grenade to



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"Don't pull the pin! Don't mess with it! Set it down. Better yet, don't pick it up!" And of course: "Do not sell it. Do not, do not, do not!"

Robert Weiman, CAI, AARE, BAS, CES, GPPA

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Along with cannonballs, this World War II-era Mk 2 defensive grenade was found among items being readied for an estate sale. Submitted Photo

be real, so he called his sergeant. Eventually, the bomb squad was called in followed by the fire department.

"They were very unfriendly," Weiman said of the serious law enforcement agents who asked sternly what he was doing with a World War II-era Mk 2 defensive hand grenade. They didn't realize he was just preparing an auction.

The bomb squad became more animated when they swept the property and found cannonballs.

"They started yelling 'cannonballs!' and evacuated everyone to the street," Weiman said.

Only one of the cannonballs was packed with explosives, which, along with the grenade, was carted off by the bomb squad and detonated.

Weiman has also come across blasting caps, fuses and other explosives in his auctions. He's had enough experiences to warrant a presentation on the subject, which he delivered in 2012 to auction professionals at the National Auctioneers Association International Auctioneers Conference and Show in Spokane, Wash.

His advice when finding a grenade?

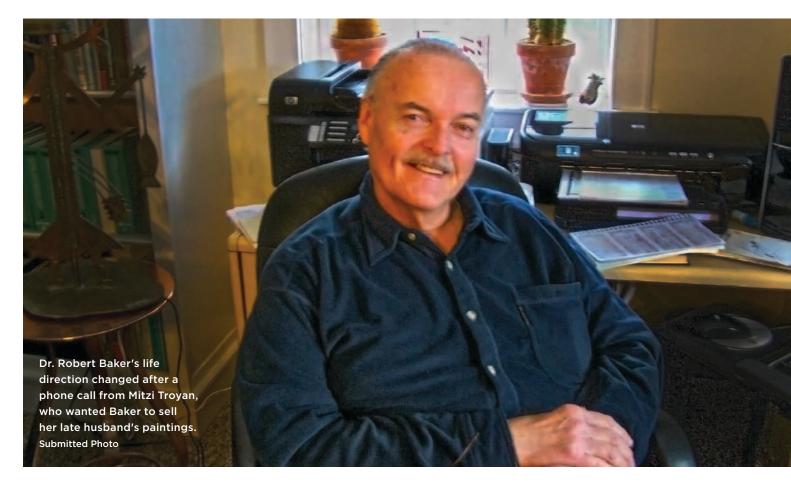
"Don't pull the pin! Don't mess with it! Set it down. Better yet, don't pick it up!" And of course: "Do not sell it. Do not, do not, do not!"

The auction industry is always going to be one of discovery. But, when the discovery turns hazardous, make certain to follow Roth-ganger's advice, and think safety first. �



Questions? Contact Heather Rempe at (913) 563-5425 or hrempe@auctioneers.org

PAINT S PROVIDENCE



Dr. Robert Baker's life mission is to promote and auction a colorist artist's works. By Nancy Hull Rigdon contributing writer

The Auctioneer known affectionately as "Dr. Bob" has found his life purpose — all because of a personal tragedy, he says.

Later this year, neurosurgeon-turned-Auctioneer Dr. Robert Baker, CAI, AARE, CES, MPPA, expects to publish a book on the late Matthew Troyan, a Holocaust survivor and colorist painter.

"Troyan transmuted a horror into beauty, and his story gives you hope in the face of very dire conditions. He proved that the human spirit can rise above all and thrive," Baker says of his forthcoming book, "A Date With A Monster: The Life and Works of Matthew Troyan, A Tribute to the Human Spirit."

The journey officially began in 2009 when Troyan's widow, Mitzi Troyan, called Baker, owner of Circa Something art gallery and Go Green Antiques & Auctions in Bellport, N.Y. She wanted Baker to sell her late husband's paintings. The call that summer day came exactly one year after Baker

"Troyan transmuted a horror into beauty, and his story gives you hope in the face of very dire conditions. He proved that the human spirit can rise above all and thrive."

Dr. Robert Baker, CAI, AARE, CES, MPPA

Circa Something art gallery and Go Green Antiques & Auctions Bellport, N.Y.

endured a near-death experience that left him certain he was destined for something greater.

"My dedication to Troyan is providential," he says. "I was chosen to write his story and champion his cause."

Twenty-two years ago, Baker decided he was done with the medical profession and retired at age 47. He and his wife, Carla, sold the medical corporation they owned and anonymously donated nearly all the proceeds to charity.

"We saved a little for Dunkin' Donuts, of course," he quips.

He had no idea what to do next, but a childhood memory on the Coney Island Boardwalk in Brooklyn, N.Y., kept playing in his mind.

"I was 10, and there was this Auctioneer holding up this vase as all these people surrounded him to bid. He seemed to sing a bid," Baker says. "It sounds like an inconsequential event, but the ham in me always held on to it."

He headed to the Missouri Auction School, and, in 1990, he become an Auctioneer. As a longtime collector of fine art, turning his hobby into an occupation has been a fulfilling experience. He serves as master appraiser of art for the business, and his daughter, Aimee Baker, serves as his business partner and auction manager while specializing in pearls and fine estate jewelry.

In 2008, he was hospitalized for more than a month with a serious infection that resulted from undiagnosed kidney stones. His condition was grave. Vital organs shut down. To prepare for his passing, his family sold the auction house they had at the time.

Surprisingly, however, he came out of it.

He emerged knowing he was called to a new purpose, he says. A year later, while sitting in the Troyan home in Connecticut, he says he realized that mission. Matthew Troyan had passed away in 2007 at age 94, and Mitzi Troyan told Baker of her late husband's harrowing holocaust experience, where he escaped execution at least three times. Baker also learned of Troyan's fine art studies in Europe, which included a class with Pablo Picasso. Troyan's paintings, which weave modern schools of art with raw emotions, struck Baker.

"I got goose bumps looking at his work. I thought, 'I am in the presence of a master," Baker says.

From that moment on, Baker has poured his energy into promoting the work and life of Troyan. While the late artist's work was not well known prior to his death, Baker's efforts as agent of Troyan's estate have led to an exhibition of Troyan's work at the National Arts Club in New York City and the mayor of New York City declaring Dec. 21, 2011, as Matthew Troyan Day. Troyan's paintings used to sell for a few thousand dollars. Now, Baker says he sells some pieces for up to \$150,000.

Looking forward, Baker hopes the book furthers Troyan's posthumous reach.

"This has been an incredible journey, but there's still much work to do," he says.

For more information on Baker's efforts with Troyan's work, see troyanremembers.com. �

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J. J. Dower CAI, AARE, ATS jj@marknetalliance.com



David P. Whitley CAI, CES david@Whitleyauction.com



Thomas W. Rowell CAI, AARE Trowell@rowellauctions.com



Steve Cherry CAI, CES stevecherry@progressiveauctiongroup.com



Three positions for the NAA Board of Directors will open in 2014. Ultimately, a vice president and two directors will be elected in Louisville next July at Conference and Show.

Nominees sought for NAA Board

By NAA staff

he National Auctioneers Association Nominating Committee is seeking leadership-minded, passionate members to run for vice president and two Board positions in 2014.

According to NAA vice president Tom Saturley, CAI, the committee is specifically looking to identify Board members who possess knowledge about human resource issues and technology, particularly related to social media. Saturley noted that these skills are necessary to replace because current Board members terms will be complete, and the Board as a whole needs to have these skills represented.

Saturley noted that the Nominating Committee has already reviewed the candidates' process and that it is outlined on the next page. He stressed that although these are skills that the Board needs, they are not the only qualifications a person needs to serve. The specific qualifications are outlined on the candidates' process as well.

No candidates are being sought for treasurer as this position serves a two-year term. Chris Pracht, CAI, AARE, CES was elected to that position in July 2013 and will serve until July 2015. Saturley said that the Nominating Committee wanted to announce the nominating process earlier this year so that people could begin to determine if they were interested. Applications for candidacy will be accepted through 5 p.m. central time on Feb. 28. From March 1 through March 14, candidates will be interviewed, and recommendations from the committee will be made public by the end of March. According to NAA Bylaws, if a candidate is not endorsed by the Nominating Committee, they may still run for office if they notify the committee by April 1.

Saturley said that he and the rest of the Nominating Committee would be glad to entertain questions about the election process or about what is required to serve on the Board. The names and email addresses of the Committee are below this article.

Saturley emphasized that interested people should not wait to be approached by the Nominating Committee.

"It is very important to have people on the Board who have the time to commit and the passion for the job in addition to the specific skills we need," Saturley said. "NAA is at a critical point in our history. We are looking into exciting ventures, and we need leaders who are willing to be a part of a great team." ❖

BOARD OF DIRECTORS DIRECTOR/OFFICER REQUIREMENTS

An NAA member who wishes to be elected as an Officer or Director of the association at the 65th International Auctioneers Conference and Show in Louisville, Kentucky, in July, must announce his or her candidacy by <u>5 p.m. Central time on February 28, 2014</u>.

NAA POSITIONS AVAILABLE

Vice President: One-year term. Will ascend to the presidency the next year. Must have served a full term on the Board of Directors, Education Institute Trustees, AMI Board of Governors, National Auctioneers Foundation Trustees or NAA Auxiliary.

Directors: Two are elected to three-year terms.

Board responsibilities: Expected to attend three scheduled face-to-face meetings, monthly conference calls and serve on committees as requested by the President. Board members may be requested to attend and speak at various state association conventions as NAA representatives and attend social and other functions sponsored by the organization when schedules allow. In addition, it is expected Directors communicate the work of the organization and show support for the NAA.

APPLICATION PROCESS

Complete position descriptions for Vice President or Director can be obtained by emailing NAA CEO Hannes Combest, CAE, at hcombest@auctioneers.org.

The application process is outlined at www.auctioneers.org. It also can be obtained by sending an email to Combest.

Once an NAA member has reviewed the aforementioned information, he or she may run for election by first submitting a letter of intent answering these questions:

- Why are you interested in serving?
- How many years have you been a

member of the NAA?

- What committees have you served on?
- What have you learned from serving on a volunteer board, if applicable?
- What state Auctioneer association(s) do you belong to?

Candidates must then submit two to three sentences indicating how they demonstrate the characteristics of each of the competencies of the "Characteristics and Attributes of an Ideal NAA Board Member," which can be obtained by request to Combest. They also must provide the Committee three references and a professional photo of themselves.

After the Nominating Committee receives the above information, it will then interview the candidates and nominate up to two candidates for each position.

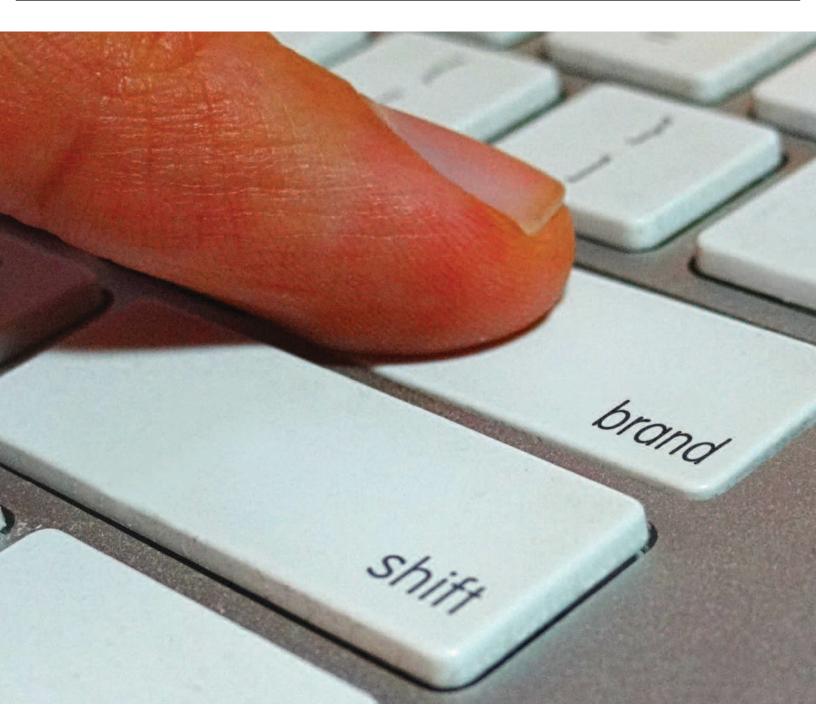
Candidates will be notified if they are being nominated by March 18.

Candidates who are not nominated by the Committee but still choose to run must notify the Committee of their intentions by April 1 in order to appear on the ballot.

Contact hcombest@auctioneers.org for questions.

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nothing SINESS, just PRSONAL

Believing "personal" and "business" are separate in social media is dangerous.



When it comes to social media and posting online, what you post affects your brand every time you press enter.

By Curtis Kitchen

editor

It's nothing personal, just business.

How many times in your life have you either heard or told this to someone? It's a common phrase — a perfectly acceptable one for the longest time — that implies the basis for a particular decision. When we hear this, we are led to believe all emotions were removed; all personal thoughts about a client, a product or a relationship were erased. It was just factual, numerical ... "business."

What that phrase has hammered home is the idea that a defined separation exists between the two,

and perhaps it did at one time. However, it also could be argued that there really was never a separation, and social media marketing — through its instant feedback and cross-branding potential has brought that side to light.

Every status update, every "like," every tweet, every published comment, uploaded photo and video helps shape you and your company's brand for the general public. Facebook and Twitter aren't just another way for you to be the two-dimensional face of your business; that was what old print ads did. Instead, these outlets are your face, voice and thoughts all together, and they have reversed once industry-standard thoughts like "it's nothing personal, just business." Today, it is:

It's nothing business, just personal.

You, and your business, have never been so personally accessible. In times when sales can be a little thin, that can be a great thing. You don't have to fight for limited advertising space, and you don't have to adhere to someone else's schedule or advertising policies. But, if you don't understand the responsibility that comes with such an unfiltered, highvisibility platform, consequences can be dire.

Amy's Baking Company

Take the infamous Amy's Baking Company example from May of this year, for instance.

After suffering a massive public relations blow on "Kitchen Nightmares," hosted by Gordon Ramsay, owners Amy and Samy Bouzaglo used their Facebook account to address critics who had watched Ramsay walk out of the restaurant following several terrible, recorded acts

"Every status update, every "like," every tweet, every published comment, photo and video helps shape you and your company's brand for the general public."

continued »

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

One night, 5-year-old lan woke up suddenly and hugged his mom hard. "Mom, you know what?" he said. "God just came to me, and he told me that I have to go. It's time for me to go to heaven."

She told him, "No, only old people go to heaven."

lan replied, "No, there are lots of kids who go, too."

lan's mom dreaded to think what could have caused her happy, active boy to say such a disturbing thing. True, lan had been losing his balance a lot, but the doctor suspected the cause was flat feet.

Now, lan's mother felt that something was wrong and pushed for Ian to receive an MRI. The scan revealed a brain tumor known as medulloblastoma.

A relative who donates money to St. Jude Children's Research Hospital® called lan's mom and told her about St. Jude. "This place treats children from all over the world," the relative said.

lan's family, who lived in Mexico, uprooted their lives and moved thousands of miles from home in order to bring lan to St. Jude, because St. Jude has the largest pediatric brain tumor research program in the country and the world's best survival rates. One thing lan's family didn't have to worry about was how to pay for it. "We're thankful that no family ever receives a bill from St. Jude," said lan's mom. "It's a blessing we don't have to think about money, and we're still getting the best treatment."

Following radiation therapy and chemotherapy, lan is doing well. Soon, he and his family will return home to Mexico. They will visit St. Jude every three months for checkups.



medulloblastoma

stjude.org/naa

Jude Children's Research Hospital (including pocketing staff tips and fighting with waiting customers) committed by the Bouzaglos. Over multiple Facebook status updates, they cussed; they threatened; they claimed their accounts had been hacked; and, they quickly lost an uncountable number of future consumers.

This is an extreme example, to be sure, and the Bouzaglos used their company Facebook account, which is an obvious faux pas. But, step back just a little bit and consider this: What if it had been a personal account, instead of the company one, for Amy or Samy? Would that have changed the message's devastating effects for the company's brand? Of course it wouldn't.

Now, with that thought process in mind, think about how easily potential customers and clients make that same connection with your messages. Your "personal" is your "business," regardless if you attempt to disclaim it. It doesn't have to be a poor reaction to bad exposure like the Bouzaglos. It could be a public client dispute, a religious or politically-charged statement, a risqué attempt at humor with your "inside" friends, a wild party, risky behaviors or situations, etc.

That isn't a bad thing. Sometimes, when used correctly, outsidethe-norm images and thoughts can help build rapport with your clients. They can see you as less stuffy and more "human." That line has to be carefully walked upon, however, and a little bit of human goes a long way.

Ask these three questions

Ultimately, every time you are about to hit "send" or "publish," sit back from your keyboard or phone, take a breath and consider these three checkpoints:

Is the message I'm about to send something that may lead to unnecessary negative feelings toward me, my business and my company's brand?

If the message causes ill will toward me and my company, what effects could that have for people who depend on my brand, i.e. employees, business partners, etc.



Am I willing to spend the time and energy necessary to rectify situations that arise because of my message, even if it was perceived incorrectly outside of my control?

Use these questions each time you post, and chances are you will have done what's necessary to keep your personal messages aimed toward supporting your brand and business goals. *







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Reigning IJAC Champion Halie Behr (left) and event host Auctioneer Dave Webb seek bids during a record-setting night at the 10th annual Gala fundraiser for Crosslines, an organization that provides money and services to those in need. Submitted Photo

Crosslines sets fundraising record

n Sept. 28, Crosslines hosted its 10th annual Gala fundraiser. Dave Webb, BAS, GPPA, of Stillwell, Kan., has been the host Auctioneer for the past eight years. This year, Webb invited 2013 IJAC Champion Halie Behr, of Ames, Iowa, and new NAA member Jeff Garber, of Lincoln, Mo., to assist. With their help and effort, the Gala exceeded the organization's expectations and set a record for funds raised.

For 50 years, Crosslines has sought to fulfill its mission of answering community problems by looking for solutions and working with communities to tackle them. The organization has created a legacy of programs that have positively impacted the lives of thousands of needy people in the Kansas City area by supporting a network of businesses, churches and individuals, which have, in turn, provided a daily source of assistance for at-risk families, the elderly and individuals.

Some examples of the support they provide include: \$192,631 for utility and rent assistance, 47,690 hot lunches to those in need, 2907 hot showers, 504 families assisted through the Christmas store and more than 716 new backpacks filled with school supplies to students. �



Bidders look on during the sale of the McLean Ranch, which resulted in 19 buyers owning a piece of the property. Submitted Photo

McLean Ranch sells for nearly \$16.8 million

Marillo developer George Chapman's 16,000-acre McLean Ranch sold for \$16,797,000 in an auction that drew 109 bidders and lasted for more than four hours during the Sept. 13 sale.

"The auction was everything we could have asked for. Mr. Chapman is happy, the lenders are happy, and 19 buyers who now own parts of the ranch are happy," said Spanky Assiter, chairman and founder of Amarillo-based Assiter Auctioneers, which marketed the property and conducted the auction.

Bidding moved at a brisk pace from the outset, as Assiter took bids on the 43 individual tracts, then opened the auction for bidders to make offers on combinations of tracts.

Reuben Hancock, attorney for Chapman, said he was pleased with the outcome. "The entire auction crew did an exceptional job," he said.

Assiter said the auction answered numerous questions about the land and its future.

"When we opened up for bidding, nobody knew what the land would bring, whether it would all go to one big bidder or sell to a larger number of smaller bidders. But ultimately, it turned out that a number of different folks wanted parts of this land for grazing, recreation and probably other uses. That's how an auction works," said Assiter.

The ranch, widely known for its game and fishing, includes areas with mature trees, pasture land and irrigated tillable land. It has more than five miles of creeks and six lakes.

"One thing we found today is that this is a great time to be selling Texas land, and there's no better way to sell it than in a well-promoted auction, so I think maybe some others with land and other real estate they've considered selling will take note," said Assiter.



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Rare 1940 Beacon Ethyl sign nets \$55,000

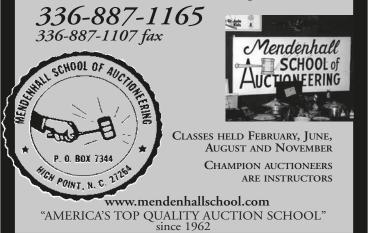
rare Beacon Ethyl Gasoline single-sided porcelain sign with a die-cut lighthouse-shaped design, made around 1940 and in remarkable condition (rated 9 on a scale of 1 to 10), gaveled for \$55,000 at a Fall Petroliana & Automobilia Auction held Oct. 17-18 by Matthews Auctions, LLC, based in







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Nokomis, Ill. The sign was easily the top lot of the auction.

The two-day event was held in Peotone, Ill., prior to the start of the popular Chicagoland Petroleum & Advertising Show held twice a year, always in Peotone. The action kicked off on Thursday evening, Oct. 17, with 200 lots of petroliana (gas station collectibles) and automobilia. Another 450 lots came up for bid on Friday, Oct. 18. More than 200 people attended in person.

More than 350 people bid online, through Proxibid.com, while 30 more bidders each bid by phone and through absentee (left) bidding.

An exceedingly rare Rickenbacker Authorized Flat Rate Service double-sided porcelain sign rated near-mint at 9+, showing the Rickenbacker firm's iconic logo, topped out at \$38,500.

A scarce double-sided porcelain die-cut sign for Rand McNally Official Hotel, rated 9, knocked down at \$29,700. The sign was the most common of the five types produced, and was probably made in the 1920s.

A Wyeth Tires single-sided porcelain curved shield-shaped sign, rated near-mint at 9+, breezed to \$34,100.

A Mohawk Gasoline single-sided tombstone-shaped neon sign mounted on a can, rated 9, fetched \$30,800; and an Oilzum Motor Oils ("The Cream of Pure Pennsylvania Oil") double-sided porcelain sign with logo, rated 9 and 8.75, went to a determined bidder for \$27,500.

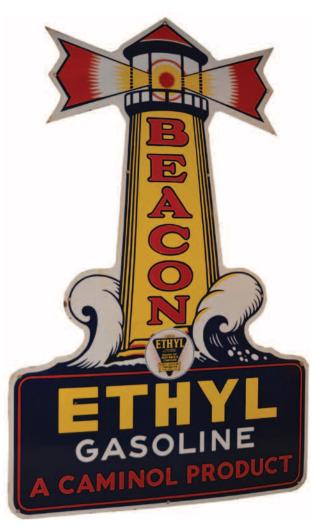
Other items of note:

A set of five Weed (tire) Chains signs and displays were sold as single lots. One was a metal counter-top display with contents (chains, pliers, bags and more), in overall good condition. It brought \$8250. Also, a Mother Penn Motor Oil single-sided porcelain neon sign with logo, mounted on an original can, rated 9, changed hands for \$16,500.

A Peerless Stages Bus Depot double-sided porcelain shieldshaped sign, with great gloss and color, hammered for \$33,000; and a Dodge Service double-sided porcelain sign with early "DB" (Dodge Brothers) logo, rated 8.75, went to a new owner for \$7150.

A Saxon Motor Car double-sided porcelain sign, rated 9 on one side and 8.9 on the other, garnered \$19,800; and a Cadillac double-sided porcelain oval sign with crest logo, rated 9, with clean fields and very nice gloss and color, rose to \$17,600.

Finally, a Paragon Motor Oil double-sided porcelain sign hit \$16,500; and an original Auburn Sales & Service porcelain flange sign, rated 9.5, made \$14,800. ❖



\$55,000



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Property demand fuels Georgia auctions

hree late-October John Dixon & Associates auctions in four days attracted large fields of bidders and resulted in combined sales of just over \$6 million.

The sales in the Georgia cities of Atlanta, Montgomery and Orlando featured approximately 120 bank-owned properties, according to John Dixon, CAI, president of the auction company.

"Demand is growing stronger across the board as real estate investors, individuals, builders and others continue to acquire the properties that will provide them opportunities and income in the years ahead. Whether we were selling offices, residential land, houses or other property types, we saw active bidding each day, on practically every asset," said Dixon.

Combined, the events attracted 96 live bidders and 250 online bidders, with approximately half the properties selling to bidders who listened to live feeds of the auction and bid via the Internet. "With three events in three different states in four days, there were some bidders who couldn't be at every event in person. The Internet bidding allowed them to hear everything that was going on, interact with a bid assistant, and purchase properties just as if they were in the room," said Dixon.

The company plans to build off its recent success with another large auction on Nov. 12, which will include approximately 80 bankowned properties in north Georgia, North Carolina, Tennessee and Alabama. �

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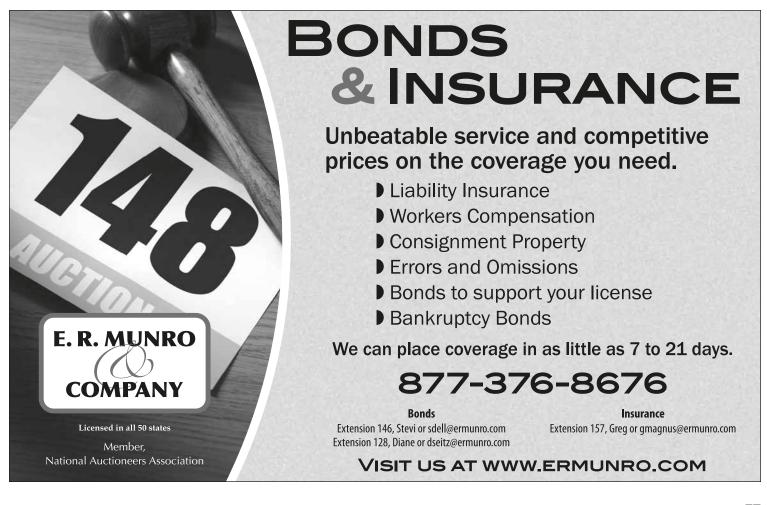
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The most recent graduating class from the Kentucky Auction Academy boasted 22 men and women from four states. The Academy is located in Bowling Green, Ky. Submitted Photo



Long-time Idaho Auctioneer wore many hats

John Elwin Spaulding, 74, passed away October 14, 2013 in Indian Valley, Idaho.

John was born April 11, 1939 at New London, Wisc., to Willard and Retta Spaulding, He spent many hours at the family farm in Hancock, Wisc. He reached Eagle scout and was a member of the rifle club.

Spaulding won awards from the NRA and other organizations. He enlisted in the United States Coast Guard upon graduation from high school in 1957, and his tour of duty included Hawaii, Japan and Greenland. In 1963, he married Colleen Hodges, and they had two children, Tim and Jeanine. In 1965, John joined the International Union of Operating Engineers. He was a member of the Idaho Association of Professional Auctioneers.

John has been a cowboy, a logger, a rancher, a veterinary student, a heavy equipment operator, and, most recently, an Auctioneer. John's career made it possible for the family to get to know the entire state of Idaho, western Montana, Wyoming, Utah, eastern Oregon, Washington and Nevada.

John is survived by his wife, son, Tim Spaulding, daughter, Jeanine (Darren) Coriell, and two grandchildren; a brother, sister and numerous nieces and nephews. *

NAA, Ohio hall-of-famer Kiko hosted BBBS event for 35 years

Richard T. 'Dick' Kiko, Sr., age 73, passed away on Oct. 19 after a sudden illness. He was a life resident of Canton, 1958 graduate of Canton South High School, and was a graduate of both the Missouri Auction School and the Indiana University Certified Auctioneers Institute. He established the Kiko Agency in 1969 and was a second generation co-owner of Kiko Auctioneers; founded in



1945. Dick was an inductee in both the Ohio and National Auctioneer's Association Hall of Fames, past president of the Ohio Auctioneer's Association, former commissioner on the Ohio Auctioneer's Commission and a Lifetime Achievement Award recipient of the Stark County Association of Realtors.

Dick was a member of Little Flower Catholic Church, Canton Council No. 341 Knights of Columbus, Lincoln Continental Owner's Club — Ohio Valley Chapter, Rotary Club of Canton, and was a Paul Harris Fellow recipient. He was a licensed pilot and member of the East Central Ohio Pilot's Association and the International and Ohio Flying Farmers. Dick and his family had hosted for 35 consecutive years the Big Brothers and Big Sisters Fall Hay Ride. He was also active in many other organizations.

Kiko is survived by his wife of 52 years, Patricia (Trbovich) Kiko; eight children; 19 grandchildren; three greatgrandchildren; three sisters and two brothers-in-law; and eight brothers and six sisters-in-law. He was preceded in death by his parents, Russell and Colletta Kiko and a brother, William Kiko. �



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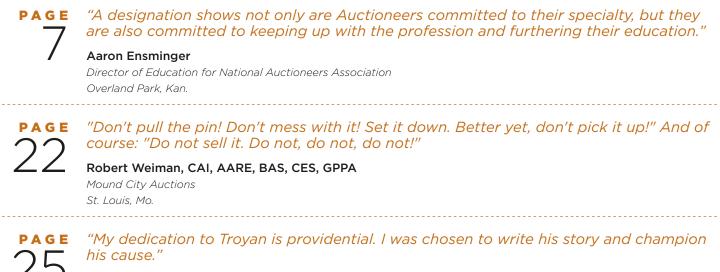
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MEMBERS' CORNER

NAA member helps event exceed goal by 20 percent

ristine Fladeboe Duininick, BAS, of Spicer, Minn., recently re-turned from a trip to Hong Kong, where she helped raise \$1.5 12 different countries. In all, the event raised 20 percent more th million for the poor in the Phillipines through an auction put on by International Care Ministries. The Oct. 10 auction entertained

12 different countries. In all, the event raised 20 percent more than the event organizers' goal. 🛠



AROUND the **BLOCK**

Proposed Ohio bill would prevent law enforcement from destroying firearms

ccording to a story on nbc4i.com, after Marion, Ohio, police sold seized firearms at auction, the sale has brought on both debate and a proposed law regarding whether such items should instead be destroyed.

Ohio House Bill 210 is still in the Transportation and Public Safety Committee at the Statehouse and has heard only sponsor testimony so far. The proposed bill would eliminate the authority for a law enforcement agency to destroy unclaimed or forfeited firearms or dangerous ordnance.

The bill states police can keep firearm suited to their work, but if the firearm is suitable for sporting or collection in a museum, it must be auctioned to the highest bidder. If it does not fit either of these, it has to be sold to a federally licensed firearms dealer according to the law.

While some are in favor of the law, citing potential revenue sources, the union that represents 8500 officers throughout Ohio

said it would be a bad law.

"What we are opposed to is the loss of local control here," said Michael Weisman, Director of Government Affairs for the State FOP. "The local agencies should be able to make that decision on their own, not be mandated by the state to sell those guns," he said.

Seized firearms can only be sold to a person who can legally own it.

Columbus, Ohio, Mayor Michael Coleman also opposes the bill.

"This is an outrageous proposal!" he said. It would remove the authority of police officers to do the right thing by getting rid of guns used in crimes," Coleman said. "Instead, our police would be required to put those guns back on the street."

To see the entire report, visit: http://www.nbc4i.com/story/23772182/destroy-or-auction-seized-guns-from-crimes. �

Are agents needed at auctions?

ppearing in an Oct. 21 *Wall Street Journal* online **story that discussed whether bidders should have an agent or other pro represent them at auctions,** National Auctioneers Association member Sandy Alderfer, CAI, MPPA, of Hatfield, Pa., shared his thoughts.

"In my opinion, you do not need an agent to represent you," Alderfer said. Still, the article indicated, if a bidder feels the need to hire a buyer agent, then there should be certain expectations in place. Those should include: The agent will run comps on different properties so you can determine which houses merit your attention; and he or she can act as a check on you should you get carried away with "auction fever" and be tempted to overbid. Also, the piece said, potential bidders also should consider hiring a good general contractor to examine houses with you before the auction in order to assess any potential hidden fix-it costs.

You can read the entire story here: http:// stream.wsj.com/story/latest-headlines/SS-2-63399/SS-2-359705/. ❖



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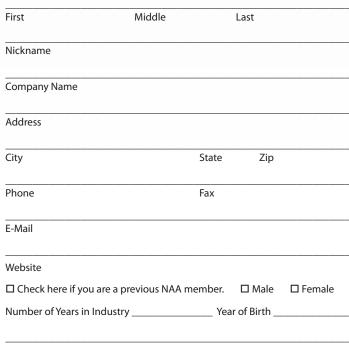
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