

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

AUCTION ADVISORY BOARD

Meeting Date: October 26, 2010
 Meeting Convened: 11:30 a.m.
 Meeting Adjourned: 12:10 p.m.
 Meeting Location: Illinois Department of Financial and Professional Regulation/DPR
 100 West Randolph Street, 9th Floor, Conference room 171-A
 Chicago, IL 60601

Board Members Present: Terry Dunning, Chair, Auction Member
 Rob Henke, Auction Member
 Rick Levin, Auction Member
 Vern Mariman, Auction Member

Board Member Absent: George Malsam, Auction Member
 (Excused)

Division Staff Present: Mark Thompson, General Counsel, IDFPR
 Dan Faermark, Chief of Prosecutions for Real Estate Professions
 Craig Capilla, Staff Attorney
 Matthew Stonecipher, Staff Attorney
 Susan Sigourney, Auction Board Liaison, Administrative Assistant

TOPIC	DISCUSSION	ACTION
Approval of Minutes:	The Board reviewed the minutes from the August 31, 2010 Auction Advisory Board meeting.	A motion was made by Henke/seconded by Levin to approve the Auction Advisory Board minutes from the August 31, 2010 meeting. The motion passed.
Administrative Report – Chairperson: Staff	Terry Dunning, Chairperson, welcomed the board members to the meeting. Mr. Dunning introduced Mark Thompson, General Counsel, DPR, and Matthew Stonecipher, new staff attorney, to the Board. Susan Sigourney mentioned to the Board that Ron Hardgrove is sorry he is unable to attend this meeting. He is presently at a meeting with our testing vendor, AMP Inc., in Kansas City.	
Elect a Chairperson	The Board re-elected Terry Dunning as the Chairperson of this Board.	A motion was made by Henke/seconded by Mariman

<p>Auction License Report</p>	<p>Terry Dunning mentioned, since Judie McConville resigned from the Board in May of this year, the Auction Advisory Board has a vacant Real Estate Broker/Salesperson position. The Board questioned whether the real estate industry member may also have an auction license. According to the Auction License Act, Section 30-30 (a), <i>One member shall be actively engaged in the real estate industry and licensed as a broker or salesperson.</i></p> <p>Mr. Dunning also mentioned the public member board position remains vacant.</p> <p>The Auction License Reports for August and September, 2010 had been distributed to the Board. The September, 2010 report indicated there were 1,763 active Illinois auction licenses. This figure includes auctioneers, real estate exempt auctioneers, auction firms, auction continuing education (CE) schools, CE courses, and Internet Auction Listing Services.</p>	<p>to re-elect Terry Dunning as Chairperson of this Board. The motion passed.</p>
<p>Report from Prosecutions:</p>	<p>Matt Stonecipher distributed copies of the Prosecutions Report from Dan Faermark. This Report indicates activity from August 1, 2010 – September 30, 2010:</p> <ul style="list-style-type: none"> • Current Caseload in Auction - 41 • Case Activity: <ul style="list-style-type: none"> Refer to Prosecutions – 7 with 1 tax case = 8, Formal complaints filed, preliminary hearing set – 1 Motions filed – 0 Notice of 60 day tax liability order – 1 Notice of intent to deny – 0 Notice of intent to refuse renewal – 0 Set formal hearing – 0 Close case in prosecutions – 4 Formal hearings held - 0 Orders signed by Director– 2 	

<p>Motion to go into Closed Session 11:40 a.m. – 11:50 a.m.</p>		<p>Motion made and passed to go into Closed Session at 11:40 a.m. pursuant to the provisions of Section 2 of the Open Meetings Act. Roll call: Terry Dunning – Yes Rob Henke - Yes Rick Levin - Yes Vern Mariman – Yes</p> <p>The motion passed.</p>
<p>Closed Session</p>	<p>The board discussed the two informal conferences held prior to the Board meeting.</p> <p>Case Number 2009-10767 Case Number 2010-05207</p> <p>One other case was discussed. Mark Thompson informed the Board that DPR has referred an auction case to the Attorney General’s office for enforcement.</p>	
<p>Motion to go into Open Session 11:50 a.m.</p>		<p>A motion was made by Dunning /seconded by Henke to go into Open Session at 11:50 am. The motion passed.</p>
<p>Recommendations</p>	<p>Subsequent to discussion in Closed Session, the Board made their recommendations. Case Number 2009-10767 – Consent Order Case Number 2010-05207 - Dismiss</p>	<p>A motion was made by Dunning/seconded by Henke to recommend, subsequent to approval of the Chief of Prosecutions, the Deputy Director, and the Director:</p> <p>Case Number 2009-10767 - Consent Order / Reprimand</p> <p>Case Number 2010-05207 - Dismiss</p> <p>The motion passed.</p>
<p>Old Business:</p> <p>Auction Administrative Rule</p>	<p>Susan Sigourney said as a result of the sunset process, Public Act 97-0730, effective August 25, 2009, various sections of the Administrative Rule must be amended to address inconsistencies and technical problems and other changes. Susan Sigourney asked the Board if they had any comments regarding the rule changes.</p>	<p>A motion was made by Mariman/seconded by Levin to approve the changes to the Auction rules as presented. The motion passed.</p> <p>Note: Since the time of this meeting, the rule has been</p>

<p>Auction License /Registration Renewal – December 31, 2010</p>	<p>Susan Sigourney commented that the auction license renewal is December 31, 2010. At the time of this meeting, there have been 33 renewals completed on-line. A paper renewal will be sent to the licensees who did not renew online mid November. The licensees must complete 12 hours of licensed CE courses prior to December 31, 2010.</p>	<p>sent to the Deputy General Counsel for approval to file.</p>
<p>New Business:</p> <p>Ethics Training for State of Illinois Boards</p> <p>2010/Proposed 2011 Meeting Schedule for the Auction Advisory Board</p>	<p>The Board members have completed their 2010 Ethics Training and their Acknowledgement and Participation forms have been received by Jill Kreoger, Assistant to the Director of DPR.</p> <p>The Board discussed the Auction Advisory Board meeting schedule for the remainder of 2010. The next meeting is scheduled for December 14, 2010 at 11:00 a.m. in the Springfield office. A proposed 2011 Board meeting schedule was distributed to the Board.</p>	<p>The 2010 meeting schedule for the Auction Advisory Board is as follows:</p> <p><u>2010</u> December 14 – Springfield, (Room 258, on the second floor of DPR.)</p> <p><u>Proposed Meetings - 2011</u> February 22 - Springfield April 26 - Springfield June 28 - Chicago August 23 - Springfield October 25 - Chicago December 13 - Springfield</p>
<p>Adjournment</p>		<p>There being no further business to discuss, a motion was made by Dunning/seconded by Henke to adjourn at 12:10 p.m. The motion passed.</p>