

**ILLINOIS DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION
ILLINOIS DIVISION OF PROFESSIONAL REGULATION**

AUCTION ADVISORY BOARD

Meeting Date: September 26, 2008
 Meeting Convened: 11:00 a.m.
 Meeting Adjourned: 12:30 p.m.
 Meeting Location: IDFPR Springfield Office
 500 East Monroe Street
 Conference Room, Ninth Floor

Board Members Present: Judie McConville, Real Estate Member
 Alva McDowell, Auction Member
 Terry Dunning, Auction Member

Board Members Absent: Ray Doerr, Auction Member
 Rick Levin, Auction Member

Division Staff Present: Ron Hardgrove, Chairperson, Real Estate Coordinator
 John Botner, Chief of Prosecutions
 Young Brockhouse, Division of Professional Regulation, Licensing and
 Education Manager
 Susan Sigourney, Auction Board Liaison, Administrative Assistant

TOPIC	DISCUSSION	ACTION
Approval of Minutes:	The Board reviewed the minutes from the February 26, 2008 Auction Advisory Board meeting.	A motion was made by McConville/seconded by Dunning to approve the Auction Advisory Board minutes from the February 26, 2008 meeting. The motion passed.
Report – Chairperson: Staff	Ron Hardgrove discussed the Division staff changes since the last Auction Board meeting. He said two investigators have taken other positions within the Division of Professional Regulation. There have been some clerical staff changes. One new investigator was hired and she has been on staff about three months. Another new investigator has been hired and will begin mid-October. We have replaced one of our law clerks in Prosecutions with another, part time, law clerk. Craig Capilla is a staff attorney assisting John Botner in Prosecutions. Mike Garvin is now the supervisor of the mortgage brokerage examiner program. Mike supervises 21 mortgage examiners. This program is responsible for combating mortgage fraud.	

<p>Staff continued...</p>	<p>John Botner arrived at the meeting and he was introduced to the Board.</p> <p>Mr. Hardgrove informed the Board, after a meeting in May with Director Bluthardt and Don Seasock, the real estate professions examiners were re-assigned to function as investigators for a 60-day test period. The goal is to fast track the dated cases. Since the examiners started this investigations program, there have been approximately 130 cases closed. Mr. Hardgrove discussed the prioritizing process when examiners review each case. Serious and re-occurring offenses are the first priority.</p>	
<p>Auction License Act Sunset 2010</p>	<p>Susan Sigourney mentioned the Division has begun reviewing the Auction License Act. The sunset date of this Act is 2010. Since the Act is in the review process, Ms. Sigourney asked if the Board had any comments to add. One Board member mentioned the issue of referral fees should be addressed. Presently, an auctioneer is only allowed to give a referral fee to another licensee. However, it is common practice in the auction industry to pay referral fees to other people.</p> <p>Mr. Brockhouse and Mr. Hardgrove said this bill will be run in Spring session; therefore, we will need comments soon.</p>	<p>Susan Sigourney will email a copy of the Auction License Act to Maxine O'Brien, the executive director of the Illinois State Auctioneer Association. She can disseminate this Act to the ISAA board for their review prior to their Board meeting at the beginning of November during the ISAA Convention. Then, the Auction Advisory Board will hold a general board meeting and an Act review session. This is scheduled for Friday, November 14, 2008 in the Springfield office at 9:30 a.m.</p>
<p>Elect a Chairperson</p>	<p>According to the Auction License Act amendments that became effective on June 1, 2008, the Board shall annually elect one of its members to serve as Chairperson.</p>	<p>A motion was made by McDowell/seconded by McConville to elect Terry Dunning as Chairperson of this Board. The motion passed.</p>

<p>Auction License Report:</p>	<p>Auction License Reports for August 2008 had been distributed to the Board. The January report indicated there were 1,264 active Illinois licensed auctioneers/associate auctioneers. The total number of active auction licenses at the end of August, 2008 was 1,516. This figure includes auctioneers, associate auctioneers, auction firms, auction continuing education (CE) schools, CE courses, and Internet Auction Listing Services. In August there were six new licensees.</p>	
<p>Report from Prosecutions:</p>	<p>John Botner explained the Prosecution Report which he had distributed to the Board. The time period indicated on this report was February 1, 2008 through August 31, 2008:</p> <ul style="list-style-type: none"> • 33 Total Legal Cases in Auction • 338 Total Legal Cases in the Division (Auction, Real Estate, Home Inspection, Appraisal, Timeshare, Land Sales). • Case Activity – Since last Board meeting: <ul style="list-style-type: none"> Formal Complaints Filed – 4 Orders Signed – 0 Cases Referred to Prosecution – 3 Cases Closed – 1 Memos to Close – 5 Informal Conferences – 0 Consent Orders signed – 0 Motions filed – 0 Formal Hearings -0 	
<p>Old Business:</p> <p>Auction License Act amendments in effect as of June 1, 2008</p> <p>Administrative Rule changes not yet finalized</p>	<p>Susan Sigourney distributed a copy of the amended Illinois Auction License Act which had been printed from the Illinois legislative website. She also distributed a copy of only the sections of the Act that were affected by the amendments.</p> <p>A draft of the Administrative Rule changes was distributed to the Board. The Board discussed changes to the Rule. This draft has not yet been submitted to JCAR.</p>	
<p>New Business:</p> <p>Auction Exam Item Review – October 22, 2008</p>	<p>The Board discussed the auction exam item review session which will be held on October 22, 2008 with the testing vendor, Applied</p>	

<p>Auction Exam Item Review – October 22, 2008 continued...</p>	<p>Measurement Professionals, AMP in Elk Grove Village, Illinois. The purpose of this meeting is to discuss the exam questions which may need to be updated or revised. Since the Auction License Act has been amended changes will be necessary.</p>	
<p>Auction CE Audit</p>	<p>Susan Sigourney informed the Board that twenty-five auction continuing education audit letters were sent to licensees. These audit letters were sent to those auctioneers who had renewed their licenses and they certified that they had completed their CE requirements, when they had not. These licensees are given the opportunity to provide completion certificates to us to correct our system if we did not have the correct information. They also may take the hours they are deficient but they must pay \$25 per course credit hour they were deficient. If they did not complete all 12 hours of CE, then they must pay \$300 and complete the required CE. This CE does not fulfill their CE requirements for the next renewal.</p>	
<p>ISAA’s request that a CE provider be able to submit courses, renew, and pay online</p>	<p>Maxine O’Brien, executive director of the Illinois State Auctioneers Association, would like for CE schools to be able to submit new courses, renew courses, and pay for courses online. There was discussion about this suggestion. While a good idea, our system will not be able to be set up for this at this time.</p>	
<p>Posting of auction disciplines on the IDFPR website</p>	<p>Susan Sigourney informed the Board that the auction disciplines are now posted on the IDFPR website along with the other Division of Professional Regulation licensees who have been disciplined. As of March 2008, the disciplines are part of a Press Release done by DPR every month. Disciplines prior to March 2008 can still be viewed from the Auction home page. The webpage to view auctioneer disciplines prior to March 2008 is: http://www.idfpr.com/dpr/RE/AuDisp.asp The webpage to view auctioneer disciplines after March 2008 is: http://www.idfpr.com/dpr/news/page1.asp</p>	
<p>CE Look-up is available again</p>	<p>Susan Sigourney informed the Board the continuing education look-up page which lists all CE taken by the licensee on the IDFPR website is up and running once again. The webpage to</p>	

<p>CE Look-up continued...</p> <p>Meeting Schedule – end of 2008 and all of 2009</p> <p>Mileage - \$0.505</p>	<p>view CE courses taken by a licensee is: https://www.idfpr.com/applications/CE_Lookup/</p> <p>The Board discussed the meeting schedule for the remainder of the year. Board meetings will be scheduled for November 14, 2008 at 9:30 a.m. and December 16, 2008 meeting on the schedule. One Board member requested that the meetings held in Springfield begin at 10:00 am rather than 11:00 a.m. The Board agreed to this suggestion. The meetings held in Chicago will continue to begin at 11:00 a.m.</p> <p>Susan Sigourney informed the Board that the State of Illinois mileage reimbursement rate for the use of personal vehicles has increased from \$.0485/mile to \$.505/mile effective July 1, 2008.</p>	
<p>Motion to go into Closed Session</p>		<p>A motion was made by McDowell/seconded by Dunning to go into Closed Session at 12:15 p.m. The motion passed.</p>
<p>Deliberations</p>	<p>E2007-80027 Roger Hamby</p>	
<p>Motion to go into Open Session</p>		<p>A motion was made by McDowell/seconded by Dunning to go into Open Session at 12:25 p.m. The motion passed.</p>
<p>Recommendations</p>	<p>Consent Orders: 2006-70058 Adams County Auctioneers 2004-80134 Aumann Auctions Inc.</p> <p>Memos to Close – 2006-60071 AU, 2006-60068 AU, 2007-41 AU, 2007-60010 AU, 2006-80009 AU</p> <p>E2007-80027 Roger Hamby</p>	<p>A motion was made by McConville/ seconded by Dunning to ratify the two Consent Orders and the five Cases for Closure as presented. The motion passed.</p> <p>A motion was made by Dunning/ seconded by McConville to approve the action from the deliberation on case number E2007-80027, Roger Hamby to uphold the Administrative Law Judge’s request the</p>

Recommendations continued...		license application be denied. The motion passed.
Adjournment		There being no further business to discuss, a motion was made by McDowell/ seconded by Dunning to adjourn at 12:30 p.m.