

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

AUCTION ADVISORY BOARD

Meeting Date: August 28, 2007
 Meeting Convened: 11:00 a.m.
 Meeting Adjourned: 12:11 p.m.
 Meeting Location: IDFPR Springfield Office
 500 East Monroe Street
 Conference Room, Ninth Floor

Board Members Present: Ray Doerr, Auction Member
 Terry Dunning, Auction Member
 Alva McDowell, Auction Member
 Board Member via telephone: Rick Levin, Auction Member

Board Member Absent: Judie McConville, Real Estate Member

Division Staff Present: Young Brockhouse, Division of Professional Regulation, Licensing and Education Manager
 Mike Garvin, Acting Chief of Prosecutions (via conference call)
 Susan Sigourney, Auction Board Liaison, Administrative Assistant

TOPIC	DISCUSSION	ACTION
Approval of Minutes:	The Board reviewed the minutes from the May 4, 2007 Auction Advisory Board meeting.	A motion was made by Dunning/seconded by Doerr to approve the Auction Advisory Board minutes from the May 4, 2007 meeting. The motion passed.
Report – Chairperson:	Young Brockhouse chaired this meeting. Young informed the board: <ul style="list-style-type: none"> • Mary Anne Benden is no longer with the agency. Her term was not renewed. • Eileen Lewalski, was interim Acting Chief of Prosecutions for a short time. She took another position outside of this agency. • Mike Garvin is now the Acting Chief of Prosecutions in the Bureau of Real Estate Professions. Mike informed the Board that he has two law students working with him; however, they will only be able to work two days a week during the school year. 	
Auction License Report:	Young Brockhouse informed the Board there were 1,381 active Illinois licensed	

	<p>auctioneers/associate auctioneers as of the end of July, 2007. The total number of active auction licenses at the end of July, 2007 was 1,639. This figure includes auctioneers, associate auctioneers, auction firms, auction continuing education (CE) schools, CE courses, and Internet Auction Listing Services. In July, there were nine new licensees. The examination pass rate for June 2007 was 71.4%.</p> <p>Mr. Brockhouse discussed the status of the auction license renewal as of the meeting date:</p> <p><u>Type of License:</u> <u># Mailed out:</u> <u># Renewed:</u></p> <table border="0"> <tr> <td>440 Exempt Auctioneer</td> <td>569</td> <td>58</td> </tr> <tr> <td>441 Auctioneer</td> <td>756</td> <td>139</td> </tr> <tr> <td>442 Ex. Assoc. Auctioneer</td> <td>16</td> <td>1</td> </tr> <tr> <td>443 Assoc. Auctioneer</td> <td>28</td> <td>4</td> </tr> <tr> <td>444 Auction Firm</td> <td>180</td> <td>48</td> </tr> <tr> <td>447 IALS</td> <td>31</td> <td>3</td> </tr> </table>	440 Exempt Auctioneer	569	58	441 Auctioneer	756	139	442 Ex. Assoc. Auctioneer	16	1	443 Assoc. Auctioneer	28	4	444 Auction Firm	180	48	447 IALS	31	3	
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<p>Report from Prosecutions:</p>	<p>Mike Garvin explained the Prosecution Report as of April 30, 2007:</p> <ul style="list-style-type: none"> • 23 Total cases pending in Legal: <ul style="list-style-type: none"> 13 Formal Legal cases 10 in Prosecution Review • 17 Total cases pending in Investigations • 400 Total cases pending in Legal in the Bureau of Real Estate Professions (Auction, Real Estate, Home Inspection, Appraisal, Timeshare, Land Sales). • 1,296 Total cases pending in Investigations and Complaint Intake in the Bureau of Real Estate Professions. <p>Mike also explained the activity in Legal cases in Auction since the last Board meeting:</p> <ul style="list-style-type: none"> • 6 Formal Complaints filed • 0 Formal Hearings • 3 Formal Orders • 2 Consent Orders • 8 Cases Referred to Legal • 9 Memos to Close by Legal • 0 Conferences <p>Mike mentioned the possibility of an upcoming informal conference date of September 14. He will email the Board regarding scheduling times and locations for conferences. Conferences may be held in the Springfield office.</p>																			

<p>Old Business:</p> <p>Auction License Act – Proposed Amendments HB 1406</p> <p>Auctioneer Advertising – license number prefix changes</p>	<p>The Board discussed the proposed amendments to Auction License Act; House Bill 1406, which had passed both Houses and was sent to the Governor on July 6, 2007. As of the date of the meeting, the Governor had not yet signed the bill.</p> <p>Note: On August 31, 2007, the Governor approved this bill. These amendments will go into effect on June 1, 2008.</p> <p>Young Brockhouse discussed the auction license number prefix change. Licensees have been questioning if they need to change their license number in their advertisements to reflect this new number. Young said that it is acceptable for an auctioneer to use the former license number in advertisements such as business cards. But he suggested changing to the new number when ordering new materials.</p>	
<p>New Business:</p> <p>Auction License Renewal</p> <p>Auctioneers/Brokers - referral fees</p> <p>Mileage Reimbursement for Fiscal Year 2008</p>	<p>Young Brockhouse discussed details of the status of the auction license renewal in his Auction License Report.</p> <p>The Board discussed the legalities of the different scenarios between auctioneers and brokers and referral fees.</p> <p>Young Brockhouse informed the Board that the mileage reimbursement rate has increased to \$0.485/mile as of July 1, 2007.</p>	<p>Mike Garvin, Acting Chief of Prosecutions, will talk to lawyers at the US Department of Housing and Urban Development (HUD) who enforce the Real Estate Settlement Procedures Act (RESPA). Once we have information pertaining to referral fees, we will add this information to the frequently asked questions available on the agency's website. Susan Sigourney will research other states laws pertaining to this issue.</p>

<p>Proposed Auction Advisory Board meeting schedule of 2008</p> <p>Auction Advisory Board Contact Information</p>	<p>Susan Sigourney distributed the meeting schedule for the remainder of 2007 and the proposed Auction Advisory Board meeting schedule for 2008.</p> <p>Susan Sigourney distributed the Board members' contact information that is kept by the Director's assistant, Jill Kreoger, in order for the members to make updates if necessary. This is the contact information which is posted on the agency's Intranet website. There were no changes from any of the Board members.</p>	
<p>Motion to go into Closed Session</p>		<p>Motion was made by Dunning /seconded by Doerr to go into Closed Session at 11:45 a.m. The motion passed.</p>
<p>Motion to go into Open Session</p>	<p>Young Brockhouse informed the Board that we will take their concerns that the Board addressed in closed session on the Memorandums to Close to the prosecutors.</p>	<p>Motion was made by Dunning /seconded by McDowell to go into Open Session at 12:10 p.m. The motion passed.</p>
<p>Adjournment</p>		<p>There being no further business to discuss, a motion was made by Dunning/ seconded by Doerr to adjourn at 12:11 p.m.</p>