

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

**AUCTION ADVISORY BOARD**

Meeting Date: August 31, 2010  
 Meeting Convened: 11:00 a.m.  
 Meeting Adjourned: 11:50 a.m.  
 Meeting Location: Illinois Department of Financial and Professional Regulation/DPR  
 320 West Washington Street, 3rd Floor, Conference room 376  
 Springfield, IL 62786

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: Ron Hardgrove, Real Estate Coordinator  
 Dan Faermark, Chief of Real Estate Prosecutions  
 Craig Capilla, Staff Attorney  
 Susan Sigourney, Auction Board Liaison, Administrative Assistant

TOPIC	DISCUSSION	ACTION
<b>Approval of Minutes:</b>	The Board reviewed the minutes from the April 27, 2010 Auction Advisory Board meeting.	A motion was made by Henke/seconded by Mariman to approve the Auction Advisory Board minutes from the April 27, 2010 meeting. The motion passed.
<b>Administrative Report – Chairperson:</b>	<p>Terry Dunning, Chairperson, welcomed the board members to the meeting.</p> <p>Craig Capilla, staff attorney, introduced Daniel Faermark to the Board. Daniel is the new Chief of Prosecutions for the Real Estate Professions. He came to the Department from the Cook County State’s Attorney’s Office where he served as an assistant state’s attorney since 1999. Craig Capilla also mentioned Matthew Stonecipher is Real Estate’s new staff attorney who transferred from within the Division of Professional Regulation.</p> <p>Ron Hardgrove mentioned there will be one staff investigator added in the Springfield office and</p>	

<p><b>Auction License Report</b></p>	<p>one will be added in the Chicago office.</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 Industry position.</p> <p>The Auction License Reports for April, May, June, and July 2010 had been distributed to the Board. The July, 2010 report indicated there were 1,741 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><b>Report from Prosecutions:</b></p>	<p>Craig Capilla gave a synopsis of the present situation with regards to open cases. He said presently, the case load of open active cases in Prosecutions for the Real Estate Bureau is in the high 600's. Of those open cases, 111 are continuing education audit cases. Approximately 25 of those open active cases are auction. A few new auction cases have been referred to Enforcement since the last Auction Advisory Board meeting.</p>	
<p><b>Old Business:</b></p> <p><b>Auction Administrative Rule</b></p> <p><b>Internet Auction Listing Service (IALS) Registrations</b></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. These changes to the Rule are in the process and are not effective at the time of this meeting.</p> <p>The Board discussed the necessity for entities to be registered with Division of Professional Regulation (DPR) as Internet Auction Listing Services (IALS). The Board believes there are many active individuals/entities that fall under the definition of IALS that should be registered with DPR. Pursuant to Section 10-27 (a)(1) of</p>	<p>The drafts of the changes to the Administrative Rule were available for the Board members.</p> <p>Susan Sigourney will inquire about where the Rule is in the approval process.</p> <p>Note: Since the time of this meeting, the draft of the Auction Rule has been finalized and a question and answer form has been sent to Mark Thompson, General Council, for completion.</p>

	<p>the Auction License Act, the definition of Internet Auction Listing Service means a website on the Internet, or other interactive computer service that is designed to allow or advertised as a means of allowing users to offer personal property or services for sale or lease to a prospective buyer or lessee through an on-line bid submission process using that website or interactive computer service and that does not examine, set the price, or prepare the description of the personal property or service to be offered, or in any way utilize the services of a natural person as an auctioneer.</p> <p>Craig Capilla explained to the Board that a Rule to Show Cause has been sent to several Internet Auction Listing Services that may need to register with the Division of Professional Regulation. After the Rule to Show Cause is sent, the respondent has the opportunity to obtain a license or registration and get into compliance with the Auction Act.</p>	
<p><b>New Business:</b></p> <p><b>The Advanced School of Auctioneering Renewed Auction Continuing Education (CE) School License</b></p> <p><b>Auction Advisory Board Meeting Schedule for 2010/2011</b></p>	<p>The Advanced School of Auctioneering in Decatur, Illinois has renewed their Auction CE school license, as well as, their auction CE courses.</p> <p>There are four licensed CE schools for auction at this time.</p> <p>The Board discussed the Auction Advisory Board meeting schedule for the remainder of 2010. The next meeting is scheduled for October 26, 2010 at 11:00 a.m. in the Chicago office.</p>	<p>The 2010 meeting schedule for the Auction Advisory Board is as follows:</p> <p><u>2010</u></p> <p>October 26 - Chicago December 14 – Springfield, (Room 258, on the second floor of DPR.)</p> <p><u>Proposed Meetings - 2011</u></p> <p>February 22 - Springfield April 26 - Springfield June 28 - Chicago August 23 - Springfield October 25 - Chicago December 13 - Springfield</p>

<b>Auction License/Registration Renewal – December 31, 2010</b>	The auction license renewal is December 31, 2010. The Board discussed continuing education requirements. The licensees must complete 12 hours of licensed CE courses prior to December 31, 2010.	
<b>Closed Session</b>	There was no Closed Session needed.	
<b>Adjournment</b>		There being no further business to discuss, a motion was made by Dunning/seconded by Henke to adjourn at 11:50 a.m. The motion passed.