



KENTUCKY AUCTIONEER NEWSLETTER

<http://auctioneers.ky.gov>

Official Publication of the Kentucky Board of Auctioneers

November 2007 No. 40



A MESSAGE FROM CHAIRMAN BIRDWHISTELL

It's hard to believe 2007 is almost history. We all know that 2007 has not been a very good year for the Real Estate Market. The projection for foreclosures in 2008 does not sound good. However, it may well place us in a position of being called upon to conduct more foreclosure auctions. If that happens, let's put forth our very best effort to have a successful auction, as this is a very trying and emotional time for the seller.

Don't forget your continuing education (earned from July 1, 2007 through June 30, 2008) to report for your 2008 renewal.

The commissioners and staff of the Kentucky Board of Auctioneers would like to wish you and your family a Happy Holiday, and that 2008 will be a great auction year for all.

GOVERNOR FLETCHER REAPPOINTS BOARD MEMBER

Governor Ernie Fletcher reappointed Stephen D. Lewis of Morehead, Kentucky to the Kentucky Board of Auctioneers with a term expiring 06/30/10. As a Board Member of the Kentucky Board of Auctioneers since 1985, he has shown his professionalism and knowledge of the auctioneering profession.

Mr. Lewis is the president of C. Roger Lewis Agency, Inc., a 50-year-old family auction, real estate and insurance business. Steve is the principal auctioneer and principal broker responsible for the day-to-day operations. He specializes in real estate auctions, but is active in all types of auctions.

Mr. Lewis is a past president of the Kentucky Auctioneers Association and of the National Association of License Law Officials (NALLOA). He is a member of KAA's Hall of Fame. Steve is a former Board Member and Treasurer of the National Auctioneers Association, the largest professional auctioneers' organization in the nation.



IN MEMORY

The Kentucky Board of Auctioneers sends their sincere condolences to friends and families of the following auctioneers:

Donald D. Arndt, P2346, Vine Grove
Rachel I. Briggs, P1714, Stanton
Bobby G. Curry, P1946, Greensburg
Vernon G. Diab, P1319, Louisville
Howard C. Haggard, P1126, Liberty
Daryl R. Harmon, P1132, Campbellsville

Ray Humfleet, P16, London
Edward E. McFadden, P1606, London
Vechil D. Mouser, A153, Center
Paul S. Willard, P2342, Simpsonville
Robert E. Williams, P2118, Hodgenville



2007 RENEWAL

License renewal forms were mailed to 2,520 licensees on May 31 and June 1, 2007. On July 3rd, late renewal forms were mailed to 281 individuals. **Licenses were canceled on July 1, 2007. The following 186 individuals may NOT perform auctioneering activities regulated by KRS Chapter 330.**

Abney Jr., Ronnie Gene A2920
Absher, Matthew Kris A2658
Adams, Kenneth R. RP2537
Adams, Linda S. P6146
Adcock, Michael Scott RP2979
Akridge, Damon C. Todd P449
Anderson, Harry A. RP7010
Anderson, Jerry L. P2290
Arnett, Myers P2242
Bailey, Linda J. A65
Barger, Amanda JoAnn M. A2815
Beck, Timothy L. A145
Beckendorff, Floyd Glenn RP2986
Blanton, Elwood T. A457
Bobb, Ernest R. P1580
Bogard, Ed H. RP7077
Bolender, Samuel A. RP2540
Bonnette, Barbara J. RP2878
Bowen, Gary D. RP2742
Brady, Michael S. AHO816
Branstetter, Gregory D. P1429
Brassfield Jr., Roy E. A517
Brassfield, Susanna J. A243
Brown, Bernard Dean RP2869
Brown, David E. P1715
Brown, Mark D. RP2701
Brown, Virgil A2611
Bundy, Ryan Erin RP2700
Burnett, B. Randall P7207
Burton Sr., Stephen F. RP2456
Cassetty, Daniel L. P482
Cecil, Albert B. P2028
Cecil, James D. P1904
Chatman, Jim J. AHO814
Chattin, Richard Ross RP2924
Clark, Brent P. P2126
Clark Jr., James Robert A2766
Claycomb, Thomas R. A31
Claywell, Donald Ray A2646
Cline, W. Kenneth P1552
Cobb, Harry D. P1353
Cocanougher, Steven W. A2469
Coleman, Troy Jeffrey A2926
Cook, John W. RP7055
Copher, William F. AHO906
Corbett, Ross S. A2804
Corey, Gill H. A2785
Couch, Michael Lee RP2320
Cox, Francis F. A2758
Culton, Robert E. P1277
Davis, Deborah Ann A2805
Davis, J. Kenneth RP7246
Denzik, Stephen A. P1870
Derr, Louis E. P380
Devore, Dariel Wayne P1705
Dixon, Marvin Ray A2684
Doerr, Jeffrey R. NP6072
Dorsey, Charles C. RP7251
Dowell, Thomas E. P1240
Draughn, Jeffery P2698
Duncan, Joshua Aaron A2430
Dunning, Gene P1368
Earlywine, Brent A. RP7295
Earlywine, Jack T. RP7044
Eaton, Leemon P209
Eldridge, R. Jack RP2919
Elmore, David K. P160
Escue, Nolan T. A2515
Farris, Richard D. P541
Felty, Carl E. RP7243
Fields, Bob B. P1455
Firestone, William J. RP987
Fischesser, Patricia L. A48
Fite, Dennis A. P1717
Floyd, Rodney B. A331
Fox, David Saul RP2458
Galloway, Jonathon Lee A2652
Garner, Larry W. RP7063
Gilliam, David Loyd RP2746
Goe, Robert Lee L2949
Gribbins, Jeffery Lee A2470
Gribbins, Jeffrey B. P1324
Grimsley, Rufus S. A480
Grundy, Jeffery D. A2534
Halen, Brian John A2906
Hampton, James R. P135
Hardin, Craig W. A953
Haynes, Jason T. NP2083
Herron, Kevin M. P527
Hicks, Darrell E. A790
Hoffman Jr., Charles R. A354
Hoffman, Charles R. P2145
Hofmeister, Harry M. RP2695
Hogsed, Bruce Ivan RP2827
House, Eddie D. AHO5009
Ingram, Thomas R. RP819
Jackson II, Jimmie R. NP2160
Jent, Larry Joe RP2923
Johnson, Jim E. RP7270
Johnson, Robert L. AHO2940
Johnson, Robert L. AHO2850
Jones, Jamie Denton A2302
Jones, Seth Ryan A2693
Jones II, Victor A255
Jones-Prueyear, Elaine AHO2987
Juillrat, Klayton RP86
Kalil, Glen RP7101
Kelly, Paul D. RP2499
Keys, Charles L. AHO2751
King, Doug A. A2945
King, Kelly Jean AHO2775
Knopp, Ronald J. RP2950
Koger, Jeffery Scott P2181
Kolb, Michael Andrew A2894
Lane, William Michael A2767
Larson, Linda J. A80
Lawson, Timothy T. AHO2836
Layton, Danny J. P805
Ledford, William S. P2331
Lefevers, Billie J. AHO5066
Luggen, Jerome A. RP7067
Madden, Tim L. L2870
Malette, Mark D. RP7117
Marshall, Natalie D. A785
Martin, Billy Joe P1068
Martin, Patti L. Baldini RP7004
Martin, Vernon R. RP7276
Mattingly, Ella G. AHO2851
McClanahan, Louis A. P2156
McComas, Fred A. RP7195
McCullough, Frank E. RP2026
McDonald, John W. RP7038
McHargue, C. Richard A826
McIntosh, William E. P1525
McMurray, James C. RP7218
Milby, Stephen Kyle A2618
Miller, Frank P. RP7089
Moore, Steven Daniel AHO2853
Morrison, Ronald Lee RP901
Nation, Jonathan H. A326
Oliver, Joseph F. RP7275
Owings, Robert W. RP2713
Peach, Donald F. P1969
Pearson, Dewey Lee A2754
Piegras, Kimberlee K. P2064
Pierce, Anthony T. A992
Pike, Wesley Donald A2820
Polson, Tony L. A619
Poston, David C. RP2795
Reed, Dylan R. P6153
Robinson, Miranda Jo A2708
Rodgers, Richard W. P1283
Rudd, Joseph L. A2931
Sasher, Darian Ison A522
Schneider, Justin Lee A2627
Sears, Robert L. A557
Sharp, Llewellyn P1362
Shelburne, Daren S. A2650
Smith, J. C. AHO5127
Smith, Tommy H. P1539
Smucker, Moses B. RP2969
Snider, John R. RP2921
Snowden, Leonard P1286
Spalding, Terry G. A2959
Striegel, Randy Lee RP2586
Sturgeon, Sharon D. A2591
Summers, Joe Frank A2680
Sutton, Jerry L. AHO2604
Sutton, L. Rick P1145
Taggart, Raymond E. RP7179
Taylor Jr., James H. A64
Tebault Jr., Sherman A A2437
Teeman, David A. RP7127
Thomas, Richard Clayton NA2668
Thompson, Kevin D. L4012
Todd, Robert Bruce RP2952
Turpin, James A. L4001
VanWinkle, Daniel A2449
Veach, John W. P6100
Vessels, Joseph L. P226
Wells, Brooks P1216
Wells, Michael T. P1140
Wheeler, Terry M. A316
Williams, Thomas L. NP6068
Witt, Kenneth R. A2556
Woodruff IV, Wallace G. RP2852

LICENSE UPDATE

The following chart is current as of 11/21/07

	TOTAL COUNT	P	NP	RP	A	NA	RA	AHO	L
ESCROW	119	59	6	3	50	1	0	0	0
ACTIVE	2,282	1,214	100	347	514	8	1	73	25
TOTAL LICENSED	2,401	1,273	106	350	564	9	1	73	25

Doing Business in Kentucky

The employees of the Kentucky Board of Auctioneers can only respond to questions regarding KRS 330 or related regulations. The Board recommends that the licensee ask the SOURCE for all other clarifications. Listed below are relevant telephone numbers. Most websites of the following state and federal agencies are linked at <http://auctioneers.ky.gov/relinks.html>

Kentucky Sales Tax Dept of Revenue (502) 564-5170	Corporations in Kentucky Secretary of State (502) 564-2848
Motor Vehicles, County Clerk or KY Dept of Revenue, Motor Vehicle Usage Tax Section (502) 564-4455	Alcohol ATF (800) 688-9889 and KY Dept of Alcoholic Beverage Control (502) 564-4850
Firearms ATF (800) 688-9889 and Kentucky State Police (502) 227-8700	Food Products Cabinet for Health Services, Food Safety Branch (502) 564-7181
Mobile/Manufactured Homes KY Dept of Housing, Buildings and Construction Division of Fire Prevention (502) 573-0382	Underground Storage Tanks KY Division of Waste Management (800) 928-4273 and US Environmental Protection Agency Region 4, (800) 241-1754
Protected Wildlife, Mussels & Fishes, Raw Fur or Processed Wildlife KY Dept. of Fish & Wildlife (800) 858-1549	Nursery Stock State Entomologist (859) 257-5838
Car Dealer License Motor Vehicle Commission (502) 564-3750	Kentucky Real Estate Commission (502) 429-7250
Dept. of Charitable Gaming Public Protection & Regulation Cabinet (502)573-5528	Kentucky Auctioneers Association 270-782-2773
Mattresses Environmental Management Branch (502)564-4856 x3724	NAA / Continuing Education in KY (888)541-8084 x39

KBA RESPONDS TO KAA QUESTIONNAIRE RESULTS

Surveys were mailed to 2,309 licensees in November by the Kentucky Association of Auctioneers. The responses, published in the Spring/Summer issue of *The Chanticlear*, reflected 43% KAA members and 57% non-KAA members; 68% are over 50 years of age and 32% are under 50 years old; and 75% have some college to advance college degrees. An overview of the responses follows, as well as KBA's responses to some of the licensee comments.

- 50% have been licensed 1 to 20 years and 50% have been licensed over 20 years.
- 85% are principals, 11% are apprentices and 4% are auction house operators and livestock auctioneers.
- 49% are fulltime in the auction business.
- 64% have firm websites
- 66% advertise auctions on websites (firm's, KAA's, NAA's, personal site)
- 25% accept credit cards

Concern about the unlicensed activity.

Please contact our office. The Board's phone number is 502-429-7145. The fax number is 502-429-7147. The Board's email address is auctioneers@ky.gov We need the exact location and times of the auctions.

Compliance Officer Herman has added the following statements. "Yes, people do operate without an auctioneer's license. It is a misdemeanor and we have to actually see a person calling bids to get it to hold up in court. There are only two CO's and we are well known throughout the state in the auctioneering community. Once we come into an area and check one establishment every auction in that section of the state knows we are in the area. It is frustrating to us also. Anyone who witnesses a violation of the law can sign a complaint. Are you willing to do that?? I know that this is also frustrating to those that do try to follow the law, get their license and follow all the rules and regulations. But this is no different than other licensing laws. There are those that do not have a driver's license for one reason or another but they continue to drive, there are those that have no insurance but they continue to drive. This is no different. We have caught some or caused the auction to be closed, at least while we are in the area."

The 3-hour time limit is unfair to those applicants who need more time.

There are 160 questions on the Principal Auctioneer exam, 155 questions on the AHO exam and 150 questions on the apprentice auctioneer examination; all are multiple choice or true/false. To ensure equal opportunity for all qualified persons, an applicant may request special consideration by submitting the form "Questionnaire for Auctioneer Examination Applicants Requesting Special Accommodations" with the exam application. The Kentucky Board of Auctioneers complies with the Americans with Disabilities Act of 1990.

The governor does not appoint new Board members from the list that KAA submits to the governor.

Governors have appointed from the KAA list. Each governor has followed KRS 330.050 (1). The only Board member that is not on a list submitted by KAA is the consumer member or citizen at large.

The Kentucky Board of Auctioneers and the Kentucky Auctioneers Association are one and the same organization.

There is a distinctive difference. The Kentucky Board of Auctioneers is a governmental agency of the Commonwealth of Kentucky. As an agency of the Commonwealth, the primary purpose is to protect the PUBLIC. This is accomplished by examination, licensure and regulation of those licensed by this Board. The better the auctioneer, the better the consumer is protected. The purpose of the Kentucky Auctioneers Association is to promote and advance the AUCTION PROFESSION and to foster and encourage a spirit of cooperation and mutual aid and respect among persons engaged in the auction profession.

A rule that auctioneers can only sell for two hours.

KRS Chapter 330 does not have any section that limits how long an auctioneer can call bids.

Out of state auctioneers should be exempt from CE.

If a reciprocal licensee's home state requires CE, then that licensee does not report CE to KBA. If the home state does not require CE, then the reciprocal licensee must report CE to KBA. If licensed, but not by reciprocity, and live out of state, CE hours are earned and reported to KBA, just as any other Kentucky licensee.

Sell without a Kentucky broker involved.

201 KAR 3:035 Real estate sales by auction. Section 1. Pursuant to an Opinion of the Attorney General, OAG-759, dated October 20, 1965, which held that a licensed real estate broker may not sell real estate at auction without an auctioneer license; and a licensed auctioneer may not sell real estate at auction without a real estate broker license, it shall be considered improper dealing for an auctioneer to engage in any practice to obtain or negotiate a contract for the sale of real estate at auction, or advertise, or conduct a sale of real estate at auction without a license issued by the Kentucky State Real Estate Commission. However, nothing contained in this administrative regulation shall prevent a licensed real estate broker and a licensed auctioneer from participating jointly in such transactions for the sale of real estate at auction.

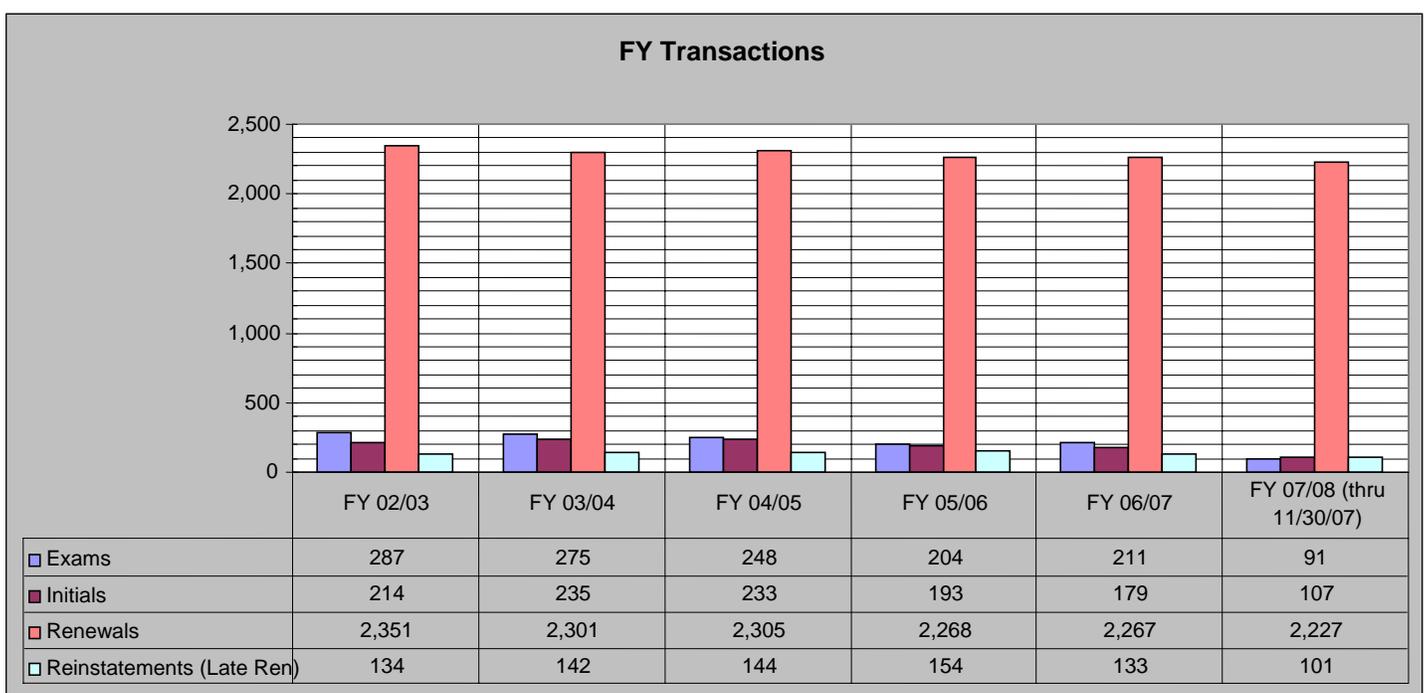
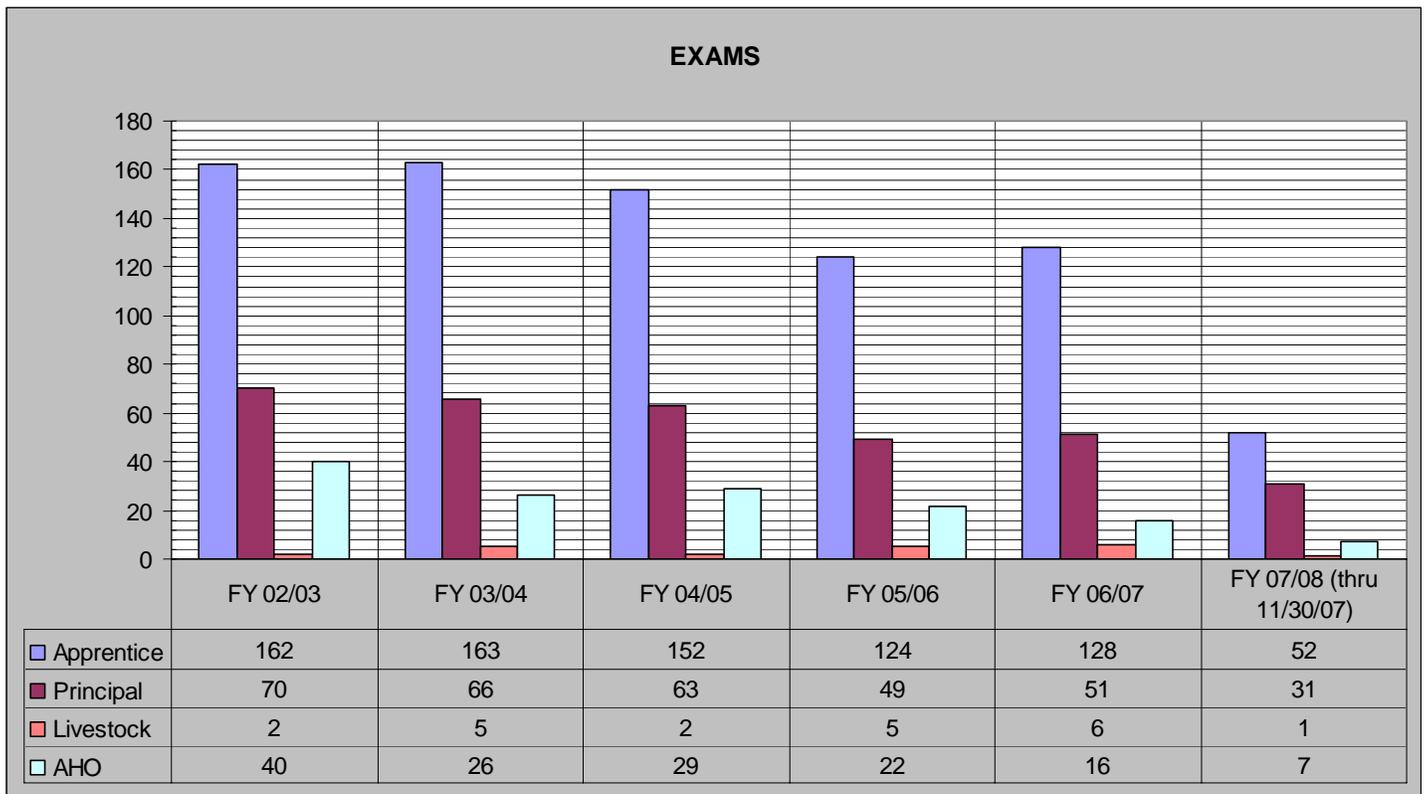
Why can't something be done about eBay.

How can we regulate the internet? How is it possible to protect a Kentucky consumer in a system for the world? Most use eBay as a site to sell their own personal property. A person in Kentucky may call bids at his own auction of his own property (if not bought for resale) without a license issued by KBA. The drop-off stores come and go so quickly, that it is almost futile to mail a letter to advise them not to use any auction-related wording. The Board has determined that a sale on eBay is terminated by time and not by high bid; therefore it is not an auction. Many auctioneers and auction houses are using eBay or internet sales as another tool in their business.

The high cost of licenses.

The renewal fee has been \$130 (100 license renewal / 30 renewal recovery) since June 2003. As you can surmise from the following 2 diagrams, the numbers taking the exam and the numbers renewing have not increased significantly. In most categories, the numbers of transactions have decreased. The last column is July 1, 2007 through November 30, 2007. The end of the fiscal year is June 30, 2008. KBA's income is static. As we all have experienced, expenses are not the same as 5 years ago. As any state agency or business entity, payroll costs and the cost of postage, electricity, equipment rental / maintenance and most operating expenses have increased significantly during the last five years.

The auction profession in Kentucky needs to grow. Encourage that individual who 'loves auctions' to get in the business. Be a mentor! Maybe that employee, who is not licensed and helps you with auctions, can be encouraged to take that next step so that he/she can call bids. Sixty-two percent of Kentucky licensees today are 50 years old or older.



KBA DESK NOTES



ISSUE 1: Many calls and complaints have been received from sellers who have not settled within 30 days of the auction. KRS 330.110 (5), a license can be revoked for "Failing to account for or remit, within a reasonable time, any money belonging to others that comes into the licensee's possession, commingling funds of others with the licensee's own, or failing to keep such funds of others in an escrow or trustee account". According to 201 KAR 3:045, settlement with the seller must occur within 30 days after the conclusion of the auction, unless there is a legal requirement that funds held in escrow be held longer than 30 days. An escrow account is a necessity for any auctioneer or auction house operator who signs an auction listing contract!

ISSUE 2: An auction house operator can only contract an auction at the auction house that is specified on the Auction House Operator License. KRS Chapter 330.020 (6) defines an Auction house "... for sale at public auction at a fixed location." If the contract auctioneer, who calls bids at an auction house, has an auction at a site other than the auction house, the auction house operator is not a party to this particular auction.

ISSUE 3: KRS Chapter 330.020 (8). "Livestock auctioneer means any auctioneer whose professional activities are limited to the sale of livestock at **fixed based livestock yards operating under the control and guidance of the United States of America pursuant to the Federal Packers and Stockyards Act**". Simply stated, a Limited Livestock auctioneer cannot contract to call bids at an auction for farmers or ranchers on their property, who are not subject to the PSA. The following website <http://www.gipsa.usda.gov/GIPSA/webapp?area=home&subject=imp&topic=re> states....

WHO IS NOT SUBJECT TO THE PACKERS AND STOCKYARDS ACT?

Farmers and ranchers are not subject to the Act when buying livestock for their own stocking or feeding purposes, or when marketing their own livestock.

WHO IS SUBJECT TO THE PACKERS AND STOCKYARDS ACT?

Those engaged in the business of marketing livestock, meat, and poultry in commerce are subject to the Packers and Stockyards Act. Regulated entities include stockyard owners, market agencies, dealers,...

Your business may be classified as a *Market Agency*, if you buy or sell livestock on a commission basis, or furnish stockyard services. *Dealer*, if you buy and sell livestock either on your own account or as the employee or agent of the vendor or purchaser.

The above is only a small part of the information about the GIPSA (Grain Inspection, Packers and Stockyards Administration), United States Department of Agriculture.

ISSUE 4: Houses that have had meth labs must be cleaned by a certified contractor, per Kentucky law before selling. But there are no certified contractors in Kentucky; proposed 2008 legislation to clarify previous legislation.

ISSUE 5: Used mattresses must be labeled and must be certified that no person with a contagious disease has ever used it. KRS 214.280, 214.290, 214.300, 214.310. Contact Environmental Health Section, Environmental Management Branch, Cabinet for Health and Family Services. (502)564-4856 x3724

ISSUE 6: Several principal auctioneer exam applications have been submitted and the experience has not met the requirements of the regulation 201 KAR 3:015: "Section 1. Upon application for a principal auctioneer's license, each apprentice auctioneer must present a statement signed by his principal auctioneer stating that said apprentice has participated as bid caller in at least ten (10) auction sales during the twelve (12) months prior to submitting the application."

ISSUE 7: To process any exam application, a passport size photo and fee are required! There are many places that offer passport photos – e.g. Walgreens, Sears, UPS Stores, RiteAid, CVS, Costco (copy of drivers license is not acceptable).

ISSUE 8: The National Auctioneer License Law Officials Association (NALLOA) has formed committees to research: 1) a National Auctioneer Examination and 2) a Compact Agreement between states.

ISSUE 9: To find out what bills are filed in the 2008 legislative session, go to the LRC website: http://www.lrc.ky.gov/record/08RS/pre_head.htm

ISSUE 10: Encourage someone to become an auctioneer. Be a mentor. It's a great career! *Having worked in several professional licensing agencies of this Commonwealth, I can honestly say that the people in the auction business are the finest and most hardworking professionals that I have ever been privileged to know! jm*

ISSUE 11: After a determined consumer wanted answers to 'where' in any law is the buyer's premium on real estate defined to be included in real property assessments for taxation, the Department of Revenue's Office of Property Valuation was contacted. The following Attorney General's opinion (OAG83 13) of January 10, 1983 was their reply. (Go to <http://ag.ky.gov/civil/opinions.htm> to request a 'better' copy.)



JAN 19 1983

COMMONWEALTH OF KENTUCKY
OFFICE OF THE ATTORNEY GENERAL

STEVEN L. BESHEAR
ATTORNEY GENERAL

January 10, 1983

CAPITOL BUILDING
FRANKFORT 40501

Alan T. Slyn
Attorney at Law
310 West Liberty Street-Suite 510
Louisville, Kentucky 40202

0 AG 83 13

Dear Mr. Slyn:

You have sought our opinion on the question of whether broker's commissions, financing costs, and other similar items are to be included in real property assessments made pursuant to KRS 132.190(3). The statutory provision in question states as follows:

"Property shall be assessed for taxation at its fair cash value, estimated at the price it would bring at a fair voluntary sale, . . ."

Plainly, the answer to your question revolves around the meaning of the phrase "fair cash value." It has been said ". . . the proper criterion of fair cash value for any property . . . is the price the seller willing but not forced to sell would take and the buyer willing but not forced to buy would give for it." Kentucky Tax Commission v. Jefferson Motel, Inc., Ky., 387 S.W.2d 293, 296 (1965).

It is implicit in your letter that you are concerned with the situation in which the property to be assessed has recently been sold and thus the assessment is being made not on the basis of an estimate but on the basis of the actual consideration recently paid. It is our opinion that no deduction should be made for broker's commissions or other items in this situation. The basis for our position is simply that the total consideration paid for a piece of property represents what "a buyer willing but not forced to buy would give for it." It might be noted that this approach is congruent with KRS 142.050(1)(b) which defines "value" for purposes of assessment

of the deed transfer tax. It should also be noted that the tax assessor is not restricted to one specific method for assessing real property so long as the assessment is fair and equitable. Borders v. Kain, Ky., 252 S.W.2d 903 (1952).

Sincerely,

STEVEN L. BESHEAR
ATTORNEY GENERAL

By: Alex W. Rose
Alex W. Rose
Assistant Attorney General

Disciplinary Actions – July 2006 through December 2007

- 7/13/07 Alan David Loeser Sr., RP2844 Violation of KRS 330.110(1) Fined \$1,000
- 10/2/07 Billy Stone, P1775 Violation of KRS 330.110(5). Written admonishment. Restrict activity as a licensed auctioneer to matters involving bid calling only and for said two year period will refrain from handling any funds belonging to auction clients or resulting from consignments or proceeds of the sale, except that he may receive compensation directly for the amount of his agreed fee.
- 11/28/07 Janet F. Cole, AHO2875 Violation of KRS 330.110(11). Written admonishment following Agreed Order to conduct future auctions in a manner as to preclude the issuance of cold checks or worthless instruments in writing resulting from licensed activity.
- 11/28/07 Jimmy D. Cole, A2086 Violation of KRS 330.110(11). Written admonishment following Agreed Order to conduct future auctions in a manner as to preclude the issuance of cold checks or worthless instruments in writing resulting from licensed activity.

Kentucky Board of Auctioneers

2008 Examination Schedule

UL Shelby Campus

The 2008 exam dates are: February 14, May 22, August 14, and November 13.

The exam applications and the study guide are available on KBA's website at <http://auctioneers.ky.gov>

The application is completed by the applicant on his/her computer, and then printed out, signed and mailed to KBA. The application must be received by the Kentucky Board of Auctioneers at least 20 days before the examination date.

2008 CONTINUING EDUCATION SEMINARS

The Kentucky Board of Auctioneers is pleased to announce that the National Auctioneers Association (NAA) has been contracted to provide continuing education seminars for Kentucky licensees. With NAA's experience for hosting seminars with up-to-date topics and high quality speakers, the Board believes that Kentucky licensees will get more diverse training, with new and interesting programs.

The registration form is included in this newsletter edition. The registration fee is \$25 if it is received by the National Auctioneers Association at least one week prior to the seminar. On-site registration will be \$35. There is no fee difference for half days. Licensees may use credit cards to register. ALL REGISTRATIONS ARE MAILED TO NAA. Checks are made payable to NAA. Two seminar days have been finalized.

Monday, February 18 th	Bowling Green, University Plaza Hotel 1021 Wilkinson Trace. Eastern Time
Tuesday, February 19 th	Cadiz, Lake Barkley State Resort Park Breathitt Convention Center. Central Time

The featured speaker is Thomas L. (Tommy) Williams, CAI of Bixby, Oklahoma. One session will be "Marketing Your Auctions and Your Auction Company" and the other session will be "Auction Law and How It Relates to the Auctioneer". Summaries of these two presentations are on page 10.

CE approvals from other states are being processed.

Also check the KY Board of Auctioneers' website (<http://auctioneers.ky.gov>) for immediate information as plans are finalized.

Five seminar days in 2008:

Monday Feb 18	Tuesday Feb 19
Monday April 14	Tuesday April 15
Wednesday, May 14	

2008 KENTUCKY

CONTINUING EDUCATION - AUCTION LAW & MARKETING

Learn about auction law and how it relates to Auctioneers, and how to market your auctions and auction company. This action packed six hours of continuing education will be taught by NAA President, Tommy Williams, CAI.

THE KENTUCKY BOARD OF AUCTIONEERS

As an agency of the Commonwealth of Kentucky, the primary purpose of the Kentucky Board of Auctioneers is to protect the public.

This is accomplished through examination, licensure, and regulation of Auctioneers, apprentice Auctioneers, limited livestock Auctioneers, limited tobacco Auctioneers, and auction house operators.

Any questions regarding licensing in the state of Kentucky, please contact the Kentucky Board at, (502) 429-7145 auctioneers@ky.gov.

REGISTRATION INSTRUCTIONS

Please type or carefully print the information requested exactly as it should appear on all continuing education materials.

Send completed form and fees payable in US Funds to National Auctioneers Association, 8880 Ballentine, Overland Park, KS 66214.

Payment must be received one week prior to class to qualify for the early registration fee. After one week prior to class please add \$10 to registration fee. Fees do not include accommodations.

Early registration is strongly encouraged as classes are filled on a first come/first serve basis.

If you have any questions, please contact Sandra A. Bunten at 888-541-8084, Ext. 39.

FAXING REGISTRATION

Faxed registrations will be accepted with credit card payment only and must be received one week prior to call to obtain the early registration price. A faxed registration is considered an obligation to attend.

FAX: 913-894-5281

SCHEDULE OF EVENTS

(SUBJECT TO CHANGE)

- Registration starts at 8:00 a.m.
- All classes run from 9:00 a.m. – 4:00 p.m. unless otherwise noted.
- Fees: \$25.00 if registered one week prior to class. \$35.00 on-site registration.
- Early registration strongly encouraged to receive the discounted rate.
- Class size may be restricted so classes will be filled on a first come/first served basis until full.

FEBRUARY 18, 2008

University Plaza Hotel
1021 Wilkinson Trace
Bowling Green, KY 42103
P: 207-754-0088

FEBRUARY 19, 2008

**Lake Barkley State Resort Park,
Breathitt Convention Center**
3500 State Park Road
Cadiz, KY42211
P: 800-325-1708

CONTINUING EDUCATION COURSES FOR 2008

April 14, 2008 April 15, 2008
May 14, 2008

CONTACT INFORMATION

Name _____

Company Name _____

KY Lic. # _____

Address _____

City _____ State _____ Zip _____

Phone _____ Fax _____

PLEASE CHOOSE ONE CLASS:

- February 18 – Bowling Green February 19 – Cadiz

METHOD OF PAYMENT

PAYMENT TYPE

- Credit Debit
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National Auctioneers Association

8880 Ballentine
Overland Park, KS 66214



FEATURED SPEAKER

THOMAS L. (TOMMY) WILLIAMS, CAI

**National Auctioneers Association President
Williams and Williams
Bixby, Oklahoma**

**MARKETING YOUR AUCTIONS AND YOUR AUCTION COMPANY
(3 HOURS)**

This presentation gives a broad overview of auction marketing with the emphasis on the most bang for your buck. The talk deals with the ever changing marketing techniques available in today's marketplace. How to blend marketing for your company with the needs of your client in the most appropriate manner is featured. Audience participation is encouraged and the discussion can be built around the particular needs of the audience.

**AUCTION LAW AND HOW IT RELATES TO THE AUCTIONEER
(3 HOURS)**

This presentation will help Auctioneers understand the laws that apply to their business and the industry in which they do business in. It is extremely important that Auctioneers understand and follow the laws that govern the auction profession and the auction industry. The custom of selling goods has been around for many years; however, the laws that govern the Auctioneers is dependent on the state in which the auction takes place, so it's imperative that you know the laws so you don't get into trouble.

See the Possibilities in Consigned Items

About 10 days ago, a consignor brought in a pickup truckload of old tools, mostly the kind of thing you would expect in the Pacific Northwest, such two-man saws, double-head axes and other old lumber camp equipment – not a lot of value, but interesting.

One of my customers is an artist who likes to paint scenes of the Pacific Northwest on old saws, giving them a new lease on life as pieces of art, so I had a ready-made market for some of the tools. As I was sorting through the pile, picking out items I knew would be of interest to him, I came across a very old and very dirty banjo in a sorry state of disrepair. When I took a closer look at this little banjo, without strings or frets and covered with grime and cobwebs, I noticed a maker's name, a city and a serial number. When I Googled the maker's name, a lot of information came up online.

This derelict banjo was an early design by S.S. Stevens of Philadelphia, one of the most well-known pioneers in the manufacture of American stringed hand instruments, and according to the serial number, it is nearly 125 years old. Fully restored, it could be worth \$4,000 or more, but it came very close to ending up as kindling in a landfill, because our consignor's wife had told him to "throw that old thing away". Even while I was holding it in my hands, he offered to throw it in the trash if I was not interested.

Sometimes the only thing you have to go on when deciding what's trash and what's treasure is instinct. That little banjo spoke to me. But most of the time we have to rely on our other senses to tell us the story of all those pieces we come across in the course of our business as Appraisers and/or Auctioneers, so we can determine whether they are trash, or just possibly treasure.

A lot of people bring me old books, thinking that because they're old, they must be valuable. Most of the time, one sniff can tell me that a book has problems, such as mold or foxing.

Last month, a dealer brought in a very nice glass bowl for an opinion. As we were talking, my fingers were covering the whole bowl an inch at a time. Without looking, I was "looking" with my sense of touch, feeling a number of tiny chips that the dealer had missed by using just his eyes.

Take a closer look with a loupe or magnifying glass, and blacklight items to check for repairs and cracks. And there's always that distinctive "ping" (or "thunk") when your ears tell you what your eyes can't see.

Many things can go unnoticed if you are not careful. If you don't go through the consignments yourself, you might want to think about putting someone on your staff through the Graduate Personal Property Appraisal course offered by NAA. With someone who has a little training, the payback could be significant over a short period of time. It's good to have someone who takes a second look, and is willing to ask for a second opinion.

I remember reading some time ago about an Auctioneer who sold a painting for a few hundred dollars, only to have it sold by his buyer for thousands just days later, at another auction. As you know, nobody wants to give good news, but there are thousands who will give bad news, so if you don't take your time and really inspect your consignments, you could wind up with egg on your face. It isn't just up to your setup staff; you need to make time to look at the catalog and preview it, well before sale time.

Some time ago, I was at an auction when I spotted an antique lamp. It was the last lot in the catalog, and I was willing to pay several hundred dollars for it. The previous lot was also a lamp, but just a bit of trash. After waiting nearly three hours for my lot to come under the hammer, the Auctioneer sold the first lamp for \$2, then told the buyer that he could have both lamps and closed the auction without even looking at the second lamp, or considering that it could be worth hundred of dollars! He saved himself at best three minutes, and lost about \$140 in commission. The lamp I had my eye on was worth about \$800 to \$1,000 if sold in an antique shop, and I would have paid up to \$400 for it. As it happened, the guy who bought the \$2 lamp ended up throwing it in the trash and keeping the antique one.

In 19th century London, small children made a living by picking up discards that lazy servants might have thrown away. They were known as mudlarks, and they would find all kinds of valuables lying in the river mud at low tide. Today, we call their counterparts bin divers, and they go through someone else's trash hoping to find hidden treasure.

Like it or not, as Auctioneers and appraisers, we are high-end bin divers who are paid to sift through estates looking for hidden treasure, so look, feel and look again before making a decision.

Speaking of bin divers, did you see the news story about someone who sold a used cat food tin on eBay for over \$300, because he said he got it from Paris Hilton's trash? Boy, where are these people when I have a bridge for sale?

Here's a tip: Get to know reputable restorers in your region. The dealer mentioned above paid \$5 for the bowl he brought to me. I referred him to a local restorer who ground out the chips in the glass, and he charged the dealer \$25 for those repairs. The dealer sold the bowl for \$125, a profit of over 300%.

We sold the banjo for just under \$240 to a banjo maker who is lovingly restoring this instrument to its former glory. I can't wait to see some photos of the finished product!

Reprinted from the October 2007 Auction World, and with the permission of Mike Odell ISA, GPPA-M, CES. (model@tradermick.com) <http://www.tradermick.com>



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