

**AUCTIONEERS BOARD MEETING  
MINUTES**

The Virginia Auctioneers Board met on April 12, 2018, at the Department of Professional and Occupational Regulation, 9960 Mayland Drive, Richmond, Virginia, with the following members present:

Betty Bennett (Auctioneer)  
Douglas Sinclair (Auctioneer)  
Andrew Smith (Citizen Member)  
Ashla Roseboro (Citizen Member)

Board member, Linda Terry (Auctioneer), was not present for the meeting with regrets.

Board staff present for all or part of the meeting were:

Kate Nosbisch, Executive Director  
Marian Brooks, Board Administrator  
Bonnie Davis, Administrative Assistant

Agency staff present for all or part of the meeting were:

Jay W. DeBoer, Director

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

Ms. Bennett, Chair, called the meeting to order at 10:01 a.m.

**Call to Order**

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

**Emergency Evacuation  
Procedures**

Ms. Nosbisch introduced Ashla Roseboro, new citizen Board member, and other Board members introduced themselves. The audience introduced themselves: Brittney Utz with Joint Legislative Audit & Review Commission (JLARC); DPOR staff, Caroline Pruett, Adjudication Specialist, and Shannon Webster, Director of Exams, and Kendall Bennett, Auctioneer.

**Welcome and  
Introductions**

Mr. Smith moved to approve the agenda. Mr. Sinclair seconded the motion which was unanimously approved by members: Bennett, Roseboro, Sinclair, and Smith.

**Approval of Agenda**

Mr. Sinclair moved to approve the January 9, 2018 Board meeting minutes. Mr. Smith seconded the motion which was unanimously approved by members: Bennett, Roseboro, Sinclair, and Smith.

**Approval of Minutes**

There was no public comment.

**Public Comment Period**

Ms. Nosbisch explained the process for Prima Facie cases. Neither the respondents nor the complainants were present to address the Board regarding this matter.

**Regarding File Number 2016-02489, Mark A. Albright**, Board members reviewed the Prima Facie order for Mark A. Albright. The Prima Facie Order cites the following violations of the Board's regulations: 18VAC25-21-180.5 (Count 1 – two violations), the recommended sanction is a monetary penalty of \$100.00 each for the violations contained in Count 1; 18VAC25-21-180.5 (Count 2), the recommended sanction is a monetary penalty of \$200.00; 18VAC25-21-180.5 (Count 3 – four violations), the recommended sanction is a monetary penalty of \$200.00 each for the violations contained in Count 3; 18VAC25-21-180.5 (Count 4), the recommended sanction is a monetary penalty of \$250.00; 18VAC25-21-180.5 (Count 5), the recommended sanction is a monetary penalty of \$250.00; 18VAC25-21-180.5 (Count 6), the recommended sanction is a monetary penalty of \$250.00. For the violations contained in Counts 1, 2, 4, 5 and 6, revocation of license is recommended.

Ms. Bennett moved to accept the violations as submitted. Mr. Smith seconded the motion which was unanimously approved by members: Bennett, Roseboro, Sinclair, and Smith.

Ms. Nosbisch indicated that there have been no prior disciplinary actions against Mr. Albright.

Mr. Sinclair moved to accept the sanctions as submitted. Mr. Smith seconded the motion which was unanimously approved by members: Bennett, Roseboro, Sinclair, and Smith.

**Regarding File Number 2017-02734, Robert Enar Carlson**, Board members reviewed the Prima Facie order for Robert Enar Carlson. The Prima Facie Order cites the following violation of the Board's regulations: 18VAC25-21-185.B (Count 1), the recommended sanction is no monetary penalty for the violation contained in Count 1. For the violation contained in Count 1, revocation of license is recommended.

Mr. Smith moved to accept the violation as submitted. Ms. Roseboro seconded the motion which was unanimously approved by members: Bennett, Roseboro, Sinclair, and Smith.

Ms. Nosbisch indicated that there have been no prior disciplinary actions against Mr. Carlson.

Ms. Roseboro moved to accept the sanction as submitted. Mr. Smith seconded the motion which was unanimously approved by members: Bennett, Roseboro, Sinclair, and Smith.

**File Review**

**File No. 2016-02489,**  
**Mark A. Albright**

**File No. 2017-02734,**  
**Robert Enar Carlson**

Ms. Bennett read the following resolution from the Auctioneers Board for former Board member, Michael Phillips:

**Resolution for  
Michael S. Phillips**

WHEREAS, Michael S. Phillips, did faithfully and diligently serve as a member of the Auctioneers Board from 2014 to 2017;

WHEREAS, Michael S. Phillips, did devote generously of his time, talent and leadership to the Board;

WHEREAS, Michael S. Phillips, did endeavor at all times to render decisions with fairness and good judgment in the best interest of the citizens of the Commonwealth and the profession; and

WHEREAS, the Auctioneers Board wishes to acknowledge its gratitude for devoted service of a person who is held in high esteem by the members of the Board and the citizens of the Commonwealth;

NOW THEREFORE BE IT RESOLVED, by the Auctioneers Board this ninth day of January 2018, that Michael S. Phillips, be given all honors and respect due him for his outstanding service to the Commonwealth and its citizens; and

BE IT FURTHER RESOLVED, that this Resolution be presented to him and be made a part of the official minutes of the Board so that all may know of the high regard in which he is held by this Board.

The Board approved the resolution by consensus.

Ms. Nosbisch provided a brief update on the 2018 General Assembly. Ms. Nosbisch discussed HB 883, part of the red-tape regulatory reform, which “directs DPB to administer a three-year regulatory reduction pilot program aimed at reducing by 25% the regulations and regulatory requirements, as defined in the bill, of the Department of Professional and Occupational Regulation and the Department of Criminal Justice Services by July 1, 2021.”

**2018 General Assembly  
Session**

Board members were provided financial statements for informational purposes. The Board is in a good financial position, and there are no fee increases expected in the foreseeable future.

**Review of Board  
Financial Statements**

Ms. Nosbisch recognized Auctioneers Day (April 21). The profession will be sent an email, and the recognized day will be posted on DPOR’s Facebook page and/or website. Ms. Nosbisch thanked the auctioneer board members for their service to the Board.

**Other Business**

Ms. Webster provided an update on the auctioneer exam which is administered by PSI. She thanked board members for their exam review

participation.

Mr. DeBoer provided additional information on the red tape regulatory reform.

Ms. Bennett provided the licensee counts as of March 1, 2018:  
Auctioneers 1201 and Firms 250.

**Licensed Population**

Conflict of Interest forms and travel vouchers were completed by all members present.

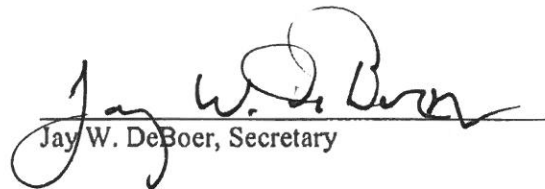
**Conflict of Interest  
Forms / Travel  
Vouchers**

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

**Adjourn**



Betty Bennett, Chair



Jay W. DeBoer, Secretary

**STATE AND LOCAL GOVERNMENT  
CONFLICT OF INTERESTS ACT**

TRANSACTIONAL DISCLOSURE STATEMENT  
for Officers and Employees of State Government

- 1. Name: Douglas B. Sinclair
- 2. Title: Board Member
- 3. Agency: Auctioneers Board
- 4. Meeting/IFF Date: Board Meeting April 12, 2018

5. I have a personal interest in the following transaction:

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Nature of Personal Interest Affected by Transaction:

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I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

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I am able to participate in this transaction fairly, objectively, and in the public interest.

or

I did not participate in the transaction.

6.  I **do not** have a personal interest in any transactions taken at this meeting.

  
\_\_\_\_\_  
Signature

4.12.18  
\_\_\_\_\_  
Date

**STATE AND LOCAL GOVERNMENT  
CONFLICT OF INTERESTS ACT**

TRANSACTIONAL DISCLOSURE STATEMENT  
for Officers and Employees of State Government

1. Name: Ashla C. Hill Roseboro
2. Title: Board Member
3. Agency: Auctioneers Board
4. Meeting/IFF Date: Board Meeting April 12, 2018
5. I have a personal interest in the following transaction:

\_\_\_\_\_

\_\_\_\_\_

Nature of Personal Interest Affected by Transaction:

\_\_\_\_\_

\_\_\_\_\_

I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

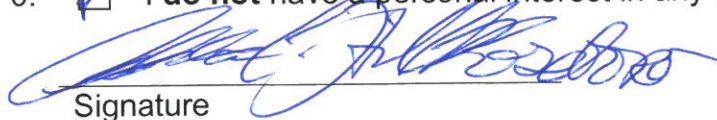
\_\_\_\_\_

I am able to participate in this transaction fairly, objectively, and in the public interest.

or

I did not participate in the transaction.

6.  I **do not** have a personal interest in any transactions taken at this meeting.

  
Signature

04/12/2018  
Date

**STATE AND LOCAL GOVERNMENT  
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT  
for Officers and Employees of State Government**

1. Name: Andrew Smith
2. Title: Board Member
3. Agency: Auctioneers Board
4. Meeting/IFF Date: Board Meeting April 12, 2018

5. I have a personal interest in the following transaction:

\_\_\_\_\_  
\_\_\_\_\_

Nature of Personal Interest Affected by Transaction:

\_\_\_\_\_  
\_\_\_\_\_

I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

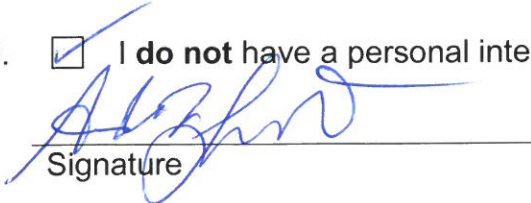
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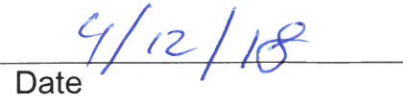
I am able to participate in this transaction fairly, objectively, and in the public interest.

**or**

I did not participate in the transaction.

6.  I **do not** have a personal interest in any transactions taken at this meeting.

  
\_\_\_\_\_  
Signature

  
\_\_\_\_\_  
Date

**STATE AND LOCAL GOVERNMENT  
CONFLICT OF INTERESTS ACT**

TRANSACTIONAL DISCLOSURE STATEMENT  
for Officers and Employees of State Government

1. Name: Betty Bennett
2. Title: Board Member
3. Agency: Auctioneers Board
4. Meeting/IFF Date: Board Meeting April 12, 2018

5. I have a personal interest in the following transaction:

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Nature of Personal Interest Affected by Transaction:

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I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

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I am able to participate in this transaction fairly, objectively, and in the public interest.

or

I did not participate in the transaction.

6.  I **do not** have a personal interest in any transactions taken at this meeting.

Betty A. Bennett  
Signature

4/12/2018  
Date