

**AUCTIONEERS BOARD MEETING
MINUTES**

The Virginia Auctioneers Board met on October 11, 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)
Linda Terry (Auctioneer)

Staff present for all or part of the meeting were:

Jay W. DeBoer, Director
Bonnie Rhea Adams, Director, Compliance Analysis and Resolution
Kate Nobsch, Executive Director
Michelle Couch, Lead Legal Analyst, Compliance Analysis and Resolution
Latoya Jackson, Licensing Specialist, Post Adjudication & Licensing
Bonnie Davis, Administrative Assistant

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

Ms. Bennett, Chair, called the meeting to order at 10:00 a.m.

Call to Order

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

**Emergency Evacuation
Procedures**

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

Approval of Agenda

Ms. Terry moved to approve the July 17, 2018 Board meeting minutes. Mr. Smith seconded the motion which was unanimously approved by members: Bennett, Roseboro, Sinclair, Smith, and Terry.

Approval of Minutes

There was no public comment.

Public Comment Period

File Review

Regarding File Number 2017-02665, Marshall Enterprises Auction and Realty LLC, the Board members reviewed the Consent Order as seen and agreed to by Marshall Enterprises Auction and Realty LLC. Mr. Smith moved to accept the Consent Order which cites the following violations of the Board's regulations: 18VAC25-21-150.G (Count 1), 18VAC25-21-150.J (Count 2), and 18VAC25-21-150.C (Count 3). For these violations, Marshall Enterprises Auction and Realty LLC agrees to

**File No. 2017-02665,
Marshall Enterprises
Auction and Realty
LLC**

pay the following monetary penalties: \$100 for the violation contained in Count 1; \$150 for the violation contained in Count 2; \$500 for the violation contained in Count 3; and \$150 in board costs, for a total monetary penalty of \$900. In addition for the violations of Counts 1, 2, and 3, Marshall Enterprises Auction and Realty LLC agrees to surrender its license. Mr. Sinclair seconded the motion which was unanimously approved by members: Bennett, Roseboro, Sinclair, and Smith. As the presiding Board member, Ms. Terry was not present for the discussion or vote.

Regarding File Number 2018-01892, Quinn's – Central Virginia LLC, the Board members reviewed the Consent Order as seen and agreed to by Quinn's - Central Virginia LLC. Ms. Roseboro moved to accept the Consent Order which cites the following violations of the Board's regulations: 18VAC25-21-110.A.1.a (Count 1), 18VAC25-21-110.A.2 (Count 2), and 18VAC25-21-110.A.4 (Count 3), 18VAC25-21-110.A.7 (Count 4), 18VAC25-21-110.A.8 (Count 5), and 18VAC25-21-180.4 (Count 6). For these violations, Quinn's - Central Virginia LLC agrees to pay the following monetary penalties: \$200 for the violation contained in Count 1; \$200 for the violation contained in Count 2; \$150 for the violation contained in Count 3; \$100 for the violation contained in Count 4; \$100 for the violation contained in Count 5; \$750 for the violation contained in Count 6; and \$150 in board costs, for a total monetary penalty of \$1650. In addition for the violations of Counts 1, 2, 3, 4, and 5 Quinn's - Central Virginia LLC agrees to provide a copy of its current contract within thirty days of the effective date of the Consent Order. The contract must be in compliance with Board Regulation 18VAC25-21-110. If Quinn's - Central Virginia LLC fails to comply with this condition, then its license will be suspended until compliance is obtained. Mr. Smith seconded the motion which was unanimously approved by members: Bennett, Roseboro, Sinclair, and Smith. As the presiding Board member, Ms. Terry was not present for the discussion or vote.

File No. 2018-01892,
Quinn's – Central
Virginia LLC

Regarding File Number 2018-01696, More Than Moving for Seniors Inc, t/a Susan's Selections, the Board members reviewed the Consent Order as seen and agreed to by More Than Moving for Seniors Inc, t/a Susan's Selections. Mr. Smith moved to accept the Consent Order which cites the following violations of the Board's regulations: 18VAC25-21-180.4 (Count 1) and 18VAC25-21-180.4 (Count 2). For these violations, More Than Moving for Seniors Inc, t/a Susan's Selections agrees to pay the following monetary penalties: \$125 for the violation contained in Count 1; \$125 for the violation contained in Count 2; and \$150 in board costs, for a total monetary penalty of \$400. In addition for the violations of Counts 1 and 2, More Than Moving for Seniors Inc, t/a Susan's Selections agrees to revocation of its license. Mr. Sinclair seconded the motion which was unanimously approved by members: Bennett, Roseboro, Sinclair, and Smith. As the presiding Board member, Ms. Terry was not present for the discussion or vote.

File No. 2018-01696,
More Thank Moving
for Seniors Inc, t/a
Susan's Selections

Regarding File Number 2018-00700, Daniel Pulley Dunivan, the Board members reviewed the Consent Order as seen and agreed to by Mr. Dunivan. Ms. Roseboro moved to accept the Consent Order which cites the following violations of the Board's regulations: 18VAC25-21-110.A.1.a (Count 1), 18VAC25-21-110.A.3 (Count 2), and 18VAC25-21-110.A.4 (Count 3), 18VAC25-21-100.B (Count 4). For these violations, Mr. Dunivan agrees to pay the following monetary penalties: \$250 for the violation contained in Count 1; \$50 for the violation contained in Count 2; \$50 for the violation contained in Count 3; \$100 for the violation contained in Count 4; and \$150 in board costs, for a total monetary penalty of \$600. In addition for the violations of Counts 1, 2, 3, 4 and 5, Quinn's - Central Virginia LLC agrees to provide a copy of its current contract within thirty days of the effective date of the Consent Order. The contract must be in compliance with Board Regulations. Mr. Smith seconded the motion which was unanimously approved by members: Bennett, Roseboro, Sinclair, and Smith. As the presiding Board member, Ms. Terry was not present for the discussion or vote.

**File No. 2018-00700,
Daniel Pulley Dunivan**

The Board reviewed the letter from Mr. Munch regarding internet auctions, and also reviewed minutes from previous meetings regarding the same. This has been an ongoing discussion periodically for many years. The Board discussed internet auctions and the protection of consumers bidding online. It was agreed by consensus that the current regulations do not address internet auctions. It was noted the regulations cannot be changed to include internet auctions unless there are changes to definitions in the statute. The Board requested staff respond to Mr. Munch's letter and thank him for his questions.

Internet Auctions

Ms. Nosbisch informed the Board that typically, the Vice-Chair assumes the position of chair and then a board member is elected Vice-Chair. Ms. Nosbisch opened the floor for nominations for Chair. Ms. Terry thanked Ms. Bennett for her service as Chair and moved that Mr. Smith, current Vice-Chair, move up as Chair. As there were no other nominations from the floor, Ms. Nosbisch closed the nominations. Mr. Sinclair seconded the motion which was unanimously approved by members: Bennett, Roseboro, Sinclair, Smith, and Terry.

**Election of Chair and
Vice Chair**

Ms. Nosbisch opened the floor for nominations for Vice-Chair. Mr. Smith moved to nominate Mr. Sinclair as Vice-Chair. As there were no other nominations from the floor, Ms. Nosbisch closed the nominations. Ms. Terry seconded the motion which was unanimously approved by members: Bennett, Roseboro, Sinclair, Smith, and Terry.

Discussion was held on HB 883, part of the red-tape regulatory reform, which directs Department of Planning and Budget (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

**General Assembly
Update**

Department of Professional and Occupational Regulation and the Department of Criminal Justice Services by July 1, 2021. Ms. Nobsisch informed the Board a baseline of current regulations was required to be established by October 1, 2018.

Board members were provided financial statements for informational purposes.

Review of Board
Financial Statements

Ms. Nobsisch noted there is a time conflict with the October 8, 2019 meeting, and requested the meeting start at 9:00 a.m. instead of 10:00 a.m. The Board agreed by consensus to change the start time of the October 8, 2019 meeting to 9:00 a.m.

Other Business

The Board discussed the JLARC study that was issued on October 9, 2018.

Ms. Bennett provided the licensee counts as of September 1, 2018: Auctioneers 1193 and Firms 249.

Licensed Population

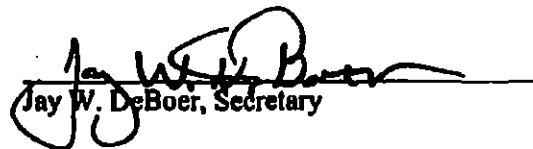
Conflict of Interest forms and travel vouchers were completed by all members present.

Conflict of Interest
Forms / Travel
Vouchers

There being no further business, the meeting adjourned at 10:55 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: Betty Bennett
2. Title: Board Member
3. Agency: Auctioneers Board
4. Meeting/IFF Date: Board Meeting October 11, 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.

Betty A. Bennett
Signature

10/11/2018
Date

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

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

1. Name: Ashla Hill Roseboro
2. Title: Board Member
3. Agency: Auctioneers Board
4. Meeting/IFF Date: Board Meeting October 11, 2018

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

No

Nature of Personal Interest Affected by Transaction:

N/A

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

N/A

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.

Ashla Hill Roseboro
Signature

10/11/2018
Date

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

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

1. Name: Douglas Sinclair
2. Title: Board Member
3. Agency: Auctioneers Board
4. Meeting/IFF Date: Board Meeting October 11, 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

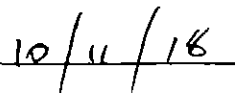
I did not participate in the transaction.

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

Signature



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 October 11, 2018

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

Nature of Personal Interest Affected by Transaction:

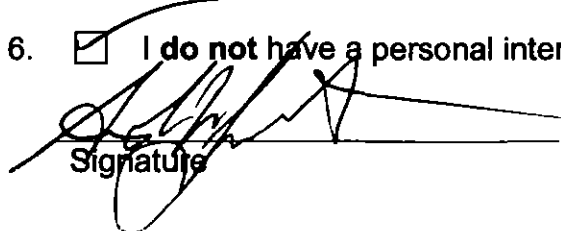
I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

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

10/11/18

Date

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

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

1. Name: Linda Terry
2. Title: Board Member
3. Agency: Auctioneers Board
4. Meeting/IFF Date: Board Meeting October 11, 2018

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

Nature of Personal Interest Affected by Transaction:

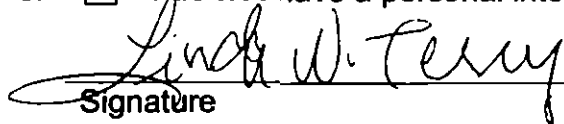
I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

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

10/11/18
Date