

# the auctioneer



OCTOBER 2019

The official publication of the National Auctioneers Association

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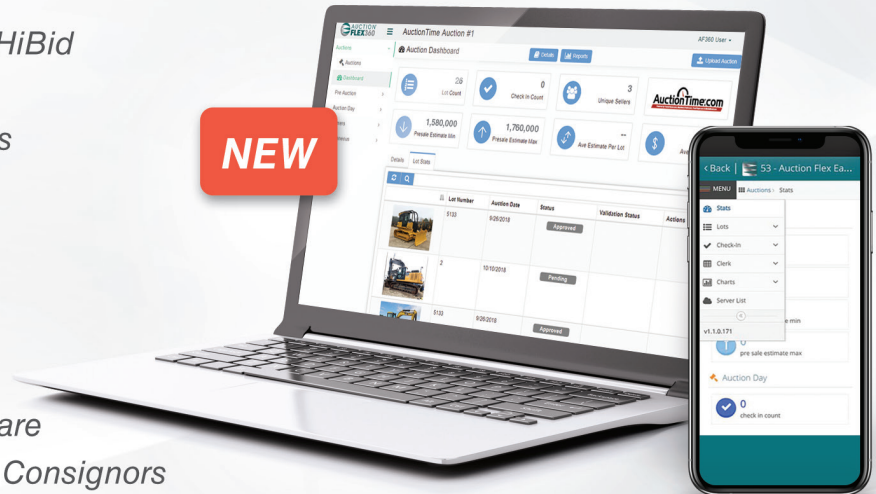
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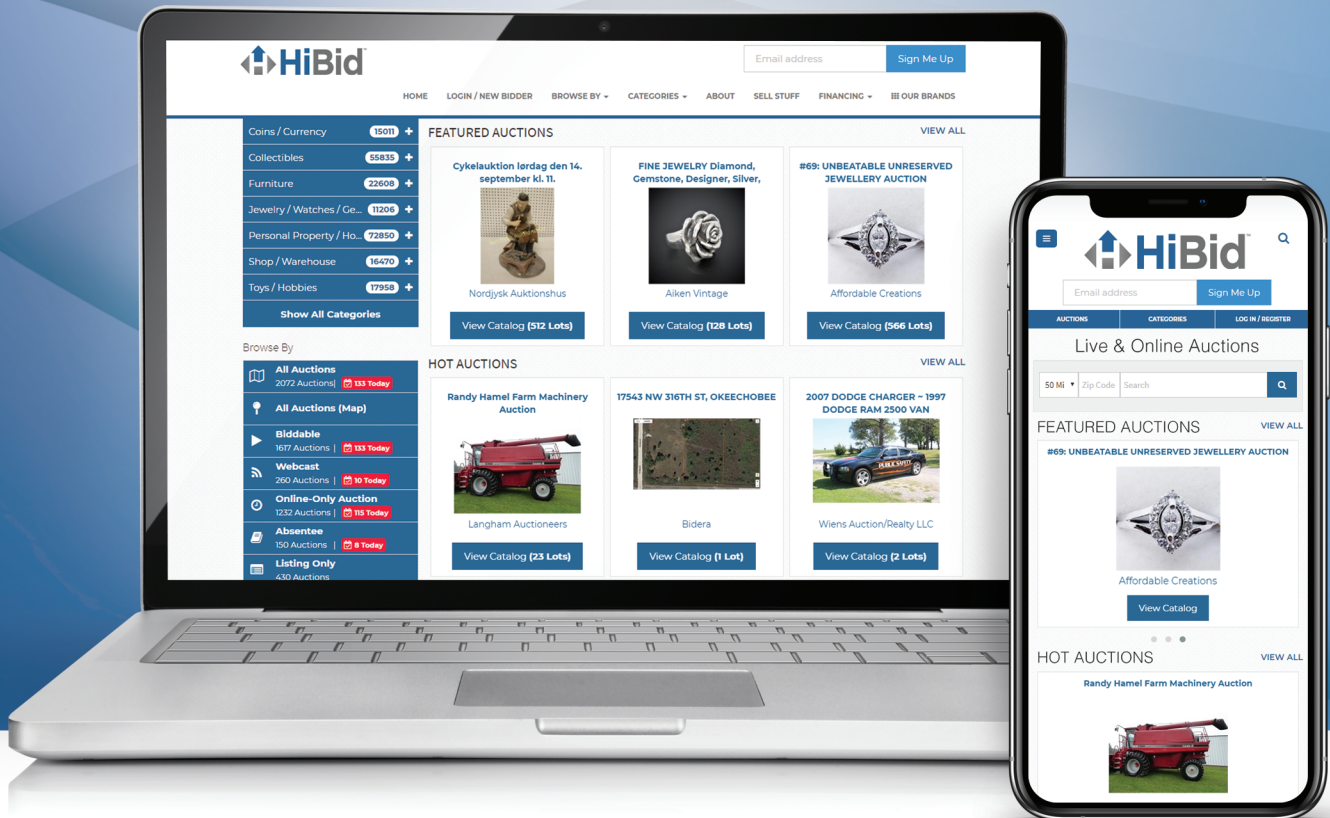


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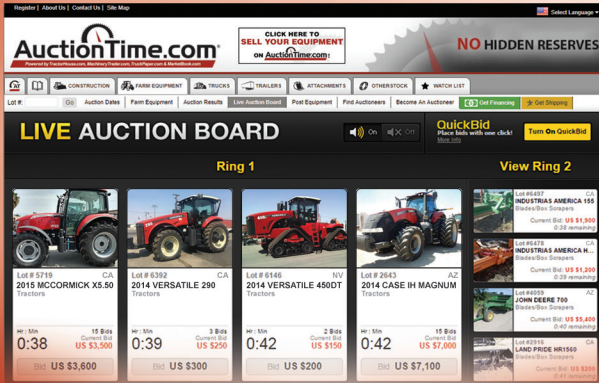
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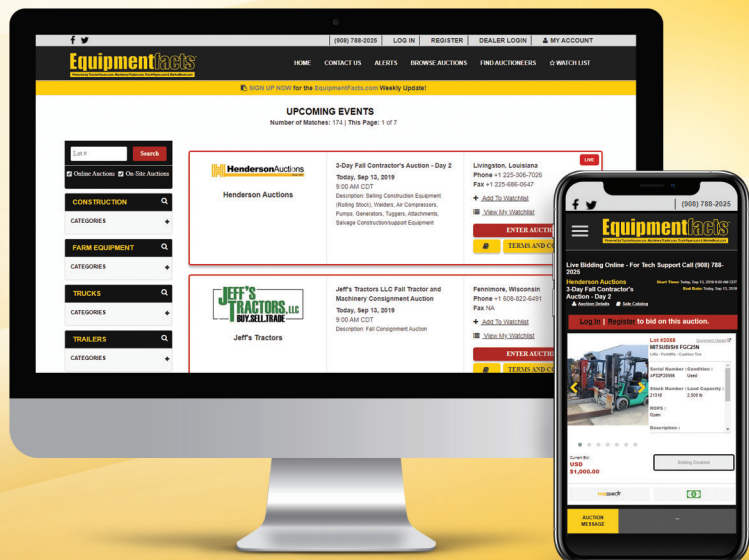
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## Making a difference for the industry

Since we reinstated Day on the Hill about six or seven years ago, I have only missed one of these events.

To me, attending Day on the Hill for NAA reminds me that I have a chance to make a difference in the way government is run. I come from one of the “flyover states.” Sometimes I think of Washington, D.C., as a different country. But when I go there and I see my *friends* Billy Long and Vicki Hartzler, I remember that these people are the same as you and me. But they have been given a huge responsibility: They make legislation. When I visit them, I remember that I can make a difference. I can help show them how the Supreme Court’s decision on *South Dakota v. Wayfair, Inc.*, will negatively impact *my* business. I can show them why the proposed legislation (H.R. 1933 and S 604) can be beneficial to the auction industry and to *all* small businesses.

The Advocacy Committee gave me talking points about this issue and others that are important to NAA members so that when I went to visit my Congressional delegation, I was prepared.

I sat in the Advocacy Committee meeting and listened to their discussions about the issues we are working on—not only the remote sellers sales tax issue, but what we are doing with Zillow/Trulia (trying to help them improve their multi-listing services so they appropriately display auction listings for real estate), state licensing, and developing a Public Policy Agenda for review by the NAA Board at their October meeting.

I’m impressed by our Advocacy Committee members who took time away from their jobs to advocate for the industry—not just for NAA members but for all in the auction industry. I’m impressed by

the members who came on their own to talk to their elected representatives.

What we did as a group was impressive—six Congressional representatives took time to talk with us at the reception (one other was there but couldn’t stay). They came because our members invited them. They came because these members are their constituents.

Next year, we need to double or triple our numbers. It is not an inexpensive trip to make. There are flight costs and hotel costs, but Jason Woody, an NAA member from Douglass, Kansas, showed us all how to do it—drive all night and day to get there. And then drive home. He did it because his business is threatened and he knew he had to talk to his Congressional delegation about it.

If Jason can do it, we all can. When we send out information about next year’s Day on the Hill, please put it on your calendar and be a part of this extraordinary day. *You* can effect change. Check it out for yourself next year. And to see how it all happens, check out pages 28-35. ❖

#theauctionlifethegoodlife



**Jason Winter, CAI,  
AARE, AMM, CES**  
NAA President

Jason Winter is owner and auctioneer at West Central Auction Company and broker at Century 21 West Central Real Estate. He spent years on the Education Institute Trustees before becoming chair. He was elected to the Board in 2016 and elected vice president in 2018.

# 36



“  
**Ambassadors  
can pay for  
themselves in  
one item and  
they have the  
potential to  
pay for the  
entire team.**  
”

Shannon Mays, CAI,  
AARE, BAS

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Auction Marketing Management | Dec. 1-3



Graduate Personal Property Appraiser | Dec. 1-5



Benefit Auction Specialist | Dec. 2-4



Accredited Auctioneer of Real Estate | Dec. 5-7



Uniform Standards of Appraisal Practice  
15 hour | Dec. 6-7  
7 hour | Dec. 7

## *Workshops*

Real Estate Workshop | Dec. 4

Interpersonal Communications for Auction Professionals (ICAP) | Dec. 5-6

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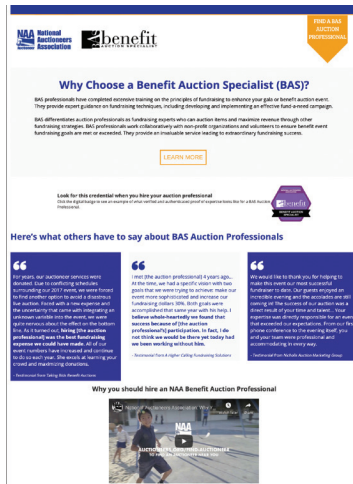
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**NAA NEXTGEN**

We have a whole new website section just for students! Access resources and more information at [auctioneers.org/nextgen](http://auctioneers.org/nextgen).

**DESIGNATION LANDING PAGES**



Along with the new digital badging pilot, the NAA has created landing pages to help the general public better understand the importance of the association's professional designations.

You can find them at [auctioneers.org](http://auctioneers.org) under Buyers/Sellers>Auctioneer Designations. Please take time to look over pages related to your own designations and make sure they accurately represent the questions you receive from potential clients.

Send any clarifications or client testimonials relevant to your designation to [communications@auctioneers.org](mailto:communications@auctioneers.org)

**EMAIL NEWSLETTERS**

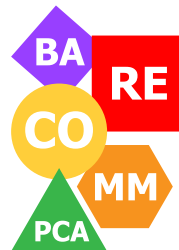


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|------------------|---|---|
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| December 4, 2019 | Online Auction Marketing                |    |
| February 5, 2020 | The Art of Negotiation                  |     |
| April 1, 2020    | Building Your Bid Calling Skills        |     |
| June 3, 2020     | Quieting the Benefit Auction Crowd      |    |

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[Auctioneers.org/iSeries](https://Auctioneers.org/iSeries)

# Your Association at Work



Photo courtesy Bobby D. Ehler

Increase Response,” moderated by Trisha Brauer, CAI, BAS.

The sponsor reception and welcome party were also very well received, even with the Palm Springs heat!

Survey respondents told the NAA how long they'd been in the auction industry. Thirty-five percent have 1-5 years experience; 21 percent have 5-10 years experience; 25 percent have 10-15 years experience and 19 percent have more

than 15 years experience.

The Benefit Auction Summit also featured a speed networking session and Family Fued-style game.

Overall, 72 percent of survey respondents said they would likely attend the 2020 summit, with others needing to weigh location and other decision factors.

## 2019 Benefit Auction Summit a hit with attendees

The 2019 Benefit Auction Summit held in August saw more than 100 attendees registered. One hundred percent of attendees who responded to a post-event survey said the summit met at least some of their expectations, with the majority of those stating it met most or all of their expectations.

Attendees said they were able to take home great ideas from “Consequential Consultation: Fate Is in Your Hands!” presented by Glen Fladeboe; “Nail the Pitch. Close the Deal. Build the Relationship.” moderated by Nelson Jay, BAS; and The Language of Appeals: Techniques to

“

**I found that to be one of the most helpful seminars that I have ever listened to. I got so much information for growth in my business and ideas.**

”

Benefit Auction Summit attendee on Glen Fladeboe’s session on consultations

## iSeries Online Marketing iSeries

Sign up now at [auctioneers.org/](http://auctioneers.org/) events for our free 30-minute webinar on Dec. 4. This iSeries will focus on online auction marketing.

## Day on the Hill press releases available

Did you attend Day on the Hill? Do more with your advocacy efforts by sending your local news outlets a customized press release about your experience in Washington. Visit [auctioneers.org](http://auctioneers.org) and click Content and Tools>PR Toolkit>Press Release Templates.

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# 2019/2020 Education Events

## **Dec. 1-7** Designation Academy Las Vegas, NV

- AARE
- AMM
- BAS
- CAS
- GPPA
- ICAP
- Real Estate Workshop
- USPAP 15

Registration  
open!

## **Feb. 24-25** Online Marketing Summit Louisville, KY

Registration  
opens Nov.

## **March 22-26** Certified Auctioneers Institute Bloomington, IN

Registration  
open!

[auctioneers.org/events](http://auctioneers.org/events)  
[education@auctioneers.org](mailto:education@auctioneers.org)  
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## Ailie Byers testifies on remote sellers sales tax issues

**O**n Aug. 28, 2019, NAA Board Member Ailie Byers, CAI, AMM, BAS, testified before the U.S. Senate Committee on Small Business and Entrepreneurship about the impacts of the *South Dakota v. Wayfair, Inc.* decision on the auction industry.

Byers was one of four business owners who testified at the hearing in Concord, New Hampshire. The purpose of the hearing was to examine the impact of the Supreme Court’s decision on small businesses.

Byers said the opportunity came up when she was contacted by New Hampshire Senator Jeanne Shaheen’s office asking if she would be open to the possibility of testifying at the hearing. Byers had regularly been in contact with the senator’s office about the House bill (H.R. 6824 - Online Sales Simplicity and Small Business Relief Act of 2018) and other bills that the senator had sponsored. Senator Shaheen is a member of the Committee on Small Business and Entrepreneurship. Part of their purview of this committee is to discuss how small businesses are impacted by legislation.

“As Senator Shaheen is from New Hampshire, a state without sales tax, she is

acutely aware of how this case has impacted business in the state,” Byers said. “I have been in contact with the senator’s office since the case was decided. Senator Shaheen is trying to bring more awareness to this issue both in New Hampshire as well as nationally.”

Byers’ testimony informed the committee on the history and current nature of auction businesses and how, with the Supreme Court decision, auction businesses “now face an overwhelming tax environment charged with financial burden and legal uncertainty.”

“Each auction is unique unto itself, in terms of the items we are selling, the number of items (lots) in the auction, the makeup of the buyers, as well as the location of the sale,” Byers’ testimony goes on to say. “In the opinion of many, the imposition of sales taxes on remote sellers, especially smaller remote sellers such as auctioneers, creates a significant and unacceptable burden on interstate commerce.” (Byers’ full testimony can be found at [auctioneers.org/WayfairImpacts](http://auctioneers.org/WayfairImpacts))

The other three business owners who testified, Byers said, were all able to bring specific monetary and staffing implications as to how the case has affected their businesses.



Ailie Byers, CAI, AMM, BAS, with Senators Maggie Hassan (D-NH) and Jeanne Shaheen (D-NH).

“Their testimony was incredibly beneficial to show the early impacts to businesses,” Byers said. “All agreed that they anticipate more costs as time goes on. I was speaking much more from a national perspective due to my relationship with the NAA and

my involvement on the (NAA) Advocacy Committee and Sales Tax Task Force. From that higher level I could cite impacts in other states and to a different type of 'retail' businesses than their traditional retail models."

After the hearing, Byers was interviewed by multiple news agencies and had a few individuals reach out to discuss the issue further.

She said she spoke to members of the public at the hearing and learned that many of them had inaccurate ideas of what the Supreme Court decision entailed.

"Those that knew about the case seemed to only have heard from the side that talks about making an equal playing field and it being an Amazon tax. Local and state Chambers of

Commerce had no idea it was for all remote sellers, regardless of where the sale took place—online or in store."

Byers also said that the complexity of compliance with the remote sales tax also was shocking to most of the attendees of the hearing.

"As a society, we tend to assume that a software or program is an easy fix to most issues; however, as we know that is not the case here—or at least not at this time until not only the price point comes down, but also until a centralized depository of sales tax rates, regulations, and itemized list of what is and what is not taxable can be created and monitored for the necessary timely updates.

Since the hearing, Byers continues to

work on spreading the word giving local and national perspective on the implications of *South Dakota v. Wayfair*. She has had follow-up meeting with Senator Shaheen's office to discuss ways to go about conducting committee hearings on Capitol Hill, as well as potentially testifying at a hearing for the Senate Committee on Finance, which has oversight of taxation.

NAA, with the help of the Advocacy Committee and the Sales Tax Task Force, are continuing to monitor the issue closely.

To learn more about *South Dakota v. Wayfair* and how it affects the auction industry, visit [auctioneers.org/auction-tax](http://auctioneers.org/auction-tax).

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# State Watch



## Kansas

NAA member Ty Patton, AMM, from Benton, Kansas, earned the title of 2019 Kansas Auctioneer Champion at the Kansas State Fair. Titus Yutzky was the new reserve champion. The 10 finalists from the preliminary round were narrowed to five after one round of bid calling; and the top five competed with another round of selling and live interview questions. The preliminary round of competition for the 2020 Championship is January 24 in Manhattan, Kansas.

Kansas Auctioneers Association's Auctioneer Champion Ty Patton, AMM, with Lonny McCurdy, AARE, Braden McCurdy, CAI, AARE, AMM, Daniel Gutierrez, AMM, Megan McCurdy Niedens, CAI, BAS, and Rick Brock, CAI, CES.



South Dakota Auctioneers Association President Ted Petrak, Champion Ted Souvignier, First Runner Up Terry Moe, and Second Runner Up Clay Schardt.

## South Dakota

The South Dakota Auctioneers Association held its annual bid-calling contest. The 2019 Champion was Ted Souvignier. NAA member Terry Moe was first runner-up and Clay Schardt was second runner-up. The association will hold its 2020 Black Hills Stock Show Bid Calling Contest on Feb. 2, 2020.



West Virginia bid calling champion Billy Morgan with his father and grandfather—both also champions.

## West Virginia

On Feb. 16 at the West Virginia Auctioneers Association Bid Calling Championship, Billy Morgan of Morgan's Real Estate and Auctioneering won the first-place title—making him a third-generation winner of the WVA Bid Calling Championship. Both his father, Billy Morgan, and grandfather, Kermit Morgan, also have been crowned WVA Bid Calling Champion in previous years.

### Submit your state news

Do you have state news to share with the NAA's auction professional community? Submit your news online at [auctioneers.org/statenews](http://auctioneers.org/statenews).



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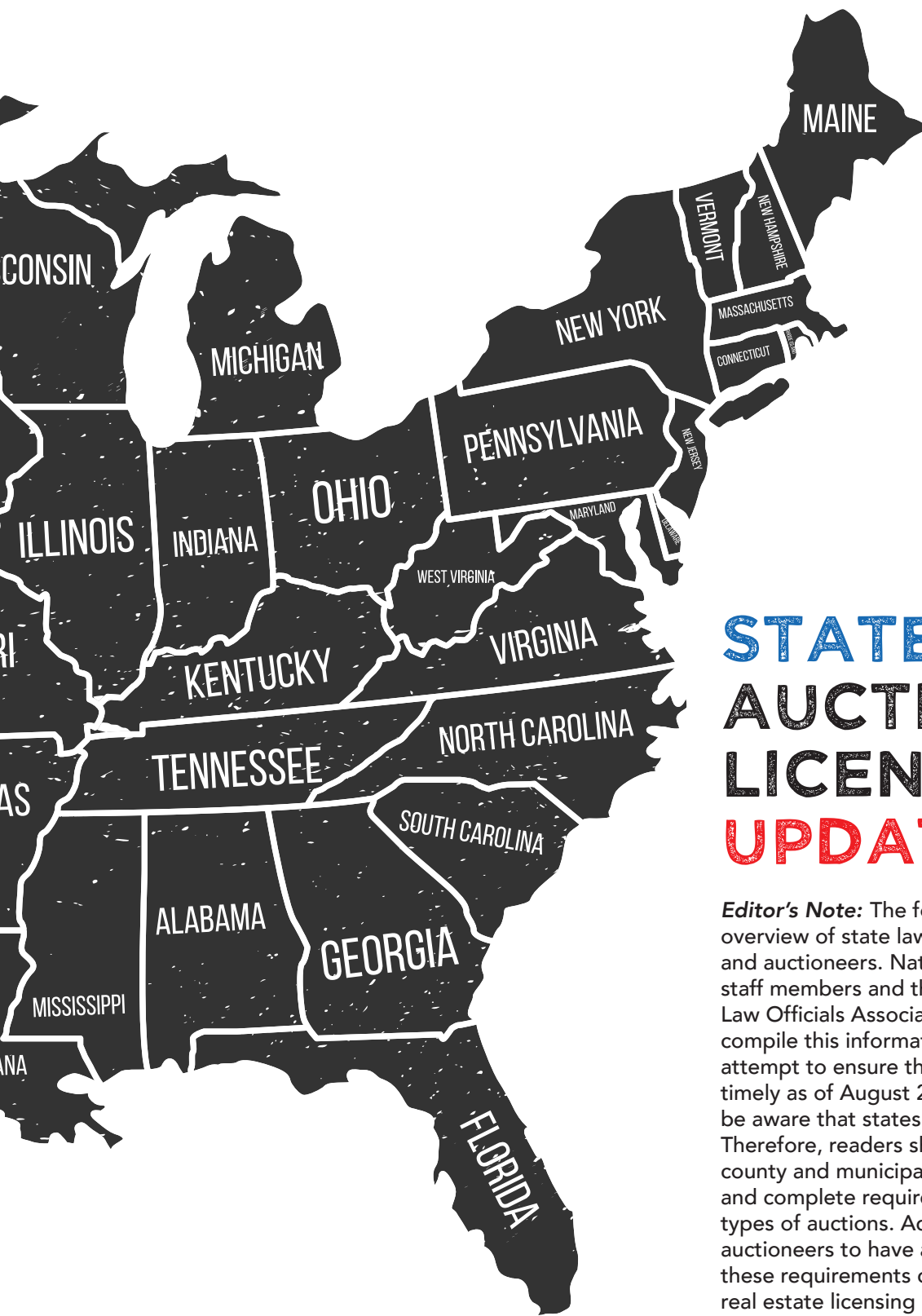
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## STATE AUCTIONEER LICENSE LAWS UPDATE

*Editor's Note:* The following update provides an overview of state laws that regulate general auctions and auctioneers. National Auctioneers Association staff members and the National Auctioneer License Law Officials Association (NALLOA) worked to compile this information. The NAA made every attempt to ensure this list was complete and timely as of August 2019. NAA members should be aware that states change their laws periodically. Therefore, readers should consult their state, county and municipal offices for the most current and complete requirements and fees for any and all types of auctions. Additionally, many states require auctioneers to have a license to sell real estate; these requirements can be obtained from the state's real estate licensing body. Other types of auctions (e.g. livestock, motor vehicles, wine, etc.) may also require special permits and licenses. Check with the appropriate local and state departments for complete details. This licensing summary is a copyright material and should not be reproduced in any manner (including online) without the explicit written permission of the National Auctioneers Association.

### ALABAMA

**License Required:** Yes

**License Required For Online-Only Auctions:** No

**Minimum Age:** 18 for apprenticeship program; 19 for auction license

**School/Apprenticeship Required:**

Yes. Education is required for one-year apprenticeship but not required if the apprentice serves a two-year apprenticeship.

**Bonding/Insurance Required:** \$10,000

**Licensure Period:** Annually, expires Sept. 30

**Continuing Education Required:** Yes, six hours every two years. Licensees 65+ years are exempt.

**Fees:** Exam (\$100) and License (\$200)

**Reciprocity:** AR, FL, GA, IL, IN, KY, LA, MS, NC, OH, PA, SC, TN, TX, WV

**State Association:** alabamaauctioneers.org

**State Real Estate Contact:**

arec.alabama.gov

**State Agency Contact:**

Alabama State Board of Auctioneers  
2777 Zeld Rd.

Montgomery, AL 36106

(334) 420-7235

auctioneer.state.al.us

auctioneers@alstateboard.com

### ALASKA

**License Required:** Counties and municipalities may require permits, check for requirements.

**State Real Estate Contact:**

commerce.alaska.gov/web/cbpl/  
professionallicensing/  
realestatecommission.aspx

**State Agency Contact:**

Alaska Consumer Protection Unit  
PO Box 110300

Juneau, AK 99811

(888) 576-2529

law.alaska.gov/department/civilconsumer/  
cpindex.html

consumerprotection@alaska.gov

### ARIZONA

**License Required:** Counties and municipalities may require permit, check for requirements.

**State Association:** azauctioneers.org

**State Real Estate Contact:** azre.gov

**State Agency Contact:**

Arizona State Consumer Protection  
Department

1275 W. Washington St.

Phoenix, AZ 85007-2926

(602) 542-5025

azag.gov/consumer

### ARKANSAS

**License Required:** Yes

**License Required For Online-Only Auctions:** No

**Minimum Age:** 18

**School/Apprenticeship Required:** No

**Bonding/Insurance Required:** \$100 to Recovery Fund

**Licensure Period:** Annually, expires June 30

**Continuing Education Required:** Yes, six hours annually. Exemption if 55+ years and have been licensed by Arkansas Auction License Board for 10 consecutive years.

**Fees:** Exam (\$100) and License (\$100)

**Reciprocity:** AL, FL, GA, IL, IN, KY, LA, MS, NC, OH, PA, TN, TX, WI

**State Association:**

arkansasauctioneers.org

**State Real Estate Contact:**

arec.arkansas.gov

**State Agency Contact:**

Arkansas Auctioneers Licensing Board  
101 East Capitol, Suite 112B

Little Rock, AR 72201

(501) 682-1156

aralb.com

### CALIFORNIA

**License Required:** Counties and municipalities may require permit, check for requirements.

**Bonding/Insurance Required:** \$20,000 (\$30 filing fee)

**State Association:** cauctioneers.org

**State Real Estate Contact:** bre.ca.gov

**State Agency Contact:**

California Secretary of State Office

1500 11th Street

Sacramento, CA 95814

(916) 653-6814

sos.ca.gov

### COLORADO

**License Required:** Counties and municipalities may require permit, check for requirements.

**State Association:** coauctioneers.com

**State Real Estate Contact:**

colorado.gov/dora/division-real-estate

**State Agency Contact:**

Colorado State Consumer Protection Office

1300 Broadway, 7th Floor

Denver, CO 80203

(800) 222-4444

coloradoattorneygeneral.gov/  
departments/consumer-protection

### CONNECTICUT

**License Required:** Counties and municipalities may require permits, check for requirements.

**State Real Estate Contact:**

portal.ct.gov/DCP/License-Services-  
Division/All-License-Applications/Real-  
Estate-Salesperson

**State Agency Contact:**

Connecticut Department of  
Consumer Protection

450 Columbus Blvd., Ste. 901

Hartford, CT 06103-1840

(860) 713-6100

portal.ct.gov/DCP

## DELAWARE

**License Required:** State business license (\$75) required for resident auctioneers. Other terms and licensure may apply to non-resident auctioneers. Counties and municipalities may require permits, check for requirements.

**State Real Estate Contact:**

[dpr.delaware.gov/boards/realestate](http://dpr.delaware.gov/boards/realestate)

**State Agency Contact:**

Delaware Department of Justice  
Carvel State Office Building  
820 N. French St.  
Wilmington, DE 19801  
(302) 577-8600  
[attorneygeneral.delaware.gov/fraud/cpu](http://attorneygeneral.delaware.gov/fraud/cpu)

## DISTRICT OF COLUMBIA

**License Required:** Yes

**License Required For Online-Only**

**Auctions:** Yes

**Minimum Age:** 18

**School/Apprenticeship Required:** No

**Bonding/Insurance Required:** Verify with agency contact below

**Licensure Period:** Two years

**Continuing Education Required:** No.

**Fees:** Category License (\$578), Application (\$70), Endorsement (\$25), Technology (\$67.30) – Total Fees (\$740.30)

**Reciprocity:** N/A

**State Real Estate Contact:**

[pearsonvue.com/dc/realestate](http://pearsonvue.com/dc/realestate)

**Agency Contact:**

D.C. Department of Consumer & Regulatory Affairs  
1100 4th Street SW  
Washington, DC 20024  
(202) 442-4400  
[dcra.dc.gov/service/get-auctioneer-license](http://dcra.dc.gov/service/get-auctioneer-license)

## FLORIDA

**License Required:** Yes

**License Required For Online-Only**

**Auctions:** Yes

**Minimum Age:** 18

**School/Apprenticeship Required:** Yes

**Bonding/Insurance Required:** \$100

Recovery Fund surcharge

**Licensure Period:** Two years, expires November 30 of odd years.

**Continuing Education Required:** No.

**Fees:** Initial Licensure by Exam – Education or Apprenticeship (\$444.50)

**Reciprocity:** AL, AR, GA, IL, IN, KY, LA, MA, MS, NH, NC, OH, PA, SC, TN, TX, VA, WV, WI

**State Association:** [floridaauctioneers.org](http://floridaauctioneers.org)

**State Real Estate Contact:**

[myfloridalicense.com/dbpr](http://myfloridalicense.com/dbpr)

**State Agency Contact:**

Florida Board of Auctioneers  
2601 Blair Stone Rd.  
Tallahassee, FL 32399  
(850) 487-1395  
[myfloridalicense.com/DBPR/auctioneers](http://myfloridalicense.com/DBPR/auctioneers)

## GEORGIA

**License Required:** Yes

**License Required For Online-Only**

**Auctions:** No

**Minimum Age:** 18

**School/Apprenticeship Required:** Yes

**Bonding/Insurance Required:** \$150 to Recovery Fund

**Licensure Period:** Two years, expires February 28 of even years.

**Continuing Education Required:** Yes, 8 hours every two years.

**Fees:** Application (\$200), Renewal (\$150)

**Reciprocity:** Commission does not maintain an official list but looks at individual states' requirements when making a decision on reciprocity. Application required.

**State Association:**

[georgiaauctioneers.org](http://georgiaauctioneers.org)

**State Real Estate Contact:**

[grec.state.ga.us](http://grec.state.ga.us)

**State Agency Contact:**

Georgia Auctioneers Commission  
214 State Capitol  
Atlanta, GA 30334  
(844) 753-7825  
[sos.georgia.gov/index.php/licensing/plb/9](http://sos.georgia.gov/index.php/licensing/plb/9)

## HAWAII

**License Required:** Counties and municipalities may require permits, check for requirements.

**State Real Estate Contact:**

[cca.hawaii.gov/reb](http://cca.hawaii.gov/reb)

**State Agency Contact:**

Hawaii Department of Commerce – Consumer Protection  
King Kalakaua Building  
335 Merchant St., Room 333  
Honolulu, Hawaii 96813  
(808) 586-2643  
[cca.hawaii.gov](http://cca.hawaii.gov)

## IDAHO

**License Required:** Counties and municipalities may require permits, check for requirements.

**State Association:** [idahoauctioneers.org](http://idahoauctioneers.org)

**State Real Estate Contact:** [irec.idaho.gov](http://irec.idaho.gov)

**State Agency Contact:**

Idaho Consumer Protection Division  
954 W. Jefferson, 2nd Floor  
Boise, ID 83720  
(208) 334-2424  
[ag.idaho.gov](http://ag.idaho.gov)

### ILLINOIS

**License Required:** Yes

**License Required For Online-Only**

**Auctions:** Yes

**Minimum Age:** 18

**School/Apprenticeship Required:** No

**Bonding/Insurance Required:** N/A

**Licensure Period:** Two years, expires December 31 of even years.

**Continuing Education Required:** Yes, 12 hours every two years.

**Fees:** Application fee (\$200), Exam fees apply.

**Reciprocity:** AL, AR, FL, IN, MA, MS, OH, TN, TX, WI

**State Association:** [illinoisauctioneers.org](http://illinoisauctioneers.org)

**State Real Estate Contact:** [idfpr.com/DRE.asp](http://idfpr.com/DRE.asp)

**State Agency Contact:**

Illinois Auction Advisory Board  
320 West Washington St., 3rd Floor  
Springfield, IL 62786  
(888) 473-4858  
[idfpr.com/profs/auctioneers.asp](http://idfpr.com/profs/auctioneers.asp)

### INDIANA

**License Required:** Yes

**License Required For Online-Only**

**Auctions:** State agency advises referring to law and rules directly and/or seeking private counsel to best interpret the law.

**Minimum Age:** 18

**School/Apprenticeship Required:** Yes

**Bonding/Insurance Required:** Payment to Recovery Fund (amount varies) and an escrow account

**Licensure Period:** Four years, expires Feb. 28 of even years.

**Continuing Education Required:** Yes, 16 hours every four years.

**Fees:** Exam (\$35), License (\$70) and Renewal (\$70)

**Reciprocity:** AL, AR, FL, GA, IL, KY, NC, OH, PA, SC, TN, TX, VA, WV

**State Association:** [indianauctioneers.org](http://indianauctioneers.org)

**State Real Estate Contact:**  
[in.gov/pla/real.htm](http://in.gov/pla/real.htm)

**State Agency Contact:**

Indiana Auctioneer Commission  
402 W. Washington Street, Room W 072  
Indianapolis, IN 46204  
(317) 234-3009  
[in.gov/pla/auction.htm](http://in.gov/pla/auction.htm)

### IOWA

**License Required:** Counties and municipalities may require permits, check for requirements.

**State Association:** [iowauctioneers.org](http://iowauctioneers.org)

**State Real Estate Contact:** [plb.iowa.gov/board/real-estate-sales-brokers](http://plb.iowa.gov/board/real-estate-sales-brokers)

**State Agency Contact:**

Iowa Consumer Protection Division  
Hoover State Building  
1305 E. Walnut St.  
Des Moines, IA 50319-0106  
(515) 281-5926  
[iowaattorneygeneral.gov/for-consumers](http://iowaattorneygeneral.gov/for-consumers)

### KANSAS

**License Required:** Certain types of auctions may require licenses. Counties and municipalities may require permits, check for requirements.

**Bonding/Insurance Required:** Check with any license-issuing body for requirements and fees.

**State Association:**

[kansasauctioneers.com](http://kansasauctioneers.com)

**State Real Estate Contact:** [krec.ks.gov](http://krec.ks.gov)

**State Agency Contact:**

Kansas Consumer Protection Division  
120 SW 10th Avenue, 2nd Floor  
Topeka, KS 66612-1597  
(785) 296-2215  
[ag.ks.gov/in-your-corner-kansas](http://ag.ks.gov/in-your-corner-kansas)

### KENTUCKY

**License Required:** Yes

**License Required For Online-Only**

**Auctions:** Yes

**Minimum Age:** 18

**School/Apprenticeship Required:** Yes

**Bonding/Insurance Required:** \$30 to Recovery Fund

**Licensure Period:** Annually, expires June 30

**Continuing Education Required:** Yes, six hours annually.

**Fees:** Exam (\$125) and License (\$125)

**Reciprocity:** AL, AR, FL, GA, IN, LA, MA, MS, NC, OH, PA, SC, TN, VA, WV, WI

**State Association:**

[kentuckyauctioneers.org](http://kentuckyauctioneers.org)

**State Real Estate Contact:**

[krec.ky.gov/Pages/default.aspx](http://krec.ky.gov/Pages/default.aspx)

**State Agency Contact:**

Kentucky Board of Auctioneers  
656 Chamberlain Ave., Ste. B  
Frankfurt, KY 40601  
(502) 564-7760  
[auctioneers.ky.gov](http://auctioneers.ky.gov)

### LOUISIANA

**License Required:** Yes

**License Required For Online-Only**

**Auctions:** Yes, except for "eBay-style" timed online auctions.

**Minimum Age:** 18

**School/Apprenticeship Required:** Yes

**Bonding/Insurance Required:** \$10,000

**Licensure Period:** Annually, expires Dec. 31

**Continuing Education Required:** No

**Fees:** License (\$300)

**Reciprocity:** AL, AR, FL, GA, KY, MS, NC, OH, PA, SC, TN, TX, VA, WV

**State Association:**

[louisianauctioneers.org](http://louisianauctioneers.org)

**State Real Estate Contact:** [lrec.gov](http://lrec.gov)

**State Agency Contact:**

Louisiana Auctioneers Licensing Board  
11736 Newcastle Ave., Bldg. 2, Ste. C  
Baton Rouge, LA 70816  
(225) 295-8420  
[lalb.org](http://lalb.org)

## MAINE

**License Required:** Yes

**License Required For Online-Only**

**Auctions:** No

**Minimum Age:** N/A

**School/Apprenticeship Required:** No

**Bonding/Insurance Required:** \$10,000

**Licensure Period:** Annually, expires March 31

**Continuing Education Required:** No

**Fees:** Exam (\$150), License (\$271) and Renewal (\$200)

**Reciprocity:** N/A

**State Association:** maineauctioneers.org

**State Real Estate Contact:**

maine.gov/pfr/professionallicensing/professions/real\_estate

**State Agency Contact:**

Maine Board of Licensing of Auctioneers  
35 State House Station

Augusta, ME 04333

(207) 624-8603

maine.gov/pfr/professionallicensing/professions/auctioneers

## MARYLAND

**License Required:** Municipalities and counties may require permits, check for requirements.

**Bonding/Insurance Required:**

Municipalities and counties may require, check for requirements.

**State Association:** mdauctioneers.org

**State Real Estate Contact:**

dllr.state.md.us/license/mrec

**State Agency Contact:**

Maryland Consumer Protection Division  
200 St. Paul Pl.

Baltimore, MD 21202

(410) 528-8662

marylandattorneygeneral.gov

## MASSACHUSETTS

**License Required:** Yes

**License Required For Online-Only**

**Auctions:** Generally required and recommended.

**School/Apprenticeship Required:** Yes

**Bonding/Insurance Required:** \$10,000

**Licensure Period:** One year from date of issuance.

**Continuing Education Required:** No

**Fees:** License (\$100) and Renewal (\$100)

**Reciprocity:** FL, IL, KY, MS, NH, NC, TN

**State Association:** massauctioneers.com

**State Real Estate Contact:**

mass.gov/ocabr/licensee/dpl-boards/re

**State Agency Contact:**

Massachusetts Consumer Affairs and Business Regulation

One Ashburton Place, Room 115

Boston, MA 02118

(617) 727-3480

mass.gov/ocabr/data/license/standards/auctioneer-license.html

## MICHIGAN

**License Required:** Municipalities and counties may require permits, check for requirements.

**State Association:** msaa.org

**State Real Estate Contact:**

michigan.gov/lara

**State Agency Contact:**

Michigan Consumer Protection Division  
P.O. Box 30213

Lansing, MI 48909

(517) 373-1140

michigan.gov/ag

## MINNESOTA

**License Required:** Licensed by county, check for requirements.

**Minimum Age:** 18

**Bonding/Insurance Required:** Varies by county (\$1000 - \$3000).

**Fees:** Varies by county

**State Association:**

minnesotaauctioneers.org

**Real Estate Contact:**

mn.gov/commerce/licensees/real-estate

**State Agency Contact:**

Minnesota Consumer Services Center  
85 7th Place E, Ste. 280

Saint Paul, MN 55101

(651) 539-1500

mn.gov/commerce/consumers/file-a-complaint/file-a-complaint

## MISSISSIPPI

**License Required:** Yes

**License Required For Online-Only**

**Auctions:** Yes

**Minimum Age:** 18

**School/Apprenticeship Required:** Yes

**Bonding/Insurance Required:** \$10,000

**Licensure Period:** Two years, expires March 1 of odd years.

**Continuing Education Required:** No

**Fees:** Exam (\$100), License (\$200) and Renewal (\$200)

**Reciprocity:** AL, AR, FL, GA, IL, KY, LA, MA, NC, OH, SC, TN, TX, VA

**State Association:**

mississippiauctioneers.org

**State Real Estate Commission:**

mrec.ms.gov

**State Agency Contact:**

Mississippi Auctioneer Commission  
P.O. Box 50

Morton, MS 39117-0050

(601) 750-4909

auctioneers.ms.gov

## MISSOURI

**License Required:** Licensed by county, check for requirements.

**Bonding/Insurance:** Varies by county.

**Fees:** Varies by county.

**State Association:** moauctioneers.org

**State Real Estate Contact:**

pr.mo.gov/realestate

**State Agency Contact:**

Missouri Consumer Protection Division  
207 W. High Street

P.O. Box 899

Jefferson City, MO 65102

(573) 751-3321

ago.mo.gov

### MONTANA

**License Required:** Counties and municipalities may require permit, check for requirements.

**Bonding/Insurance Required:** Yes, may vary by county or auction type.

**State Association:**  
montanaauctioneers.org

**State Real Estate Contact:**  
montanarealtors.org/education/  
board-of-realty-regulation

**State Agency Contact:**  
Montana Office of Consumer Protection  
P.O. Box 200151  
Helena, MT 59620-0151  
(406) 444-4500  
dojmt.gov/consumer

### NEBRASKA

**License Required:** Certain types of auctions (e.g. motor vehicles) may require licenses. Municipalities and counties may require permits, check for requirements.

**State Association:**  
nebraskaauctioneers.com

**Real Estate Contact:** nrec.ne.gov

**State Agency Contact:**  
Nebraska Consumer Protection Division  
2115 State Capitol  
Lincoln, NE 68509  
(402) 471-2682  
protectthegoodlife.nebraska.gov

### NEVADA

**License Required:** Counties and municipalities may require permits, check for requirements.

**State Real Estate Contact:**  
red.state.nv.us

**State Agency Contact:**  
Nevada Bureau of Consumer Protection  
100 North Carson Street  
Carson City, NV 89701  
(775) 684-1100  
ag.nv.gov/About/Consumer\_Protection/  
Bureau\_of\_Consumer\_Protection

### NEW HAMPSHIRE

**License Required:** Yes

**License Required For Online-Only**

**Auctions:** No

**Minimum Age:** 18

**School/Apprenticeship Required:** Yes

**Bonding/Insurance Required:** \$25,000

**Licensure Period:** Two years from issue date

**Continuing Education Required:** No

**Fees:** Exam (\$75) and License (\$200)

**Reciprocity:** FL, GA, IN, KY, LA, MA, NC, OH, PA, SC, TN, TX, WV

**State Association:**  
newhampshireauctioneers.org

**State Real Estate Contact:** oplc.nh.gov/  
real-estate-commission/index.htm

**State Agency Contact:**  
New Hampshire Board of Auctioneers  
107 North Main St., Room 204  
Concord NH 03301  
(603) 271-3242  
sos.nh.gov/auctioneers.aspx

### NEW JERSEY

**License Required:** Counties and municipalities may require permits, check for requirements.

**State Association:** njssa.com

**Real Estate Contact:**  
state.nj.us/dobi/division\_rec

**State Agency Contact:**  
New Jersey Office of  
Consumer Protection  
124 Halsey Street  
Newark, NJ 07102  
(973) 504-6200  
state.nj.us/nj/community/consumer

### NEW MEXICO

**License Required:** Counties and municipalities may require permits, check for requirements.

**Real Estate Contact:** rld.state.nm.us/  
boards/real\_estate\_commission.aspx

**State Agency Contact:**

New Mexico Consumer  
Protection Division  
408 Galisteo St.  
Santa Fe, NM 87501  
(505) 490-4060  
nmag.gov/santa-fe.aspx

### NEW YORK

**License Required:** Certain types of auctions (e.g. motor vehicles, livestock, wine, etc.) may require licenses.

Municipalities and counties may require permits, check for requirements.

**State Association:** nysauctioneers.com

**Real Estate Contact:** dos.ny.gov/licensing

**State Agency Contact:**  
New York Division of  
Consumer Protection  
One Commerce Plaza, 99 Washington Ave.  
Albany, NY 12231-0001  
(518) 474-4429  
dos.ny.gov/consumerprotection

### NORTH CAROLINA

**License Required:** Yes

**License Required For Online-Only**

**Auctions:** Yes

**Minimum Age:** 18

**School/Apprenticeship Required:** Yes

**Bonding/Insurance Required:** \$50 to Recovery Fund

**Licensure Period:** Annually, expires June 30.

**Continuing Education Required:** Yes, four hours annually

**Fees:** Application (\$50), Exam (\$50), License (\$150) and Fingerprint Processing (\$14-38)

**Reciprocity:** AL, AR, FL, GA, IN, KY, LA, MA, MS, NH, OH, PA, SC, TN, TX, VA, WV, WI. Special conditions apply for FL, LA, MA, NH, TX, WI; contact NCALB for complete details.

**State Association:**  
northcarolinaauctioneers.org

**State Real Estate Contact:**

ncrec.gov

**State Agency Contact:**

North Carolina Auctioneer Licensing Board  
108 Ber Creek Drive  
Fuquay-Varina, NC 27526  
(919) 567-2844  
ncalb.org

## NORTH DAKOTA

**License Required:** Yes**License Required For Online-Only****Auctions:** No**Minimum Age:** 18**School/Apprenticeship Required:** Yes**Bonding/Insurance Required:** \$5,000**Licensure Period:** One year**Continuing Education Required:** No**Fees:** License (\$35)**Reciprocity:** N/A**State Association:** ndauctioneers.com**State Real Estate Contact:**

realestatend.org

**State Agency Contact:**

North Dakota Public Service Commission  
600 East Boulevard, Dept. 408  
Bismarck, ND 58505-0480  
(701) 328-2400  
psc.nd.gov/jurisdiction/auctions/index.php

## OHIO

**License Required:** Yes**License Required For Online-Only****Auctions:** No**Minimum Age:** 18**School/Apprenticeship Required:** Yes**Bonding/Insurance Required:** \$25,000

**Licensure Period:** Two years, expires  
June 30 (last names starting with A-J and  
X-Z renew in odd-numbered years and  
names beginning with K-W renew in even-  
numbered years).

**Continuing Education Required:** No**Fees:** Exam (\$25) and License (\$200)**Reciprocity:** AL, AR, FL, GA, IL, IN, KY,  
LA, MS, NC, PA, SC, TN, TX, VA, WV**State Association:** ohioauctioneers.org**State Real Estate Contact:**

com.ohio.gov/real

**State Agency Contact:**

Ohio Dept. of Agriculture – Auctioneer  
Program  
8995 E. Main St  
Reynoldsburg, OH 43068  
(614) 728-6240  
agri.ohio.gov/wps/portal/gov/oda/  
programs/auctioneers

## OKLAHOMA

**License Required:** Certain types of  
auctions (e.g. livestock, etc.) may require  
licenses. Municipalities and counties may  
require permits, check for requirements.

**State Association:** okauctioneers.org**State Real Estate Contact:**

ok.gov/OREC

**State Agency Contact:**

Oklahoma Public Protection Unit  
313 NE 21st St.  
Oklahoma City, OK 73105  
(405) 521-3921  
oag.ok.gov/citizenresources

## OREGON

**License Required:** Certain types of  
auctions (e.g. livestock, liquor, etc.) may  
require licenses. See ORS698.640 for  
regulatory details. Municipalities and  
counties may require permits, check for  
requirements.

**State Association:**

oregonauctioneers.org

**State Real Estate Contact:**

oregon.gov/rea/Pages/index.aspx

**State Agency Contact:**

Oregon Consumer Protection Office  
1162 Court St. NE  
Salem, OR 97301-4096  
(877) 877-9392  
doj.state.or.us/consumer-protection

## PENNSYLVANIA

**License Required:** Yes**License Required For Online-Only****Auctions:** Yes, see Section 3 of license  
law for full requirements.**Minimum Age:** 18**School/Apprenticeship Required:** Yes**Bonding/Insurance Required:** \$5,000**Licensure Period:** Two years, expires  
Feb. 28 of odd years**Continuing Education Required:** No**Fees:** Contact Board for current fee  
schedule; exam fees may also apply.**Reciprocity:** Reciprocal licenses are  
contingent upon Board approval. Contact  
Board for complete information.**State Association:** paauctioneers.org**State Real Estate Contact:**dos.pa.gov/ProfessionalLicensing/  
BoardsCommissions/  
RealEstateCommission**State Agency Contact:**

Pennsylvania State Board of Auctioneer  
Examiners  
P.O. Box 2649  
Harrisburg, PA 17105-2649  
(717) 783-3397  
dos.pa.gov/ProfessionalLicensing/  
BoardsCommissions/AuctioneerExaminers/  
Pages/default.aspx

## RHODE ISLAND

**License Required:** Municipalities and  
counties may require permits, check for  
requirements.

**State Real Estate Contact:**dbr.ri.gov/divisions/commlicensing/  
realestate.php**State Agency Contact:**

Rhode Island Consumer Protection Unit  
150 S. Main St.  
Providence, RI 02903  
(401) 274-4400  
riag.ri.gov/ConsumerProtection/About.php

## SOUTH CAROLINA

**License Required:** Yes

**License Required For Online-Only**

**Auctions:** Yes, if company and/or assets being auctioned are located in state.

**Minimum Age:** 18

**School/Apprenticeship Required:** Yes

**Bonding/Insurance Required:** \$100 to Recovery Fund

**Licensure Period:** Two years, expires June 30 of odd years

**Continuing Education Required:** Yes, eight hours every two years

**Fees:** Exam (\$25), Credit Report (\$10), License (\$300), Renewal \$300

**Reciprocity:** AL, FL, GA, IN, KY, LA, MS, NC, OH, PA, TN, TX, VA, WV

**State Association:**

southcarolinaauctioneers.org

**State Real Estate Contact:**

llr.sc.gov/re

**State Agency Contact:**

South Carolina Auctioneers Commission  
Synergy Business Park – Kingtree Building

110 Centerview Drive

Columbia, SC 29210

(803) 896-4670

llr.sc.gov/auc

## SOUTH DAKOTA

**License Required:** Certain types of auctions (e.g. livestock, motor vehicles, etc.) may require licenses. Municipalities and counties may require permits, check for requirements.

**State Association:** sdaa.net

**State Real Estate Contact:**

dlr.sd.gov/realestate/default.aspx

**State Agency Contact:**

South Dakota Division of Consumer

Protection

1302 E. Hwy 14, Ste. 3

Pierre, SD 57501

(605) 773-4400

consumer.sd.gov/contact.aspx

## TENNESSEE

**License Required:** Yes

**License Required For Online-Only**

**Auctions:** Contact the Tennessee Auctioneer Commission directly for guidance.

**Minimum Age:** 18

**School/Apprenticeship Required:** Yes

**Bonding/Insurance Required:**

\$50 to Recovery Fund

**Licensure Period:**

Two years from issue date

**Continuing Education Required:** Yes, six hours every two years

**Fees:** Exam (\$125), Application (\$50) and License (\$275)

**Reciprocity:** AL, AR, FL, GA, IN, KY, LA, MS, NC, OH, PA, SC, TX, VA, WV, WI

**State Association:** tnauctioneers.com

**State Real Estate Contact:** tn.gov/

commerce/regboards/trec.html

**State Agency Contact:**

Tennessee Auctioneer Commission

500 James Robertson Pkwy.

Nashville, TN 37243-0565

(615) 741-2241

tn.gov/commerce/regboards/

auctioneers.html

## TEXAS

**License Required:** Yes

**License Required For Online-Only**

**Auctions:** No

**Minimum Age:** 18

**School/Apprenticeship Required:** Yes

**Bonding/Insurance Required:** \$50 to Recovery Fund

**Licensure Period:** One year

**Continuing Education Required:** Six hours annually.

**Fees:** Application/License (\$100 – includes Recovery Fund fee)

**Reciprocity:** AL, AR, FL, GA, IL, IN, LA, MS, NC, OH, PA, SC, TN, VA, WV, WI

**State Association:** texasauctioneers.org

**State Real Estate Contact:**

trec.state.tx.us

**State Agency Contact:**

Texas Department of Licensing and Regulation

920 Colorado

Austin, Texas 78701

(512) 463-6599

tdlr.texas.gov/auc/auction.htm

## UTAH

**License Required:** Municipalities and counties may require permits, check for requirements.

**State Association:** utahauctioneer.org

**Real Estate Contact:** realestate.utah.gov

**State Agency Contact:**

Utah Division of Consumer Protection

160 East 300 South, 2nd Floor

P.O. Box 146704

Salt Lake City, Utah 84111

(801) 530-6601

dcp.utah.gov

## VERMONT

**License Required:** Yes

**License Required For Online-Only**

**Auctions:** Information not provided by state.

**Minimum Age:** 18

**School/Apprenticeship Required:** Yes

**Bonding/Insurance Required:** No

**Licensure Period:** Two years, expires Sept. 30 of even years

**Continuing Education Required:** No

**Fees:** Application (\$100), Renewal (\$200)

**Reciprocity:** N/A

**State Real Estate Contact:** sec.state.

vt.us/professional-regulation/profession/  
real-estate-commission.aspx

**State Agency Contact:**

Vermont Office of Professional Regulation

128 State Street

Montpelier, VT 05633-1101

(802) 828-2363

sec.state.vt.us/professional-regulation/

list-of-professions/auctioneers.aspx



## VIRGINIA

**License Required:** Yes

**License Required For Online-Only**

**Auctions:** No

**Minimum Age:** 18

**School/Apprenticeship Required:** Yes

**Bonding/Insurance Required:** \$10,000

**Licensure Period:** 24 months from the last day of the month in which the license is issued

**Continuing Education Required:** Six hours per renewal period

**Fees:** Exam (\$40), License (\$25) and Renewal (\$55)

**Reciprocity:** AL, FL, GA, IN, KY, LA, MS, NC, OH, PA, SC, TN, TX, WV

**State Association:** vaa.org

**State Real Estate Contact:** dpor.virginia.gov/Boards/Real-Estate

**State Agency Contact:**

Virginia Auctioneers Board  
9960 Maryland Drive, Suite 102  
Richmond, Virginia 23233  
(804) 367-8500  
dpor.virginia.gov/Boards/Auctioneers

## WASHINGTON

**License Required:** Yes

**License Required For Online-Only**

**Auctions:** Yes, a company license would be required when the items/property and/or company is located in the state of Washington.

**Minimum Age:** 18

**School/Apprenticeship Required:** No

**Bonding/Insurance Required:** \$5,000

**Licensure Period:** One year

**Continuing Education Required:** No

**Fees:** License (\$155) and Renewal (\$155)

**Reciprocity:** N/A

**State Association:**

washingtonauctioneers.org

**State Real Estate Contact:**

dol.wa.gov/business/realestate

**State Agency Contact:**

Washington Department of Licensing –  
Auctioneer Program  
P.O. Box 9026  
Olympia, WA 98507  
(360) 664-6636  
dol.wa.gov/business/auctioneers

## WEST VIRGINIA

**License Required:** Yes

**License Required For Online-Only**

**Auctions:** Yes, if auctioneer and/or assets being sold are located in the state of West Virginia. Contact the Department of Agriculture for specific details.

**Minimum Age:** 18

**School/Apprenticeship Required:** Yes

**Bonding/Insurance Required:** \$25,000

**Licensure Period:** One year, expires Dec. 31

**Continuing Education Required:** Six hours annually

**Fees:** Exam (\$50), License/Application (\$100) and Renewal (\$50)

**Reciprocity:** Contact state agency for details.

**State Association:** wvaa.org

**State Real Estate Contact:** rec.wv.gov

**State Agency Contact:**

West Virginia Department of Agriculture –  
Auctioneer Program  
1900 Kanawha Blvd., Room E-28  
Charleston, WV 25305  
(304) 558-3550  
agriculture.wv.gov/divisions/executive/  
Pages/Auctioneers.aspx

## WISCONSIN

**License Required:** Yes

**License Required For Online-Only**

**Auctions:** Yes; for complete details, see Wisconsin Chapter 480 and/or contact the Wisconsin Department of Regulation and Licensing.

**Minimum Age:** 18

**School/Apprenticeship Required:** No

**Bonding/Insurance Required:** N/A

**Licensure Period:** Two years, expires Dec. 14 of even years

**Continuing Education Required:** 12 hours every two years

**Fees:** Exam/License (\$173) and Renewal (\$47)

**Reciprocity:** AR, IL, KY, NC, TN, TX; additional states may be approved on case by case basis

**State Association:**

wisconsinauctioneers.org

**State Real Estate Contact:** dsps.wi.gov/Pages/Professions/REBroker

**State Agency Contact:**

Wisconsin Department of Regulation and Licensing – Auctioneers  
4822 Madison Yards Way  
Madison, WI 53705  
(608) 266-2112  
dsps.wi.gov/Pages/Professions/Auctioneer

## WYOMING

**License Required:** Counties and municipalities may require permits, check for requirements.

**State Association:** wyoauctioneers.org

**Real Estate Contact:** realestate.wyo.gov

**State Agency Contact:**

Wyoming Attorney General's Office  
Consumer Protection Unit  
2320 Capitol Avenue  
Cheyenne, WY 82002  
Phone: 307-777-8962 or 1-800-438-5799  
(toll free in Wyoming)  
Fax: (307) 777-3435  
Email: ag.consumer@wyo.gov  
ag.wyo.gov/cpu



**Kurt Bachman**  
Attorney and licensed  
auctioneer from  
LaGrange, IN

## Business Practices

# Rejection of non-conforming goods

**Question:** Can a buyer of goods sold at an auction reject the goods as non-conforming even when they are sold “as-is”?

In some instances, yes. Under Article 2 of the Uniform Commercial Code relating to the sale of goods, the buyer may reject goods that fail to conform to the contract (“nonconforming goods”), “unless the buyer otherwise agreed to a contractual limitation of remedy.” (Section 2-601 of the UCC.) Consider a hypothetical: A company agrees to buy 10,000 bushels of oranges. But when the shipment arrives, it turns out to be 10,000 bushels of lemons. What can the buyer do in this situation? In general, the buyer may reject lemons, because it ordered oranges, or the buyer may accept the lemons despite the seller’s defect in delivery and seek damages. The buyer also has the option to accept part of the goods and reject the rest.

What does it mean that the goods are non-conforming? This term is not specifically defined in the UCC. The courts have generally held that the buyers cannot reject the goods for any reason. The courts may deny rejection of the goods for what they regard as insubstantial defects. This would be a situation where the buyer suffers no, or only minor, damages. In the hypothetical above, what if the seller only delivered 9,999 bushels of oranges? While the seller did not make a perfect tender of the goods, there is no substantial defect that would allow the buyer to reject the 9,999 bushels of oranges delivered. There can be a price adjustment for the failure to include the last bushel or the seller can make arrangements to deliver the last bushel of oranges. If a buyer rejects the goods without good cause, the courts may find that the rejection was improper and in bad faith.

If a buyer decides to reject nonconforming goods, it should give notice of the rejection of nonconforming goods to the seller within a reasonable time after the delivery. What is a reasonable time period will depend on the facts of the case. In the hypothetical, the time-frame for notifying the seller and rejecting the goods would be fairly small. Fruit is perishable and cannot sit long before it starts to spoil. The seller’s assurances that it will cure defects in the delivery of the ordered

goods will extend the time for the buyer to give notice of rejection. In addition to giving timely notice, the rejection of the nonconforming goods must clearly and unambiguously inform the seller that the rejection is final and that the seller may dispose of the goods without further dealings with the buyer. The buyer’s statement that there are problems with the goods or merely expressing dissatisfaction with the goods does not constitute a rejection.

Some of you may be thinking about the “as is” phrase. Would that have an impact on this situation? Under Article 2 of the Uniform Commercial Code, the phrases “as is,” “as they stand,” “with all faults,” and the like disclaim all implied warranties, such as the warranty of merchantability or warranty of fitness for a particular purpose. This does not change the seller’s obligation to provide goods to the buyer that conform to the contract.

The buyer’s ability to reject goods can be limited in certain ways. First, auctioneers can and should provide buyers with an opportunity to inspect the goods prior to the sale. If a buyer inspected the goods or at least had a reasonable opportunity to inspect the goods, but decided not to do so, the courts would be less sympathetic to the claim that the goods are non-conforming. Second, is the buyer taking immediate possession of the goods sold at the auction? If the goods are available and can be immediately delivered to the buyer at the auction, it reduces the likelihood that the buyer can or would reject the goods. Third, did the goods conform to the description used to sell the goods? Auctioneers should exercise caution to make sure the goods conform to the description used to sell the goods. Finally, there can be contractual limitations placed on the buyer’s ability to reject the goods.

Auctioneers should be aware of buyer’s right, in some instances, to reject non-conforming goods under the Uniform Commercial Code. It does not come up often, but it can and does happen. The seller may have a right to cure the defects, this could

**Have a legal  
question?**

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Contact Kurt Bachman:  
 (260) 463-4949  
 krbachman@beersmallers.com

Kurt R. Bachman and Beers Mellers 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 Mellers Backs & Salin LLP do not intend to create an attorney-client relationship by offering this information, and anyone's review of the information shall not be deemed to create such a relationship. You should consult a lawyer if you have a

be where a seller takes action to correct and non-conformity. To the extent that auctioneers want to contractually limit the buyer's right to reject goods that are being shipped, they should work with a licensed attorney to make sure they use the proper approach and language. ❖

legal matter requiring attention. Kurt R. Bachman and Beers Mellers Backs & Salin LLP also advise that any information you send to Auctioneer shall not be deemed secure or confidential. Please visit one of our offices to ensure complete confidentiality.

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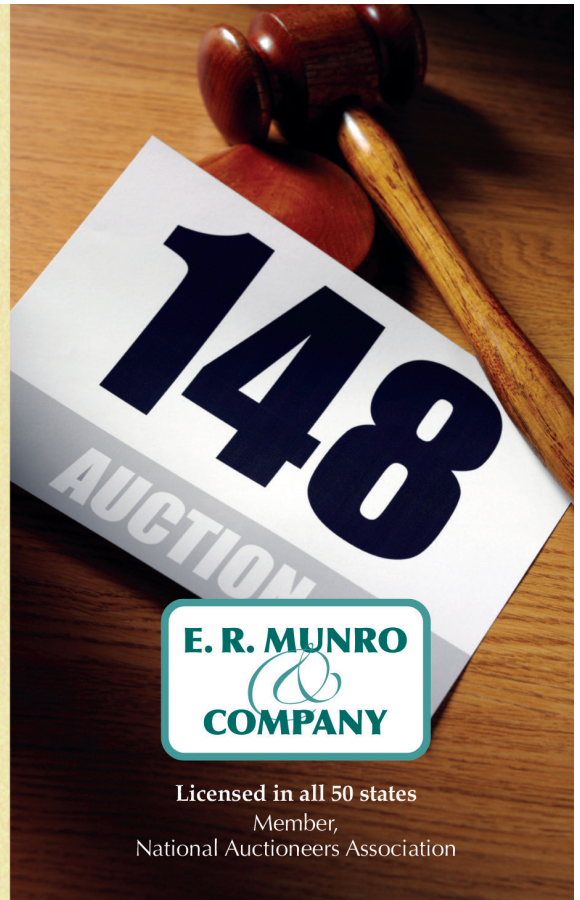
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# DAY ON THE HILL

The impacts of *South Dakota v. Wayfair, Inc.*, continued to inform the discussions of the Advocacy Committee at its meeting on Sept. 11, 2019, in Washington, D.C.

The committee discussed how the decision made by the Supreme Court of the United States in June of 2018 changed the requirements for businesses to comply with an extremely diverse set of sales tax regulations.

Chair of the Advocacy Committee, Ailie Byers, CAI, AMM, BAS, said that there are two nearly identical bills that have been introduced: one in the House (H. R. 1933) and in the Senate S.2350 (both have identical names: The Online Sales Simplicity and Small Business Relief Act of 2019). Byers noted that the titles are misleading as sales tax must be collected regardless of how the item is sold—instead it depends on the location of the final delivery point.

Both of these bills set a limit on retroactivity and do not allow states to require remittance for transaction before June 18, 2018. In addition, both bills add a small business exemption for businesses less than \$10,000,000 in gross receipts. Neither bill is permanent but will last until the states enact a simplification of the burdens of collecting sales taxes through the Streamlined Sales Tax Process.

According to the Small Business Administration (SBA), there are 30.2 million small businesses in the United States (these businesses have less than \$10,000,000 in gross revenues and less than 500 employees). Byers also noted that 67 percent of NAA members own firms that employ four employees or less and are definitely small businesses.

The Advocacy Committee also discussed the NAA's efforts to work

with Zillow/Trulia on improving the way they display listings of properties being sold by auction. NAA members have been working since last summer on this project and have been successful in helping revise the language used to describe auctions. Previously, when listing properties, auctions were described as being used in bankruptcies, foreclosures and with bank-owned properties. However, currently the definition has been to show these as properties being sold by competitive bidding.

The task force continues to work with Zillow/Trulia to ensure that if a property is being sold by absolute auction that no “Zestimate” is included within the listing. The committee encouraged the Board to continue to make this process a priority for members who sell real estate by auction, which almost half of NAA's members do.

Byers also discussed the Board's position regarding state licensing and updated the committee on the lawsuit filed by the Interstate Auction Association against the Tennessee Licensing Board (see September *Auctioneer*).

The committee made several recommendations to the Board that will be discussed at the Board's October meeting. ❖

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*Members of the Advocacy Committee include: Byers as Chair; Vice Chair John Schultz, AMM; Executive Committee Liaison Tim Mast, CAI, AARE; David Warren; David Webb, AMM, BAS, GPPA; J. K. Kinsey, CAI, AMM; Charlotte Pyle, CAI, AARE; Wade Baer, CAI, AMM; and Anne Nouri, CAI, AARE, BAS, GPPA. President Jason Winter, CAI, AARE also attended this meeting.*

**Without advocacy we leave ourselves without representation to our legislators and leaders. The legislators do not know what they do not know and it is our job to advocate for our profession at every opportunity, which will aid them in their decision making process.**

Wade Baer, CAI, AMM





**I believe we have a unique opportunity to affect meaningful legislation protecting our industry and creating opportunity for our members. I would love to see many more of our members at DOH next year. It is an amazing experience and an important exercise for us to have our voices heard for the protection of our collective future.**

Tim Mast, CAI, AARE



Congressman Steve Watkins (R-KS)



Congresswoman Vicky Hartzler (R-MO)



Congressman Mark Walker (R-NC)



Congressman Billy Long (R-MO), NAA member, NAA Hall of Fame



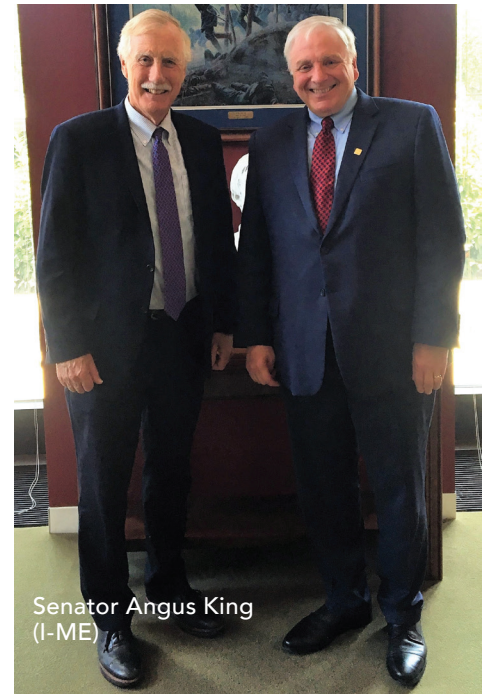
**This was the first year I attended Day on the Hill, and I was amazed at the opportunities we had to meet with individuals that could help make a real difference in the auction industry. Our Congressmen and Senators are more than willing to take the time to meet with us to discuss important matters.**

Billie Jo Schultz, CAI, AMM



Congressman Jeff Duncan (R-SC), NAA member





Legislative Correspondent for Senator Jerry Moran (R-KS) Bryan Swartz



Senator Angus King (I-ME)

**The NAA has very diligently informed our members concerning developments in interstate sales taxation following the Wayfair decision through both the NAA website and Auction eNews. Day on the Hill affords us the opportunity to do more than merely inform, and to have an impact on the development of the law regarding interstate sales taxes across the nation.**

David Warren

# Behind the tall doors

By Ailie F. Byers, CAI, AMM, BAS, Advocacy Committee Chair

**O**n September 12, 2019, I was fortunate to lead the NAA Advocacy Committee and members for Day on the Hill (DOH) 2019. This event was the culmination of a year of work and planning by the staff and committee members, and it is a great opportunity for the membership. We hosted an incredible reception attended by seven members of Congress (six of whom had messages for us from the podium), as well as several staff Congressional staff members from a few additional offices. The best part of the event was the fact that we had more than 25 members come in and execute more than 20 meetings with members of Congress and their staff.

Through the great efforts of NAA members who have established contacts in the executive branch and who built relationships within the administration, NAA President Jason Winter, CAI, AARE, AMM, CES, Vice-Chair John D. Shultz, AMM, and I had the opportunity to have a meeting in the office of the Alex Latham, Special Assistant to the President and Deputy Director of Political Affairs and Outreach. Having a meeting with the Executive Branch in the Eisenhower Executive Office Building was a notable feather in the cap of the NAA. It is only through extensive and directed relationship building that an organization such as ours can get a foot into the door of the current administration.

The meeting was a great success. We were able to explain the position of the NAA concerning the *South Dakota v. Wayfair, Inc.*, decision and how the ripple effects of the decision are being felt by small businesses nationwide. We enumerated the difficulties facing our members as we try to comply with the far-reaching legislative actions of states in the remittance of sales taxes for remote sellers. Our points were well received, and the meeting participants saw how the challenges we face are negatively affecting our businesses and other small businesses. We agreed to continue to communicate and work to see how the NAA can interact with the administration moving forward on this and other issues.

John Schultz and I capped off the day with a meeting with the sales tax policy team at the National Taxpayers Union. This was very beneficial as we hope it will lead to a fruitful relationship between the taxpayers' advocacy organization and the NAA.

I would like to personally thank all who attended and helped make DOH2019 a glowing success. Together we are working toward supporting and promoting members of the NAA and the auction industry all over the country. ❖



**The first year I came to Day on the Hill was three years ago. My first Day on the Hill experience opened my eyes and it was there that I understood the importance of an auctioneer's voice in Washington. That has kept me coming back, voicing my concerns and making the auction industry better through advocacy efforts at the United States Capitol.**

J.K. Kinsey, CAI, AMM



**Legislation from the Federal Government can have a tremendous impact on our business and the auction industry. Advocating for issues that affect us and developing a relationship with our elected officials is very important. The most surprising thing about meeting with our Senators was their willingness to meet. They want to hear from us and genuinely enjoy visiting about our needs.**

Travis Augustin, GPPA



Senator Marsha Blackburn (R-TN)



## The best job on the floor

Fundraising ambassadors can be an essential element to raising more money

By Kim Byrnes

**H**elp. It's the one word used when describing every benefit auction. You're helping an organization raise money, but who's helping you?

Whether you call them fundraising ambassadors, bid assistants, "Biddies," "Bid Buddies," "Mavens," "Ringmen" or something else, according to many auctioneers, they can help you maximize revenue. And they're responsible for much more than spotting bids.

"If you're not using fundraising ambassadors to elevate your guests' experience, you are missing out on an opportunity to benefit them and the organization you're serving," said Shannon Mays, CAI, AARE, BAS, auctioneer and fundraising ambassador at Raising Paddles, and instructor at the Professional Ringmen's Institute and World Wide College of Auctioneering. "Ambassadors can pay for

themselves in one item and they have the potential to pay for the entire team."

Mays and Scott Jones, CAI, BAS, gave an impromptu session on fundraising ambassadors at the Benefit Auction Summit in Palm Springs, California. They wanted to hammer home how important fundraising ambassadors are, not just during the live auction, but throughout the entire event.

"Fundraising ambassadors should come prepared with knowledge about the organization. They should welcome guests and shake every hand. By building relationships, you build trust," said Jones, auctioneer and fundraising ambassador with Raising Paddles.

Jones often stands out in the crowd with unique outfits.

"A lot of times what I'm wearing will give people the opportunity to engage with me. It opens up a conversation," he said.

Part of building relationships and trust involves being memorable.

"When he's unforgettable, our team is unforgettable," Mays said.

According to Jones and Mays, that translates into revenue.

"If guests have fun and are engaged, they're going to spend more money. If they are informed and educated about the cause, they're going to spend more money," Mays said.

Misty Marquam, BAS, owner and principal auctioneer at Marquam Auction Agency, calls her fundraising ambassadors "Mavens."

"They represent not only our brand, but all the organizations we partner with. On average we show about a 15 percent gain with our Mavens," Marquam said.

What does it take to be a Maven? According to Marquam, Mavens should have great personalities and be passionate about their

Above: Marquam Auction Agency Maven Kami King. Opposite page: Scott Jones, CAI, BAS, Scott Jones Auctioneer, professional ringman; and Marquam Auction Agency Maven Christine DeCastro, BAS.



jobs. She believes they need to be loyal, willing to learn and energetic.

"I often hire people who have non-profit backgrounds because we try to make it not about the auctioneer, but instead about the mission," Marquam said.

Because they are vital to the success of benefit auctions, Marquam does not believe Mavens should be optional.

"A lot of auctioneers will add Mavens as a la carte option. We don't do that. They are part of our team and you get all of us," she said.

A fundraising ambassador's job isn't finished

until the event is finished. Shaking hands, answering questions and building relationships at the start of the event is just that, the start.

"Thank people on the way out," Mays said. "Make sure they know they're appreciated. Make sure they leave feeling good about the event."

As for advice on becoming a successful fundraising ambassador, Marquam says being open is key.

"Get educated and find a mentor. This is a job you have to learn as you go. You learn during live events. Ask for feedback and be open to receiving it," she said.

Marquam happens to believe Mavens have the best job on the floor.

"They amp up the crowd. They get to have the most fun," she said.

That energy and fun translates into guests doing what every benefit auction needs: opening up their wallets to help. ❖

*Kim Byrnes is a freelance writer in a Kansas. She is a Fundraising Ambassador for Legacy Auction Professionals. Kim is also a morning news anchor and reporter for WDAF-TV in Kansas City.*

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## To post or not to post

Sharing your auction results post-sale has advantages and disadvantages. Which side are you on?

By Kirsten Hudson

**A**fter the sale, auctioneers have another call to make: whether or not to post the sales results of their auctions.

Many auctioneers choose to list sale prices to let their successful results speak for themselves. Publishing auction results provides credibility in potential clients' eyes and also gives bidders the confidence to place a bid. But others worry revealing sale prices goes a step too far.

For David Whitley, CAI, CES, president and CEO of Whitley Auction in Colorado, posting the prices realized for his online real estate and business liquidation auctions makes his business an authority in the marketplace. When on sales calls and questioned about his track record, he has a quick answer ready—one that gives him an edge over the competing auction or estate sale company. "I always say, go to my website

and look at my five years' worth of auction results," he said. He also likes how posting sold items and prices drives traffic to his website through search engines, leading to more viewers browsing listings, increased bidders and prospective clients.

Dan Newman, BAS, CAGA, certified auctioneer and founder of Alaska Premier Auctions & Appraisals in Alaska, can only remember one situation where he considered not posting the sales results of an auction. As the executor of her mother's estate, his client worried about causing family strife if her mother's much-loved vehicle didn't go for what she hoped. "It ended up selling where they thought it should, so we posted it," he said. But if she had asked him not to, he would have honored her request. "At the end of the day, she's my client. I work for her."

As an online-only auction service specializing in estate sale, business liquidation, consignment and personal property auctions, his auction results go live on his website immediately after the sale closes. "These are the prices that were realized on that given day based on our efforts in selling the inventory, so I have no reason to hide them," he said. "It all ties into our open, honest, ethical, transparent philosophy."

John John Genovese, CAI, AMM, BAS, co-founder of Malama Auctions & Realty in Hawaii, shares a similar view. "For good or for bad, we let our past results talk for themselves," he said of posting auction sale prices on his website for personal property, real estate and commercial asset auctions.

Auction results can also work as a selling tool to help people get an idea for what inventory can go for, Newman said. Although he noted sale prices fluctuate for any number of reasons, from the number of bidders that day to a bad ad campaign. "All it takes is two people to drive up the price and it can go far above retail," he said.

Genovese agrees. "An auction determines the value of an item on that day, at that time, with that group of people," he said. The value can change week to week or month to month,

which can be a downside to posting sales results publically.

Another drawback? Uncontrollable factors can lead to a bad sale, like pulling together an auction with little to no time to market. "Those low prices from the fire sale can leave a bad taste in someone's mouth," Genovese said. "So much so, that if this is the only results they see, they may never call!"


Every auctioneer knows sometimes items don't sell for what you hoped, but only featuring sales of top dollar items can cause problems. "Potential buyers might shy away because they don't see you ever have a bargain," Whitley said. "We have to remember, everybody bids at an auction to get a bargain. If we're doing a real estate auction and I have 10 registered bidders and I say 'sold,' you have one person that's happy and nine people that think that person paid too much."

Some auctioneers worry posting sale prices equates to giving away a free price guide. But Whitley said websites like eBay already do that anyway. "Every single thing I will ever sell in my career has already been sold on eBay," he said. "Anyone can go and look up what it sold for in the last 30 days."

There's some disagreement about whether or not it's against auctioneer license law in some states to disclose sale prices unless the seller agrees in a contract. Whitley said when it comes to public auctions, if you're watching the auction when the item sells, then you see what it sells for. "That's public information, he said. "There's no reason an hour later that it becomes private information."

However you choose to do it is up to you. "I don't think there is a right or wrong answer on whether someone should post their results or not," Genovese said. "It's most important to fully believe in the reason behind what you're doing, and your loyal buyers and sellers will follow." ❖

*Kirsten Hudson is a freelance writer in Missouri who grew up running tickets at her dad's auctions.*



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## The traveling auctioneer

A few tips for contract professionals

by James Myers

**N**ot many people can say they really enjoy their commute to work, especially if the commute involves an international flight, a rental car, hotel, the actual work, and then a return international flight. Scott Musser, CAI, AMM, knows this routine well. Over the last 19 years, he's made more than 200 overseas flights, working as a contract auctioneer and logging around three million miles in the process.

"Prior to doing much serious travel," Musser said, "I thought the airline membership clubs were kind of hokey. I discovered that your loyalty pays off."

Matt Hostetter, CAI, CAS, CES, works with his family's auction company in Pittsburgh, Pennsylvania, but he's also a contract

auctioneer, and for the last decade has followed in Musser's footsteps, making regular trips to Europe and Asia. They have their share of travel horror stories.

People approach Hostetter about his international travel, saying: "You guys get to go here and there—you're rock stars."

"But it's not really all that glamorous," he said.

For example, he learned the hard way to never check a bag during one particularly bad trip, which involved an eight-hour layover followed by the airline losing his luggage. Oddly, it gets worse: he had to shower in a bathroom filled with bees and claims he's lucky to only have been stung once.

Delays, cancelled flights and long layovers are to be expected at some point if you travel



long enough, but an aspect of the job that business travelers rarely get used to is being away from family. Camille Booker, CAI, CES, travels frequently as a contract auctioneer and is a mom to young kids. While she loves traveling, work schedules and life schedules sometimes collide.

“That’s pretty hard on a mom,” she said, “I’m not going to lie. The older they get you’d think it would get easier, but it doesn’t. You miss games and events ... you fill in all the gaps when you’re home so they know they’re loved when you’re gone.”

Musser refers to the time away from home as the “biggest cost of doing business as a contract auctioneer.” For Hostetter, he’s thankful for FaceTime, which allows him to actually see his kids while he’s away.

“It’s hard to put a price tag on your time away from your kids,” Hostetter said.

### Travel tips

For anyone considering a career in contract auctioneering where travel is the norm, rule number one would be to avoid checking luggage and pack everything you need in a carry on bag.

“That’s your life in that bag,” Hostetter said.

Vital items Hostetter’s said he wouldn’t leave home without include his microphone and Chloraseptic throat spray.

Booker knows the dangers of checking luggage, and has had issues, but still does it.

“You’d think I’d know better,” she said.

But for her, the most important thing about preparing for travel is making a checklist so everything she needs for the trip is accounted for and there are no surprises at the last moment. Among the most vital items in her bag are comfortable shoes.

Another thing to consider while traveling through different time zones is a natural sleep aid, like melatonin, which Hostetter swears by.

“You’ll be tired from the travel so you’ll go to sleep early and then it’s 2 a.m. or 3 a.m. and you’re awake and you’re ready to go,” Hostetter said. “By the time you get settled back down it’s time to get up and you’re dragging all day. Melatonin helps me get to sleep and stay asleep.”

### Landing the jobs

As for getting work as a travelling contract auctioneer, all three say they got the hook up

through their involvement in the National Auctioneers Association.

“It’s 100 percent relationship-based,” Musser said, “and I can trace (my contract work) back to the NAA.”

Musser said his second place finish in the 1999 International Auctioneer Championship (IAC) got his name out there to the right people, which resulted in a phone call that led to landing contract auctions abroad beginning in 2000.

“Get involved,” he said. “Get in the contest. Get the exposure and experience. Be ready to carry the water and opportunities will open up.”

Booker has attended NAA Conference & Shows since she was a child. She started competing in the IAC and made many friends along the way. Job opportunities started coming her way, especially after she won in 2011.

“Get invested with the association,” she said, “because I wouldn’t have had the opportunities without it.” ❖

*James Myers is a freelance writer in Oregon.*

*This article was adapted from a 2019 Conference & Show session. To hear it and other recordings, visit [pathlms.com/naa](http://pathlms.com/naa).*

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## Preparing for the new economy

Designation Academy will feature a Real Estate Workshop for new and experienced auction professionals

**M**arket is driven by economics. To maintain or generate real estate success, auction professionals must prepare for the next transition. What are the marketplace trends and new products? How do we change our process to fit the new buyers and sellers? How can you successfully compete in strategic markets? What does the new economy expect of the auction community? Join these discussions and more during the Real Estate Workshop at this year's Designation Academy in Las Vegas, and set yourself up for ongoing real estate auction success.

It's no secret that real estate markets ebb and flow following a historical cycle of prosperity and recession. Following that trend, experts predict we're nearing economic change that will have an impact on real estate auction professionals. And we want to give you

insights and strategy to not only survive the new economy, but maybe even thrive in it!

This year's Real Estate Workshop has a more advanced, strategic and forward focus than previous workshops. Attendees will walk away with valuable insights to aid in strategic planning—knowing where we've been, where we are now and how to position ourselves for the future. History is going to repeat itself and learning from the professionals in our industry who successfully positioned themselves to capitalize on previous market corrections can be a huge benefit, both financially and strategically. This workshop—if you implement what you learn—has the potential to set you up as part of that small percentage who thrive in the next turn.

Mike Fisher, CAI, AARE, ATS, BAS, GPPA, Education Institute Trustee and Chair of this

year's Real Estate Workshop Task Force, is very excited about the education being planned for Las Vegas this December.

"I wasn't in the business during the RTC days [Resolution Trust Corporation created in the 1980s to resolve the savings and loan crisis]," Fisher said. "I've only got 20 years in the business. I didn't position myself for the crash of 2008, so I'm going to learn myself how to do this."

After enjoying some networking and socializing at the welcome reception Tuesday evening, Wednesday morning kicks off the Real Estate Workshop program by welcoming Keynote Speaker Gregory J. Fine, FASAE, CAE, executive vice president and CEO of CCIM Institute. CCIM is commercial real estate's global standard for professional achievement.



## KEYNOTE SPEAKER



Keynote Speaker Gregory J. Fine, FASAE, CAE, executive vice president and CEO of CCIM Institute

According to the CCIM website: “The commercial real estate industry is changing. CCIM Institute helps industry professionals adapt. CCIM Institute is commercial real estate’s most influential professional organization, with members closing \$200 billion annually in commercial real estate deals.”

As the executive vice president and CEO of CCIM Institute, Fine heads up a 13,000-member professional association, with members located in 30 countries. Prior to his current position, he served as the Global CEO of the

Turnaround Management Association and before that as vice president of marketing and communications for the Association for Corporate Growth.

The insights Fine brings will set the tone for an advanced educational program full of industry experts sharing their experience and strategies to navigate a new economy with new trends, new products, new buyers and sellers, and successfully competing in strategic markets. Help future-proof your business and join us to learn what the new economy might expect of the auction community.

Fisher believes not attending the workshop could be a mistake.

“It literally, easily could be a million-dollar mistake,” Fisher said, “unless you have gone through these things before, taking what these people that capitalized—all their strategies that they’ve used—and been able to implement them.”

Even if you’ve been through this before, there are still plenty of opportunities to learn about new, hot topics at the workshop.

“We’re also going to be talking about new buyers, new markets, and what the new economy and buyers are demanding,” Fisher said. “Those are all new things for someone who’s been in the business for 40 years.” ❖



Join us Wednesday, Dec. 4, 2019, for the Real Estate Workshop: Preparing for the New Economy at Designation Academy at the Planet Hollywood Resort and Casino in Las Vegas. Find more information and register at [auctioneers.org/designationacademy](http://auctioneers.org/designationacademy). You can even

come early to take the new Effective Auction Selling class or stay later and start your Accredited Auctioneer of Real Estate (AARE) designation!



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# Q&A

## Billie Jo Schultz, CAI, AMM

### **What sparked your interest in becoming an auction professional?**

The auction industry kind of found me. I graduated from college with a Bachelor of Business Administration. I was unsure of my next step, or exactly what career path I wanted to embark on, when a friend of my parents made me aware of an opening at a marketing firm working exclusively with auctioneers.

### **What road did you take to get there?**

I went to the interview, was hired on the spot and started working that day, Jan. 5, 2005. I knew right away that I was going to love my job. After almost 15 years, I couldn't imagine working in any other industry.

### **Were there any challenges you faced?**

I was unfamiliar with the auction industry, despite growing up within miles of one of the largest auction companies in the country. Therefore, understanding the industry, as well as event-based marketing, was a new challenge for me. By attending NAA events and eventually earning my CAI designation, I was able to fully understand the challenges auctioneers face and discover how I could effectively assist them with marketing.

### **Has your perception of the auction industry changed since you started? If so, how?**

Absolutely. I was unfamiliar with the auction industry therefore had no perception. I now understand the important roles it plays

in the establishment of true market value. I have also come to love and appreciate the sense of family within this great industry.

### **Why do you love what you do?**

I love many things about what I do—the challenge of discovering new and effective ways to market different properties or assets; the people who have become like family; and, seeing the success my clients' have achieved over the years.

### **What do you think is the biggest thing (or things) auction professionals can do to stay relevant in the future?**

Auction professionals must continue to anticipate changes in the industry, whether



Auctioneers literally became a part of Billie Jo's family, as seen here in a photo from her wedding to John Schultz, AMM, director for the NAA Board.



it apply to marketing, licensing, taxes, etc., and react appropriately to remain relevant and successful.

**How has the NAA helped you become a better auction professional?**

The NAA has taught me everything I know about being an auction professional, from networking and learning from the best in the business to offering educational courses such as CAI and AMM. Attending the Certified

Auctioneers Institute was one of the best decisions I made for my career as it gave me the opportunity to understand the process from the auctioneer's perspective and allowed me to better serve them as a partner.

**What do you love about this point in your auction career?**

After 14 years in the industry, I started my own company and learned first hand the loyalty of this great industry. I love being able

to work with some of the best in the business on a daily basis to ensure their auction events are marketed using the most relevant and effective marketing tactics. ❖

Contact Billie Jo Schultz with Auction Marketing Partners at [billiejo@auctionmarketingpartners.com](mailto:billiejo@auctionmarketingpartners.com).

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# Q & A

**Beth Beiriger**  
Executive Vice President of  
Product and UX, General Manager



**AuctionZip**  
Your auction community

## When and how did your business start?

AuctionZip was established in 2003 by two Pennsylvania antique dealers to solve their frustration over the fragmented search for auction listings. Within just a few years, the business expanded to become a leading destination for auction listings with over 4,500 participating auctioneers and 120,000 listings.

In 2009, AuctionZip joined forces with Invaluable with the vision of adding additional e-commerce tools, including Live Bidding, auction listing syndication for additional bidder demand, and auction management software. Today, AuctionZip & Invaluable drive more combined traffic, bidders, and buyers than any other live auction marketplace.

## Was there a specific need you saw in the auction industry that prompted the business?

There are two distinct needs that AuctionZip is solving for. First, we've seen users increasingly moving online as they search for specific items. As a result, foot traffic at auctions was falling at significant rates. The only viable solution was to reconnect the buyer with the seller, and we developed an online platform to make that happen.

Additionally, we provide technology and services that enable auctioneers to run their business as they always have, but in the space where their bidders are congregating—the digital world.

## What do you hope you do for your clients/customers?

Our goal is to provide solutions that help auctioneers continue to grow their businesses. AuctionZip is unique and very fortunate to have access to a tremendous amount of data that has been collected over the course of the last decade. This data enables us to see trends changing over time, such as the one showing users organically transitioning to shopping online. Our findings enable us to build technology and products that help our bidders find what they want while simultaneously supporting the auctioneers we work with in building their business.

We launched our White Label services for this very purpose—to help more auctioneers establish their online presence. This brand-new product provides auctioneers with their own custom branded website and mobile app with a built-in e-commerce platform and access to our bidder database.

The branded mobile app that comes with all our White Label tiers is something we're particularly excited about—we know that over 50% of all bidders who use AuctionZip come to the site from their mobile devices, so we are optimizing the experience for those users choosing to come via a mobile device. Better yet, the mobile app will be available on both iOS and Android devices.

It's a great opportunity that we're very excited to share with the auctioneer community as it will expand every auctioneer's reach under their brand to their buyers.

## What do you love about working with your clients/customers?

AuctionZip was a company founded by auctioneers to solve real problems for auctioneers and I love that this is still at the core of our mission. Originally, AuctionZip solved the need of bringing auction listing to the digital age; today we're focusing on how to drive real demand from around the world. I love helping companies expand their brand, reach, and revenue opportunities by moving them into a digital age. I get satisfaction out of building new products and seeing the results from our customers through better

competition at auction, better prices realized and delighted consignors.

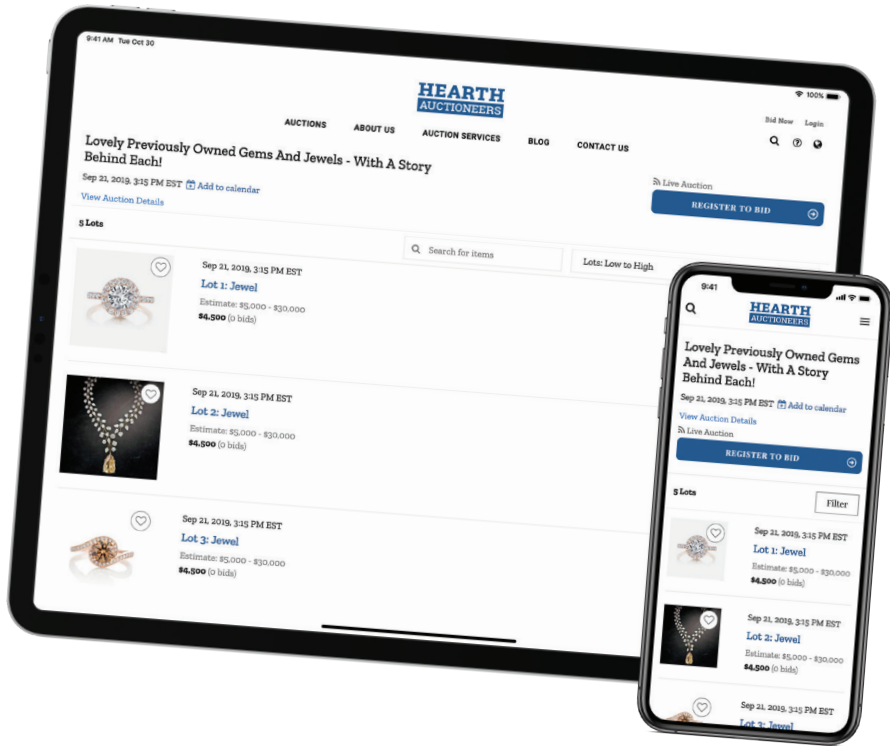
### Is there anything new you're particularly excited about this year?

Absolutely, there are two big changes this year. First, AuctionZip is getting a complete makeover based on the latest industry trends and the feedback we've heard from our users. The full UX (user experience) is going to be updated and the new AuctionZip site will be mobile responsive. The goal of this project is to perfect our search function and provide a seamless experience for bidders and auctioneers. We've already started to make enhancements and I'm anticipating that we'll be able to roll out the full set of upgrades by the middle of next year.

Second, as I mentioned earlier, we are introducing AuctionZip White Label. We often hear from Auctioneers that they want to build their own brand and online presence. I am very pleased to announce that that is now possible. We are now offering 100% custom branded websites, mobile apps, and online bidding at an affordable rate. It's an all-inclusive package allowing auctioneers to maximize their demand while growing their own brand.

### What's on the horizon for the next few years?

We're always looking out for emerging trends in both the auction and tech industries to deliver products that are relevant, crucial, and innovative. We will continue to build out that technology suite for auctioneers to take



their business online. We're looking into services to help solve for challenges like growing the consignment pipeline, calculating taxes, & shipping.

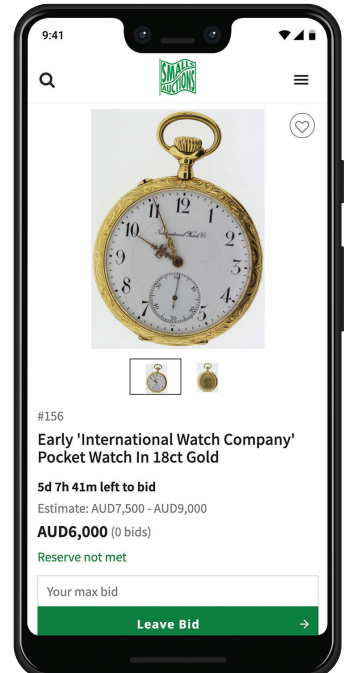
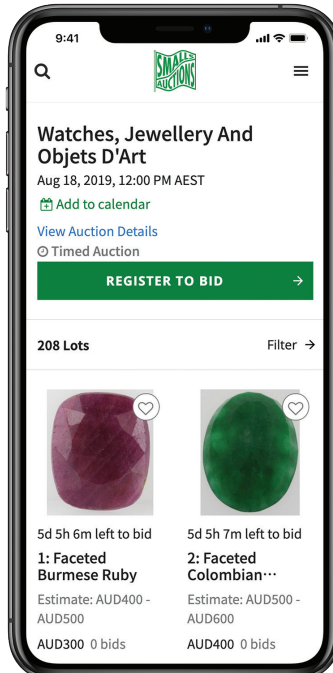
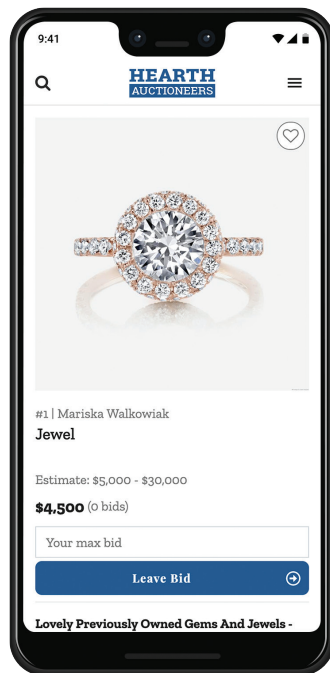
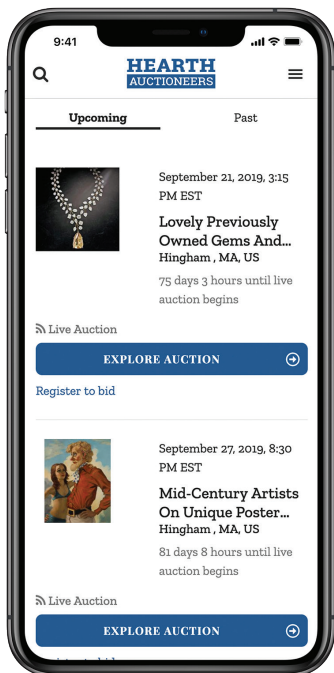
### How has the NAA helped your business grow?

The NAA brings together the entire auctioneer community and gives us the opportunity to speak with individual auctioneers at the annual Conference & Show. Thanks to this, we get to build and strengthen relationships that in turn present us with more

industry insights and great feedback regarding our own products.

Like us, NAA has also noted the trend of bidders moving online and they made great strides in alerting and educating auctioneers on how to operate and thrive in the digital realm. This has really reinforced our own message about this trend and helped us promote our platform to the auctioneer community. ❖

Find out more at [auctionzip.com](http://auctionzip.com).



# Lighthouse bitters shine brightly in Glass Works Auctions' online-only summer sizzler Auction



The top lot of the auction was this Fish Bitters bottle ("W.H. Ware / Patented 1866"), made in Pennsylvania circa 1866-1875, light to medium lime green, over 11 ½ inches tall (\$32,760).

**E**AST GREENVILLE, Pa. – A Seaworth Bitters Company (N.J.) bottle, made circa 1880-1890 in a unique form, almost identical to the Cape May Lighthouse in New Jersey, aqua colored and in perfect condition, sold for \$25,740 in Glass Works Auctions' online-only Summer Sizzler Auction #132, which closed on July 22nd. A smaller amber version of the bottle garnered \$9,945.

Both of the Seaworth Bitters were won by a collector who specialized in Southern New Jersey bottles. They were just two of the highlights in a 246-lot auction that had a near-perfect sell-through, with only three of the bottles failing to sell. Overall, the auction grossed a little more than \$350,000, with buyer's premium. All bidding was handled thru [glswrk-auction.com](http://glswrk-auction.com).

The aqua Seaworth Bitters bottle stood 11 ¼ inches tall and boasted a smooth base and tooled lip. It came from the Sidney Genius collection and is possibly the only known example in perfect condition. The smaller amber bottle, from the same collection, was just 6 ½ inches tall. The Cape May Lighthouse was built in 1859 by the U.S. Army Corps of Engineers and is still in use today.

As impressive as the taller bottle was, it was not the top lot of the auction. That honor went to a Fish Bitters bottle ("W.H. Ware / Patented 1866"), which finished at \$32,760. The bottle, made in Pennsylvania circa 1866-1875, was light to medium lime green and stood just over 11 ½ inches tall. Only a few are known to exist in this pure green color, and it has no auction record.

Another Fish Bitters, this one a yellowish lime green figural fish, 11 ¼ inches tall, changed hands for \$12,870. Normally, it might have been the finest example of a Fish Bitters to be auctioned this year, were it not for the one just described. Both were exceptional bottles in pristine condition, and in a truly exceptional green color, but the above bottle was far superior.

"The two Fish Bitters were in exceptionally rare colors," said James Hagenbuch, president and owner of Glass Works Auctions. "The top lot was from the Charles Gardner Collection, sold in two sessions at Skinner's in 1975. Sidney Genius couldn't attend the November session so he sent his mother to bid for him. Sidney told us that she was 'very aggressive' and landed the fish."

Following are additional highlights from the auction. All prices quoted include buyer's premium.

An Old Sachem Bitters and Wigwam Tonic bottle, very rare and with a desirable light-to-medium smoky moss green barrel, 9 ½ inches tall and made around 1865-1875, fetched \$17,550. "Early bottles in the form of a barrel are very popular, especially the Old Sachem that was produced in a wide range of attractive colors," Mr. Hagenbuch said. "When describing antique bottles, you could say that 'color is king', and this one wears the crown quite nicely."

An E.G. Booz's Old Cabin Whiskey bottle ("120 Walnut St. / Philadelphia, 1840"), made circa 1855-1865 in a medium amber color, the earlier and rarer 'straight corner' variant, 7 ¾ inches tall, with nice glass whittle, topped out at \$8,190.

A Dingens / Napoleon Cocktail Bitters bottle ("Dingens Brothers / Buffalo, N.Y."),



(left) Seaworth Bitters Company bottle, made circa 1880-1890 in a unique form, almost identical to the Cape May Lighthouse in New Jersey, aqua colored and in perfect condition (\$25,740).

(right) Seaworth Bitters Company bottle, made circa 1880-1890 in a unique form, amber colored and, at 6 ½ inches in height, smaller than its 11 ¼-inch-tall aqua counterpart in the auction (\$9,945).



Dr. Flint's "Quaker Bitters / Providence, R.I." bottle, circa 1880-1890, 9 ¼ inches tall, in perfect condition and even having the original contents and original labels on three sides (\$2,691).



circa 1860-1870, yellowish grass green in color and 10 inches tall, went for \$11,700. The pristine, drum form beauty, with iron pontil and applied misshapen tapered collar mouth, is a rarity at auction. Also, a Cathedral pickle jar (Willington Glass Works, West Willington, Conn.), circa 1845-1860, in a desirable deep yellowish 'old' amber color, 8 ¼ inches tall, found a new owner for \$8,190.

Two bottles realized identical selling prices of \$7,020. One was a St. Drake's "1860 / Plantation / X / Bitters – Patented 1862" bottle, made in New York circa 1862-1875 and appearing as a light pink six-log cabin, 10 inches tall, with nice smooth base. The other is an American pot lid for "Perfumers, H.P. & W.C. Taylor" (Philadelphia). The lid shows a man on a horse about to shoot a buffalo, copied from the painting *An Indian Buffalo Hunt* by the frontier artist George Caitlin.

"Sidney Genius has a large collection of pot lids," Mr. Hagenbuch said. "The 'Buffalo Hunt' is one of the two most desirable of all American pot lids and is highly sought after by collectors in both England and Australia. This pot lid went to a Delaware collector who specializes in them."

Two other pot lids also fared well in the auction. The first was also for "Perfumers, H.P. & W.C. Taylor" (Philadelphia) and had a scene of George Washington preparing to cross the Delaware River. The bottle, circa 1845-1860, was in a scarce cream color, with purple transfer. The second lid was for "Worsley's Saponaceous Shaving Compound" (Philadelphia), an important, historic American pot lid showing a scene of

Independence Hall in Philadelphia, made circa 1850-1860.

A Smyth Fire Extinguisher bottle (American, circa 1880-1900), with the saying "Multum in Parvo" (Latin for "much in a little") commanded \$3,510. It was an excellent example of a rare grenade, 6 ¼ inches tall, with a 30-lobed rib pattern. Selling for the same amount was an Old Dr. J. Townsend' Sarsaparilla (N.Y.) bottle, made circa 1840-1860, in a medium to deep amber color and 9 ½ inches tall, with applied tapered collar mouth. It's rare to see this bottle in a pure amber.

An eight-sided domed teakettle ink bottle, made in America circa 1875-1895, amethyst in color and just shy of 2 ½ inches tall, with a smooth base, sheared lip, original brass neck ring and hinged cap, went to a determined bidder for \$3,217; while a Dr. Flint's "Quaker Bitters / Providence, R.I." bottle, circa 1880-1890, 9 ¼ inches tall, in perfect condition and even having the original contents, sold for \$2,691. The original labels were intact on three sides of the bottle. ❖



Dingens / Napoleon Cocktail Bitters bottle ("Dingens Brothers / Buffalo, N.Y."), circa 1860-1870, yellowish grass green in color, 10 inches tall, a pristine drum form beauty (\$11,700).



American pot lid for "Perfumers, H.P. & W.C. Taylor" (Philadelphia), showing a man on a horse about to shoot a buffalo, copied from the famous painting *An Indian Buffalo Hunt* (\$7,020).

(left) Cathedral pickle jar (Willington Glass Works, West Willington, Conn.), circa 1845-1860, in a desirable deep yellowish 'old' amber color, 8 ¼ inches tall (\$8,190).

## What is a success story?

We often get asked for the definition of a "success story." After all, auctioneers help people every day in every community of practice. Success then, is relative to each area of the industry, and certainly relative to each company and individual. So, what are we looking for in this section of the magazine called Success Stories? Well, that's up to you! One thing we don't want is for you to think it has to be defined by the size of the company, the number of items, or large amounts of money. We want to hear about all of your successes, whatever you think those are. Did you raise more money for a charity than they've ever seen? Did you help a family get out of a tough situation? Did your company reach a significant milestone? These are just a few ideas to get you started. The most important part is that it's from you, our #NAAPros. Your job now is to let us know! Send your stories and photos to [communications@auctioneers.org](mailto:communications@auctioneers.org) and you might just see yourself on these pages, on social media or in Auction eNews.

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# Summer Auction at Thomaston Place Auction Galleries

**T**HOMASTON, ME: Each year, Thomaston Place Auction Galleries' August auction is eagerly anticipated as a great source of important, newly discovered fine art and rarities. The sale on August 23, 24 & 25 did not disappoint and delivered outstanding results that were second only to last year's record-breaking summer auction. Diverse collections of artwork, folk art, rare firefighting memorabilia and cannons generated strong participation from 221 in-house, 309 phone/absentee, and over 1,000 online bidders from 30 countries.

Thomaston Place Auctioneer and Vice President John D. Bottero said: "The aggressive bidding kept me energized throughout the sale. We saw amazing activity from around the world, and best of all, there was lots of action among live, in-house bidders."

Top lot was an important maritime painting by John Stobart (MA/FL, 1939-), a depiction of New Orleans harbor in 1871, that brought \$111,150. Other high flying paintings included Jasper Cropsey's (NY, 1823-1900) 1864 oil on canvas work depicting Starrucca Viaduct (PA) that raised \$81,900; and "La Femme a la Guitare, 1918", a mixed media work by Henri Laurens (France, 1885-1954) that reached \$49,725.

Within the extensive fine art category, a large selection of Maine paintings and sculpture was particularly well received by bidders, with a 91% sell-through rate. Standout performers from this group included: "Birchwood", an ink and watercolor painting by Andrew Wyeth (PA/ME, 1917-2009), that sold for \$52,650; an alabaster sculpture by Robert Laurent (ME/NY, 1890-1970) depicting a squatting woman that finished at \$25,740; and "Marin Island, No. 1, Small Point, Maine", a watercolor by John Marin (NY/ME/NJ/France, 1870-1953), that brought \$23,400.

A collection of firefighting memorabilia was led by an 1851 Boston painted leather parade helmet with engraved presentation and topped by a figure of a reclining greyhound. Chased by a large contingent of phone, internet and absentee bidders, this piece brought a final

price of \$99,450, likely a world record fire helmet price.

Among the furniture offerings was an exceptionally fine George III period Irish carved walnut hall table that reached \$81,900, an important mahogany Art Nouveau boudoir desk by Tiffany Studios designed for Sarah Hanley of Oyster Bay, NY that sold for \$12,870, and a 19th Century Anglo-Indian center table with bird carvings that fetched \$8,775.

A single owner cannon collection was also featured in the sale. Many pieces generated aggressive bidding, resulting in a combined result of \$35,188 for the group.

The folk art category featured an American Indian chief form gilt copper weathervane, probably by J.L. Mott Iron Works that quickly exceeded its \$10,000 to \$20,000 estimate and ended at \$33,930.

Other high flying folk art lots included a Federal period carved pine eagle and shield wall plaque, probably from a meeting house, that reached \$11,700; a handcrafted life-size wooden sculpture of a motorcycle and riders from the Maine State Prison Workshops that sold for \$11,700; and a Lanier Meaders



Fine George III period Irish carved walnut hall table



Group of cannons



1851 Boston painted leather parade helmet with engraved presentation



19th Century Thai gilded niello compote



Federal period carved pine eagle and shield wall plaque



American Indian chief form gilt copper weathervane, probably by J.L. Mott Iron Works



John Stobart (MA/FL, 1939- ), a depiction of New Orleans harbor in 1871



Jasper Cropsey's (NY, 1823-1900) 1864 oil on canvas work depicting Starrucca Viaduct (PA)

southern stoneware rock tooth face jug that achieved \$7,605.

Four items from the Asian collection also created frenzied bidding – a 19th Century

Thai gilded niello compote that brought \$15,210; an early Burmese bronze head of Buddha Cakyamuni that fetched \$15,210; a pair of Chinese Qing dynasty blue and white

porcelain bowls with Daoguang seal mark that reached \$14,040; and a group of three Chinese gourd cricket cages that sold for \$7,020. ❖

## \$23.5 Million Achieved at Mecum Dallas 2019

**W**ALWORTH, Wis. – Sept. 11, 2019 – Mecum's recent auction in Dallas, held Sept. 4-7, saw 743 cars change hands in just four action-packed days. Overall sales totals for the event reached \$23.5 million as a nearly 70% sell-through rate was achieved with just over 1,000 classic and collector cars crossing the auction block.

A strong and varied lineup resulted in healthy individual sale prices, which were topped by the \$253,000 sale of a 1971 Plymouth Hemi GTX (Lot F140) from the headlining Peter Swainson collection of Mopars, an impressive group hailing from Alberta, Canada. Another top offering from the Swainson assemblage to land among top sales was a 1971 Dodge Hemi Charger R/T (Lot F137) that brought \$181,500. Two split-window Corvettes came in as the auction's No. 2 and No. 3 high sellers, the first one presenting as a striking silver-on-red Rest Mod and bringing \$242,000 (Lot S131), and the other (Lot S136.1) boasting a fuel-injected 327 engine and Bloomington Gold certification and a final sale price of \$231,000. A third, unrestored example with low miles and a unique tan-on-tan color combination (Lot F147) snuck into top sales as well with a \$126,500 sale.

The complete top 10 collector-car sales at the Mecum Dallas 2019 auction include:

1. 1971 Plymouth Hemi GTX (Lot F140) at \$253,000
2. 1963 Chevrolet Corvette Split Window Coupe (Lot S131) at \$242,000
3. 1963 Chevrolet Corvette Split Window Coupe (Lot S136.1) at \$231,000

4. 1969 Dodge Charger Resto Mod (Lot S140) at \$220,000
5. 1962 Chevrolet Corvette Resto Mod (Lot S160) at \$220,000
6. 1971 Dodge Hemi Charger R/T (Lot F137) at \$181,500
7. 1957 Chevrolet Bel Air Resto Mod (Lot F237) at \$137,500
8. 1974 Ford Bronco (Lot S248) at \$137,500
9. 2015 ASVE Shelby Cobra CSX8000 Series (Lot S143) at \$132,000
10. 1963 Chevrolet Corvette Split Window Coupe (Lot F147) at \$126,500 ❖

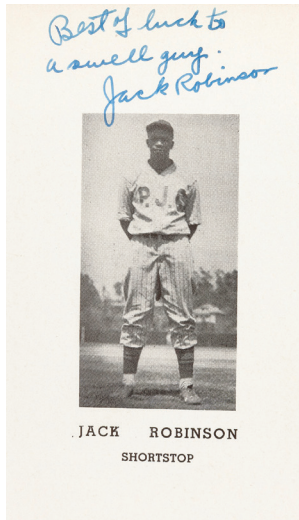


# Moran's August Studio Decorative Art auction realized strong prices across the board

**M**ONROVIA, CA – Moran's August 25th Studio Decorative Art auction was filled with an eclectic mix of items from the 18th century to the present, appealing to a range of buyers. Classic cars and classic design went hand in hand to appeal to buyers. Moran's Studio auctions continue to appeal to customers looking to add to both novice and established collections.

A selection of items from the mid-20th century brought out the collectors at Sunday's auction. A 1955 Cadillac four-door sedan, a fixer-uppers dream with its clean lines and mid-century styling created a bidding war when it hit the block, going home with one collector for \$5,625 (all prices realized include Moran's 25% buyer's premium). A signed yearbook from Pasadena's own Jackie Robinson brought \$1,375 from an online bidder. A sleek dining table from famed designer John Dickinson brought \$2,812 at the auction.

Elegant furnishings and décor continue to appeal to buyers at our Studio Auctions. Those forward-thinking buyers looking to add to their holiday tables found plenty of Steuben glassware at the auction. A set of twelve water goblets brought \$1,187. A beautifully made English silver centerpiece bowl brought \$1,500. An unusual Welsh dresser caused a bidding war amongst the online platforms



Jackie Robinson-signed Pasadena Junior College yearbook, price realized: \$1,375



1955 Cadillac four-door sedan, price realized: \$5,625



Twelve Steuben water goblets, price realized: \$1,187



Welsh dresser, price realized: \$1,375

when it hit the block, bringing the dresser over its \$500-800 estimate to sell for \$1,375. A sweet jewelry cabinet with views of Austrian estates soared above its \$500-700 estimate to bring \$1,187.

Fine Chinese furnishings were among the top lots of the auction. A stunning pair of vases was easily the most popular lot on view before the auction and soared past their \$400-600 estimate to bring \$3,750. A group of Asian



Pair of Chinese vases, price realized: \$3,750

decorative items included a pair of peach-form pots brought \$2,812. A beautifully painted Chinese porcelain plaque brought \$1,250, well over its \$500-700 estimate. ❖

# Chinese Qing Dynasty bronze censer soars to \$30,000 at Bruneau & Co.'s fine art & antiques auction

**C**RANSTON, R.I. – An 18th century Chinese Qing Dynasty bronze tripod censer, originally used to burn incense to honor ancestors, purify the air or cure ailments, soared to \$30,000 at a Fine Art & Antiques Auction held August 17th by Bruneau & Co. Auctioneers, online and in the Cranston gallery at 63 Fourth Avenue. The sale featured 380 lots, pulled from prominent estates.



The front and underside of the 5-inch-tall censer were both impressed with the Xuande character seal mark. In overall good condition, with original untouched patina, the lot sailed past its pre-sale estimate of \$3,000-\$5,000 to be the sale's top achiever. The event featured French furniture and

accessories, lovely paintings, bronzes, jewelry, clocks, Chinese arts, modern arts and more.

"Overall it was a great day, with active participation from both the house and online," said Bruneau & Co. president Kevin Bruneau. "Asian arts again proved to be the wild card of the antiques business, as you never know what something will sell for. That censer was truly an exceptional example, plus the fact that it's going back to China says something in itself."

Online bidding was provided by LiveAuctioneers.com, Invaluable.com, Bidsquare.com and bidLIVE.Bruneauandco.com.

Bidders also participated via the mobile app "Bruneau & Co." on iTunes and GooglePlay. Telephone and absentee bids were also be accepted. Following are additional highlights from the auction. All prices quoted here include the buyer's premium.

A finely cast sculpture of the Greek poet Sapho by Emmanuel Villanis (French, 1858-1914), on a base and with an overall height of 28 ½ inches, changed hands for \$2,250. The sculpture, signed ("E. Villanis") and

titled ("Sapho") on the base, depicted Sapho standing with her lyre in flowing diaphanous drapery. Sapho, through her poems, became a symbol of female homosexuality.

A pair of 19th century French Sevres urns, 20 ½ inches tall, Greco-Roman in form with organic acanthus leaf ormolu mounts, gaveled for \$3,438. The



porcelain urns, marked Sevres on the bottom, were decorated with opposing romantic neoclassical panels of voluptuous nude women with diaphanous drapery among cherubs. Scenic landscape panels showed classical architecture.

A pastel on paper figurative abstract painting by Louis Schanker (N.Y./Conn., 1903-1981), of humanoid figures dancing over a tricolored background, fetched \$938. Schanker utilized a blend of abstraction and cubism to create a vibrant imagery of people, animals and still life. The untitled 8 inch by 16 inch (sight) work was signed "Schanker" upper right and dated ("1940"). ❖



# Auction School Graduates

## Western College of Auctioneering

The September graduating class from Western College of Auctioneering included students from 11 states and Canada.

First row: Pat Busby, WCA Instructor; Nick Bennett, CAI, BAS, WCA President; Dixie Wiley-Johnston, Richfield, Utah; Nancy Winings, Chambers, Nebraska; Suzannah Underwood, Ventura, California; Dylan Marshall, Mussey, Michigan; Ray Granmoe, WCA Instructor. Second row: Seth Pifer, Larimore, North Dakota; Dylan Bates, Pincher Creek, Alberta, Canada; Garrett Sanford, Gig Harbor, Washington; Kelly Lindwurm, Gregory, South Dakota; Mike O'Brien, Los Gatos, California; Jake Haigh, Davis, California.



Third row: Willy Green, Gig Harbor, Washington; Ron Moulton, Eagle, Idaho; Jake Thiessen, Seminole, Texas; Evan Hewett, Dunning, Nebraska; Christ Haigh, Harrisburg, Oregon; Rich Robertson, Crawford, Nebraska; Wyatt Kay, Tryon, North Carolina; Travis Moniz, Princeton, California.



## World Wide College of Auctioneering

The September graduating class from World Wide College of Auctioneering (pictured left) included students from 11 states and Canada.

Front row: Melissa Glissmeyer, Marjorie Hartman, AMM, Nina C. Brewton, JillMarie Wiles, CAI, BAS, Ronnie Woodward, Paul C. Behr, CAI, BAS, Vicky Ginder, David Whitley, CAI, CES, Halie Behr, BAS, Kelee Lee Walton, Sierra Hargraves, Jessica Sparks. Middle row: Lindsay Helberg, Tom Griesel, Taylor

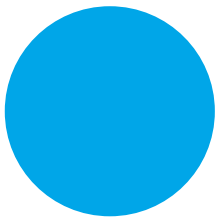
Hansen, David Greiner, Gordon Amstutz, Aric Jennings, Thomas Breslin, Tony Richardson, Douglas Oberholtzer, James A. "Jim" Schleis, Drew Russell, Marissa Walters. Back row: Robert J. Parrish, Carson Poe, Darrell Alexander, Danny Matney, Steve Sellers, Blake Sherman, Miguel A. Chavez, R. Dean Nelson, Patrick Cuthbert, Zackery Keegan, T.C. Johnston, Steve Berge.

The bi-lingual class for September 2019 (pictured below left) included Darrell Alexander, Gordon Amsnutz, Thomas Breslin, Nina Brewton, Miguel Chavez, Patrick Cuthbert, Melissa Glissmeyer, David Greiner, Sierra Hargraves, Marjorie Hartman, AMM, Lindsay Helberg, Robert Parrish, Anthony Richardson, Drew Russell, and James "Jim" Sherman.



**Submit your graduates!**

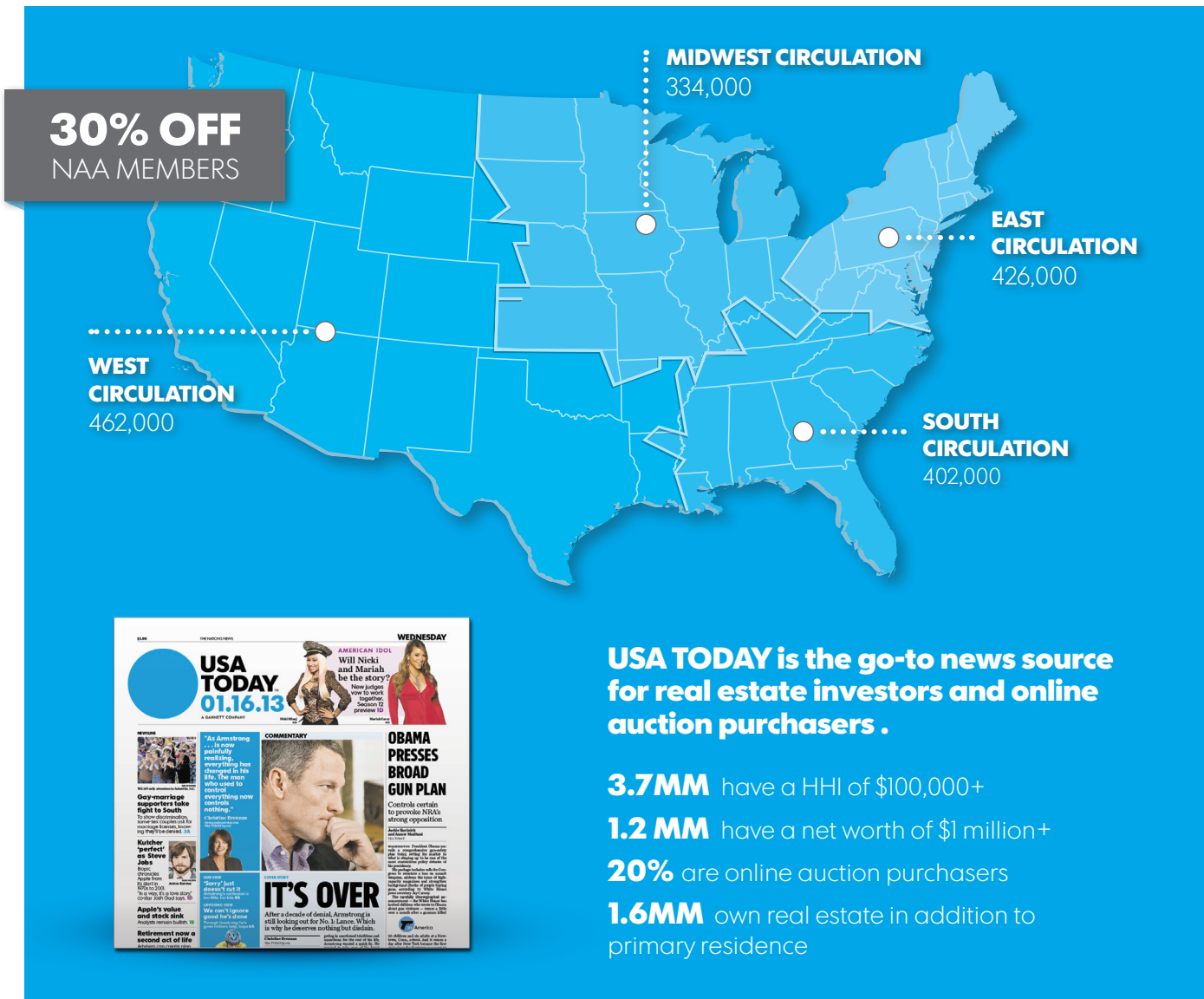
Don't forget to submit your graduate photos, along with names and any other statistics NAA members might like to know. Send them to [communications@auctioneers.org](mailto:communications@auctioneers.org).



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Check out the Education Calendar on page 55 for upcoming NAA education opportunities.

You can also visit the full education calendar on the NAA website at: [auctioneers.org](http://auctioneers.org) > Education > Upcoming Events.



Requires 32 classroom hours, a detailed written auction summary report, proof of at least 10 real estate auctions, and 24 hours of continuing education every three years.



Requires 24 classroom hours, completion of a custom auction summary report based on knowledge from the designation course, and 24 hours of continuing education every three years.



Requires 21 classroom hours, a detailed written auction summary report, proof of at least six benefit auctions and 24 hours of continuing education every three years.



Must have been practicing full-time auctioneers for at least two years (prior to attending the institute), attend all three years of CAI with more than 120 classroom hours, complete all special projects and complete 24 hours of continuing education every three years.



Must pass the prerequisite exam or hold another NAA Designation, complete the course in its entirety, and submit four evaluations from a contract auction.



Requires 21 classroom hours and completion of 24 hours of continuing education every three years.



Requires completion of 35 classroom hours, a detailed written appraisal report and proof of at least two affidavits of appraisals.



MPPA designees specialize in one or more of the following areas: antiques & estates, plant machinery & equipment, construction & agricultural equipment or small business valuation. Must already be credentialed with the GPPA.



While USPAP is not an NAA designation, it is offered at Designation Academy and Conference & Show, and USPAP compliancy is a part of the GPPA.

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## *In Memory*



### **Frederick Alan Millspaugh**

Frederick Alan Millspaugh, 84, of Butlerville, Indiana, passed away at 10:15 a.m. on Sept. 7, 2019, at his residence.

Born Oct. 6, 1933, in Gas City, Indiana, he was the son of the late Don and Jean (O'Brien) Millspaugh. He married Betty Jean (Hunt) Millspaugh on Sept. 4, 1953 at the Linn Hurst Baptist Church in Indianapolis; she survives.

Millspaugh worked, for the Pennsylvania Railroad, in delivery for Omar Bakeries, as a real estate developer in Marion, Indiana, and for Millspaugh Realtors & Auctioneers. As an entrepreneur, he worked as an auctioneer in Marion, an antiques dealer and former treasurer of Grant County.

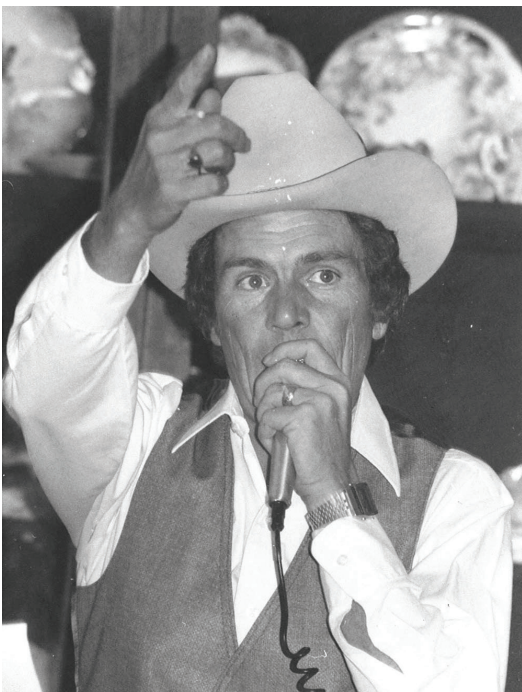
He was a former member of the Marion Board of Realtors, the Indianapolis Board of Realtors, MIBOR Realtor Association and the

Marion County Chamber of Commerce in addition to having been the former president of the Indiana Young Democrats.

He enjoyed golf and games (particularly euchre and cribbage), being in nature but most of all spending time with his wife and family. On September 4th of this year, they celebrated their 66th wedding anniversary.

Surviving with his wife are his sons, Tony (Donna) Millspaugh of Wabash, Scott (Gloria) Millspaugh of Fort Wayne, and Matthew (Lisa) Millspaugh of Butlerville; daughters, Debra (Medardo) Perez of McAllen, Texas and Stacy (Mike) Marley of Marion; his brother, sisters, grandchildren and great-grandchildren.

Memorial donations may be made through Dove-Sharp & Rudicel Funeral Home and Cremation Services to the United Mitochondrial Disease Foundation in care of the Lincoln Huff Family Research Fund.



### **Larry Carr**

Larry L. (Colonel) Carr, 78, passed away Sept. 17, 2019 at Country Living of Larned, Kansas.

He was born July 11, 1941, in Great Bend, Kansas, the son of Guy "DeLos" and Glennis Eleanor Schultz Carr. A lifetime area resident, Larry and his wife, Marlene, were founders of Carr Auction and Real Estate.

He was of the Christian faith. He was the president of Kansas Chapter #3 IHC Collectors Club; He sat for the boards of Santa Fe Trail Center, First State Bank, Pawnee County COOP. He was a member of the Kansas Auctioneer Association, the National Auctioneers Association, Kansas Realtor Association, co-founder of Sunrise Association, Larned Rotary

Club, Lion's Club and the Breakfast Club. He was an avid sports fan, collector of antique tractors and a Melvin Jones recipient.

On June 3, 1960, he married Marlene Renfro in Larned, Kansas. She survives.

Other survivors include: son, Kirk Carr, Larned, KS; daughter, Tammy (Jim) Froetschner, Larned, KS; brother, sisters, grandchildren and great grandchildren.

Memorials may be given to Santa Fe Trail Center, Pawnee County Humane Society or Larry Carr Memorial Scholarship Fund in care of Beckwith Mortuary, Box 477 Larned, KS 67550.



## Wayne Weishaar

Wayne Allen Weishaar, age 76, of Lemmon, South Dakota, passed away after a 15-year battle with cancer on Aug. 22, 2019, at the West River Regional Medical Center in Hettinger, North Dakota.

Wayne was born in Elgin, North Dakota, on Aug. 12, 1943, to Arthur and Bernice (Thompson) Weishaar. He called the family farm in Adams County, ND, home his entire life. He attended elementary school in Beisigl Township and graduated in 1961 from Lemmon High School. During high school, Wayne was involved with FFA and served as South Dakota State FFA Vice President. His love of FFA continued throughout his life and he was made an Honorary Member of several local chapters later in life. In 1989, Wayne and Gail received the Honorary State FFA Degree from the SD FFA Association.

He graduated from North Dakota State University in 1965 with a degree in Animal Husbandry. While at NDSU, Wayne met his future wife, Gail Johnson. They were married on September 1, 1965, in Beach, ND. After graduating from college, Wayne and Gail returned home to farm with his father. Wayne took over the operation of the farm at the age of 43 following the sudden passing of his father. He took great pride in the fact

that both of his sons chose to farm/ranch alongside him as well.

Wayne served in the North Dakota National Guard for six years. In 1970, he was named the North Dakota Outstanding Guardsman. Later in life, Wayne enjoyed his membership in the Smith-Lyman American Legion Post #279 in Thunder Hawk, SD.

In the fall of 1974, Wayne attended Western College of Auctioneering. Wayne became partners with his uncle Reinhold Weishaar and his cousin, Verlyn Weishaar, in Weishaar Auction Service. In time, Lyle Steinmetz also became a partner. Wayne auctioned at various sale barns in Hettinger, Lemmon, McLaughlin, Mobridge, Timber Lake and Bismarck. Shortly after getting his auctioneer license, Wayne became a licensed real estate agent as well.

Simply put, Wayne was a very sharp, kind, trustworthy and humble man. He believed in hard work and putting people first. Wayne was very generous with sharing his time and auctioneering skills to help support numerous community events and organizations.

For Wayne, the farm, real estate and auctioning were his passion. He always said, "I would rather wear out than rust out."

Wayne is survived by Gail, his wife of 54 years, his sons, Shawn (Sarah) Weishaar, Lemmon, South Dakota; and Scott (Heather) Weishaar, Sentinel Butte, North Dakota; daughter, Sara (Adam) Kordovsky, Bowman, North Dakota; grandchildren, brother, brother-in-law, and niece and nephews.

Memorials are preferred to your local FFA Chapter or the charity of your choice.



## Kevin Anspach

Kevin "Pea-Vine" Anspach, 48, of Convoy, Ohio, passed away Aug. 19, 2019. Kevin was born in Paulding on Sept. 11, 1970.

He enjoyed life and what he did as an auctioneer at Midwest Auctioneers & Realty and the Heat & Frost Insulators Local 41. Kevin loved horses but most of all his wife, family and friends.

Kevin will be sadly missed by his wife, Amy (Hampshire) whom he married Oct. 10, 2016; parents, Charlotte (Pollack) and Irvin Anspach; step children, Zach Brandenburg, Kyle Gibson and Kelsey Snook; siblings, Terry Anspach, Angie Hakey, Todd Anspach and Kelly Anspach; step grandchildren, Lillian, Mason, Braylynn, Weston and Kinsley.

He was preceded in death by his brother, Alex.

In lieu of flowers, please consider a memorial gift to Amy Anspach.

## In Memory submissions

The NAA makes every effort to ensure In Memory is accurate, but in case we have missed someone, please notify us as soon as possible at [communications@auctioneers.org](mailto:communications@auctioneers.org). Your help is greatly appreciated.

# AUCTION ADVENTURES



## Auction Adventures

is an educational math game for third through fifth graders that gives students a close look at how auctions work, and the many different opportunities within the auctioneering industry.

## Game Features

- Real-world math problems relating to auction activities
- Five challenging difficulty levels geared for third through fifth grade math comprehension
- Encouraging feedback and a positive message
- Helpful clicks throughout the game to help students learn about terminology within the auction industry
- NAA-branded educational video pop-ups given by NAA members
- At the end of all levels, players can watch and listen to bid calls from accomplished auctioneers

## Corresponding Lesson Plan

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**Benefit Auction**

\$1,824    \$1,764    \$1,674    \$1,594

**Problem 3 of 10**  
9 people buy a ticket for a box seat at a baseball game for \$186 per person. How much money did they contribute to the charity?  
 $9 \times \$186 = \underline{\hspace{2cm}}$

What is a charity?

Need help?

**AUCTION ADVENTURES**

Total Wallet  
\$20,815

Auction Commission 15%  
\$114  
\$203

**Real-Estate Auction**

\$1,260    \$1,409    \$9,400    \$12,600

**Problem 1 of 10**  
There are 9 acres of land for sale and you have the winning bid of \$1,400 per acre. How much money did you spend?  
 $9 \times \$1,400 = \underline{\hspace{2cm}}$

What is an acre?

Need help?

**AUCTION ADVENTURES**

Total Wallet  
\$0

Auction Commission 10%

**Auto & Machinery Auction**

\$12,000    \$13,000    \$3,600    \$11,500

**Problem 1 of 10**  
A car dealer buys 3 cars at an auction for \$36,000. What is the average price the dealer paid for each of the cars?  
 $\$36,000 \div 3 = \underline{\hspace{2cm}}$

What is an auto dealer?

Need help?

**AUCTION ADVENTURES**

Total Wallet  
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Auction Commission 18%

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akenne@auctioneers.org

*50 years later*

# October 1969: NAA feels the growth of 1969



Fifty years ago, the *Auctioneer* published a column written by Bernard Hart, the publication's editor at the time. The column notes that the previous edition of the magazine in September had the most pages of any issue since September 1954.

The last issue, which contained 60 pages, “contained more paid advertising space than any previous issue of THE AUCTIONEER ... The space required to publish the list of memberships processed was over a page more than ever before. And more copies were distributed than in any previous issue.”

Hart goes on to remind readers that “the NAA is growing. Growing in size as well as stature ... As we have said many times, the future is dependent upon YOU.”

And grow we did!

*Auctioneer* has definitely grown in length as well as paper size—the magazine in 1969 was about nine inches tall and six inches wide. Now, we consistently run 68 pages—some editions have even been in the 80-page range.

Reading this 1969 article is a good reminder of where we came from as an association versus where we are now. We are thankful for the NAA leaders and members who were dedicated to make the future of NAA and the auction industry better for all of us now. May we continue that tradition for those who come after us. ❖



## Across The Country

by BERNARD HART



September's issue of THE AUCTIONEER was a record breaker in many ways. It contained the most pages of any issue since September, 1954. At that time the fresh, new editor was trying to impress the public and came up with a magazine of 56 pages and cover. That is where the resemblance ends.

This last issue contained more paid advertising space than any previous issue of THE AUCTIONEER. The Booster Club required a full column or half a page more than any previous issue. The space required to publish the list of memberships processed was over a page more than ever before. And more copies were distributed than in any previous issue. Needless to add, the postage bill was higher, too.

We are not bragging nor are we making excuses for getting into the mail four or five days late. The latter was not entirely our fault. But we are reminding you that the NAA is growing. Growing in size as well as stature through the efforts of those whose sincere desire is to make it grow. As we have said many times, the future is dependent upon YOU.

We could have added another eight pages to the September issue. There is fully that much material in this issue that was ready for September. But experience has taught us that this would have not been the best thing to do. Dropping from 64 pages to 32 pages in a single month might have had a depress effect.

Right now, the most important issue facing the membership is the Building Project. We could be breaking ground right now if funds were available to complete the project. We need 50 members to donate \$1,000 each. With the auction fees and the long lists of auctions scheduled that we hear about, this should be a very minor obstacle. In fact, I believe I can name 500 members who could and

should be listed as a "Founder" in this, the first project of permanent stature ever planned by the auctioneers of America. Are you one of these 500?

With state association activities being at a dormant stage since the Roanoke convention, my travels outside the city limits have been few. However, I witnessed one of the greatest exhibitions of auctioneering I have ever seen on Labor Day and I will be describing it more fully in the November issue. While many of us have exploited the advantages of selling at auction, never had I seen the auction method used to better advantage than in this particular sale.

This month's cover picture seemed made to order for the approaching fall and winter season of outdoor auctions. The auctioneer is Col. Keith Stroud. An item, describing his unusual title, is also in this issue.

State Conventions in Illinois and Iowa will start the ball rolling in association activities. It is hoped that "ye ed" can attend both of these meetings and I will be looking forward to meeting a good many of you at these healthy gatherings.

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