

AUCTIONEERS BOARD MEETING
October 2, 2024
10:00 a.m. – Board Room 3 – 2nd Floor
Department of Professional & Occupational Regulation
9960 Mayland Drive
Richmond, Virginia 23233
(804) 367-8514

1. Call to Order
2. Emergency Evacuation
3. Welcome and Introductions
4. Approval of Agenda
5. Approval of Minutes:
 - January 24, 2024, Board Meeting Minutes
6. Public Comment Period*
7. Regulatory Review Update
8. 2025 Meeting Dates
9. Examination Director Report
10. Executive Director Report
11. Licensed Population
12. Review of Financial Statements
13. Elections of Officers
14. Other Business
 - Board Member Training Conference
 - Epic X update
15. Conflict of Interest Forms / Travel Vouchers
16. Adjourn

NEXT MEETING TENTATIVELY SCHEDULED FOR Wednesday, January 15, 2025

* Five minute public comment, per person, with the exception of any open disciplinary or application files.

** Agenda materials made available to the public do not include disciplinary case files or application files pursuant to §54.1-108 of the Code of Virginia.

Persons desiring to participate in the meeting and requiring special accommodations or interpretative services should contact the Department at (804) 367-8510 at least ten days prior to the meeting so that suitable arrangements can be made for an appropriate accommodation. The Department fully complies with the Americans with Disabilities Act.

- **Call to Order**
- **Emergency Evacuation**
- **Welcome and Introductions**

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Materials contained in this agenda are proposed topics for discussion
And are not to be construed as regulation or official board position

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VIRGINIA AUCTIONEERS BOARD MEETING MINUTES

The Virginia Auctioneers Board met on January 24, 2024, at 10:00 a.m. at the Department of Professional and Occupational Regulation, 9960 Mayland Drive, Richmond, Virginia 23233.

The following members were present for all or part of the meeting:

Betty Bennett (Auctioneer)
Douglas Sinclair (Auctioneer)
Linda Terry (Auctioneer)

The following members were absent for the meeting:

Angela Smith-Mackey (Citizen Member)

Staff present for all or part of the meeting were:

Brian Wolford, Chief Deputy Director
Kate Nobsch, Executive Director
Joe Haughwout, Regulatory Affairs Manager
Ecila Williams, Administrative Coordinator
Greg Emerson, Executive Director- Examinations
Bonnie Rhea Adams- Director, CAR
Michelle Couch, Legal Analyst

Kishore S. Thota, Director, Steve Kirschner, LRPD Deputy Director, Bonnie Davis, Regulatory Operations Administrator, and Enid Candaleria-Vega, BPOR Liaison, were not present at the meeting with regrets.

Elizabeth Peay, Assistant Attorney General was present from the Office of the Attorney General.

Members of the audience:

Matthew English- Auctioneer

Finding a quorum of the Board present, Ms. Terry, Chair, called the meeting to order at 10:00 a.m.

Call to Order

Ms. Nobsch advised the Board of the emergency evacuation procedures.

Emergency Evacuation

Ms. Peay arrived at 10:02 a.m.

Arrival of DPOR Staff

Ms. Nobsch introduced Brian Wolford as the new Chief Deputy Director of DPOR.

Announcements

Ms. Bennett moved to approve the agenda with amendments. Mr. Sinclair seconded the motion, which was unanimously approved by members: Bennett, Sinclair, and Terry

Approval of Agenda

Ms. Bennett moved to approve the meeting minutes from October 3, 2023. Mr. Sinclair seconded the motion which was unanimously approved by members: Bennett, Sinclair, and Terry.

Approval of Minutes October 3, 2023

There was no public comment.

Public Comment Period

Ms. Nosbisch informed the Board the fee adjustment has no movement at this time and is still in the proposed stage. The NOIRA for general regulatory review is in the proposed stage. The bill to repeal the continuing education requirements was not filed. 18VAC25-21-250 would need to be put back into regulations.

Regulatory Review Update

Mr. Sinclair moved to add the continuing education requirement, 18VAC25-21-250, back into regulations. Ms. Bennett seconded the motion which was unanimously approved by members: Bennett, Sinclair, and Terry.

Ms. Bennett recused herself from the meeting at 10:00 a.m.

Recusal of Board Member

Regarding **File Number 2023-02089, The Auction House LLC**, the Board members reviewed the Consent Order as seen and agreed by Zana Gail Jarrells, Responsible Manager for The Auction House LLC .

File Review: 2023-02089 The Auction House LLC

Mr. Sinclair moved to accept the consent order which cites the following violation of the Board's Regulations: 18VAC25-21-110.A (Count 1) and 18 VAC 25-21-180.4 (Count 2). For thus violations, it was recommended that The Auction House LLC pay the following monetary penalties: \$700.00 for the violation contained in Count 1, \$500.00 for the violation contained in Count 2, and \$150.00 in Board costs, for a total monetary penalty of \$1350.00. Ms. Terry seconded the motion which was approved by consensus.

Ms. Bennett returned to the meeting at 10:10 a.m.

Return of Board Member

Mr. Emerson presented to the Board Auctioneers exam statistics from January 2023 to December 2023 and Exam statistics from 2019-2023 for informational purposes. Mr. Emerson recommends that persons who take the exam should use the reference sheet that's on the DPOR Website as a guide for the exam as it been stated that the exam can be difficult to pass. Ms. Nosbisch stated to the Board if individuals want to review their scores, a follow up can be made with PSI.

Examination Director Report

Ms. Nosbisch stated the Executive Director Report will be a part of the agenda and was provided for informational purposes only.

Executive Director Report

Ms. Nobsich stated the states with Auctioneer Apprenticeship Licenses was provided for informational purposes as requested by the Board.

**States with
Auctioneer
Apprenticeship
Licenses**

Ms. Nobsich reminded the Board that Financial Statement Disclosures are due February 1, 2024.

**Financial
Statement
Disclosure**

The licensee counts as of January 1, 2024: Auctioneers 968 and Auctioneer Firms 219. The first Universal License Recognition license for the Auctioneer Board was issued this month

**Licensed
Population**

Board members were provided financial statements for informational purposes.

**Review of
Financial
Statements**

Ms. Nobsich stated that New Member Board Training will be scheduled from October 10, 2024, to October 11, 2024. Ms. Nobsich informed the Board that there is still a vacancy for a citizen member and to inform anyone who may be interested.

Other Business

Conflict of Interest forms and Travel Vouchers were completed by all members present.

**Conflict of
Interest Forms /
Travel Vouchers**

There being no further business, the meeting adjourned at 10:29 a.m.

Adjourn

Linda Terry, Chair

Kishore S. Thota, Secretary

➤ **Public Comment**

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➤ **Regulatory Review Update**

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➤ **2025 Meeting Dates**

- **Wednesday January 15, 2025**
- **Wednesday April 16, 2025**
- **Wednesday July 30, 2025**
- **Wednesday October 1, 2025**

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AUCTIONEERS STATISTICS
 JANUARY – SEPTMEBER 2024
 NINE MONTHS

MONTH 2024	NUMBER TAKEN	NUMBER PASSED	PERCENTAGE PASSED
JANUARY	02	00	00.00%
FEBRUARY	02	01	50.00%
MARCH	07	06	85.71%
APRIL	05	05	100.00%
MAY	03	02	66.66%
JUNE	04	04	100.00%
JULY	04	03	75.00%
AUGUST	02	02	100.00%
SEPTEMBER	02	02	100.00%

The Auctioneers exam review was conducted July 22 -23, 2024.

Targeted questions were reviewed. Corrections were made during the exam review by the PSI facilitator effective immediately for the current exams administered.

September 23, 2024
 EXAMS - RSTARR

To: Auctioneers Board
From: Kate Nosbisch, Executive Director
Subject: Executive Director Update
Date: October 2, 2024

For this initial update, data for the last five years of the Board’s activities has been provided. As the Board moves forward, an update of activity will be provided at each scheduled Board meeting.

Application Statistics

The table below provides the number of applications approved for the Auctioneers Board per calendar year (January 1 – December 31) since 2019.

Applications Approved*						
Year	2024**	2023	2022	2021	2020	2019
App Numbers	44	60	67	73	68	81

*Includes Auctioneers and Auctioneers Firms

** As of 09/23/2024

Applications Approved by Profession 2024		
Profession	Auctioneers	Auctioneers Firms
App Numbers	34	10

ULR Applications Approved	
Profession	Auctioneers
App Numbers	2

*As of 09/24/2024

Call Center Statistics

**** The Call Center Statistics consists of APELSCIDLA, PSSWPG, Auctioneers, and Branch Pilots**

The Board’s call center has received a total of 6,187 phone calls between January 1, 2024, to September 1, 2024.

Email Statistics

The table below outlines the number of emails received through the Board’s email address per calendar year (Jan 1-Dec 31)

Email Count						
Year	2024*	2023	2022	2021	2020	2019
# of Emails	881	1152	1379	1182	509	589

Board Case Statistics

Since 2018, The Board has adjudicated 22 cases.

- Disciplinary: 10
- CO: 12

Stakeholder Engagement & Outreach

Presentations given:

2024 VAA annual meeting (January 26, 2024)

VIRGINIA DEPARTMENT OF PROFESSIONAL & OCCUPATIONAL REGULATION
 PERIMETER CENTER, SUITE 400
 9960 MAYLAND DRIVE
 RICHMOND, VIRGINIA 23233

Phone: 804-367-8500
 Facsimile: 804-367-2475
 Complaints: 804-367-8504

E-Mail: dpor@dpor.virginia.gov
 Web: <http://www.dpor.virginia.gov>

TOTAL CURRENT POPULATION AS OF SEPTEMBER 9, 2024

*Regulant population numbers are effective for the dates shown only.

Profession	1/1/2024	2/1/2024	3/1/2024	4/1/2024	5/1/2024	6/1/2024	7/1/2024	8/1/2024	9/9/2024
Auctioneers	968	979	974	979	974	975	974	974	972
Auction Firms	219	221	222	218	220	221	221	220	221

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**Department of Professional and Occupational Regulation
Statement of Financial Activity**

**Auctioneers Board
954170**

2022-2024 Biennium

June 2024

	June 2024 Activity	Biennium-to-Date Comparison	
		July 2020 - June 2022	July 2022 - June 2024
Cash/Revenue Balance Brought Forward			0
Revenues	0	75,759	70,640
Cumulative Revenues			70,640
Cost Categories:			
Board Expenditures	0	7,977	10,131
Board Administration	0	36,724	37,347
Administration of Exams	0	2,801	1,995
Enforcement	0	1,566	1,329
Legal Services	0	258	153
Information Systems	0	26,954	25,380
Facilities and Support Services	0	10,332	8,824
Agency Administration	0	17,321	25,195
Other / Transfers	0	0	(15)
Total Expenses	0	103,934	110,336
Transfer To/(From) Cash Reserves	0		(39,696)
Ending Cash/Revenue Balance			0

Cash Reserve Beginning Balance	62,724	0	102,421
Change in Cash Reserve	0	0	(39,696)
Ending Cash Reserve Balance	62,724	0	62,724

Number of Regulants

Current Month	0
Previous Biennium-to-Date	1,363

Department of Professional and Occupational Regulation
 Supporting Statement of Year-to-Date Activity
 Auctioneers Board - 954170
 Fiscal Year 2024

	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Fiscal YTD Charges	Planned Annual Charges	Current Balance	Projected Charges at 6/30	Projected Variance Favorable (Unfavorable)	
																	Amount	%
Board Expenditures	658	319	286	699	284	242	282	684	415	233	268	0	4,371	10,061	5,690	4,689	5,372	53.4%
Board Administration	1,527	1,473	2,195	766	1,599	2,328	933	1,658	2,441	999	2,706	0	18,624	24,301	5,677	19,252	5,050	20.8%
Administration of Exams	135	158	225	75	151	226	76	153	229	77	230	0	1,736	2,071	335	1,800	271	13.1%
Enforcement	45	47	71	26	47	71	24	47	69	25	68	0	538	733	194	556	176	24.1%
Legal Services	0	0	0	0	0	0	30	15	15	0	0	0	61	61	0	66	-6	-9.1%
Information Systems	663	1,546	1,250	864	960	1,160	212	2,335	2,264	879	1,334	0	13,468	13,656	188	14,485	-829	-6.1%
Facilities / Support Svcs	338	337	442	291	343	443	323	356	430	366	506	0	4,176	7,905	3,730	4,481	3,424	43.3%
Agency Administration	1,040	1,118	1,783	592	1,198	1,661	461	1,004	1,544	563	1,630	0	12,594	14,959	2,365	13,095	1,864	12.5%
Other / Transfers	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total Charges	4,405	4,999	6,252	3,312	4,583	6,130	2,341	6,253	7,408	3,142	6,741	0	55,567	73,746	18,179	58,424	15,322	20.8%

➤ **Elections of Officers**

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➤ **Other Business**

- **Board Member Training Conference**
- **Epic X update**

➤ **Conflict of Interest Forms/Travel Vouchers**

➤ **Adjourn**

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