News Line

Tennessee Department of Commerce and Insurance

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Commission Members & Staff

Kenneth Dreaden, Chairman
At-Large Member
Term: 11/10/2005 – 08/31/2008

Howard Phillips, Vice Chairman
East Tennessee Member
Term: 09/01/2003 – 08/31/2009

Bobby Colson, Board Member
Middle Tennessee Member
Term: 08/31/2004 – 08/31/2007

Marvin Alexander, Board Member
West Tennessee Member
Term: 11/30/2004 – 08/31/2007

Mary Frances Rudy, Board Member
Consumer Member
Term: 4/25/2007 – 08/31/2007

Lynn McGill Administrative Director
lynn.mcgill@state.tn.us

Sheila Piper Administrative Assistant
sheila.d.piper@state.tn.us

Mission Statement

The Mission of Tennessee Auctioneer Commission is to protect the public and licensees by monitoring the auctioneer profession through licensure and regulation.

State of Tennessee
Department of Commerce & Insurance
Tennessee Auctioneer Commission
500 James Robertson Parkway
Davy Crockett Tower - Sixth Floor
Nashville, Tennessee 37243-1152

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www.state.tn.us/commerce/boards/auction

From the Chairman

By Kenneth Dreaden, Chairperson

I would like to begin this letter by thanking Bobby Colson for a great job as Tennessee Auction Commission Chairman over the past year. Bobby, as always, was on top of things and handled all the different situations presented to us professionally. I would like to also thank my fellow commissioners for putting their trust in me as Chairman for the upcoming year. It is really good to be back on the Commission since I served the last two terms under Governor Ned McWherter's administration.

We have a new Consumer Member who is doing a wonderful job. Her name is Mary Frances Rudy. She is an attorney and is very knowledgeable in the auction business. Be sure to read the article introducing Mrs. Rudy in this newsletter.

Also, I want to acknowledge Lynn McGill and Sheila Piper for doing a great job as well.

As most of you probably know, the auction business is growing each year and will continue to do so in the future. As the auction industry grows, the importance of the Auctioneer Commission grows along with our responsibility of insuring the public is treated fairly by all auctioneers in Tennessee.

In talking with my fellow auctioneers, many are not aware of the complaint process or the need to keep complaints anonymous. If anyone does have a complaint they do not need to call any of the Commissioners. Complaints should be sent directly to the TAC office. As we deliberate on complaints we do not know what auctioneer or company we are discussing. The staff attorney reads the case to us; we then discuss it and make a decision based on the facts. Since we do not know who is involved, we cannot be biased in any way when our decisions are made. This insures everyone is treated fairly.

I look forward to working with everyone in the upcoming year and again, I am excited to be back on the Commission.

Have You Visited the TAC Website Lately?

The Tennessee Auctioneer Commission website is full of valuable information for licensees and the general public. Visitors to the website can read the Newsline Newsletter before it reaches your mailbox, renew licenses, look up Continuing Education credits, review Commission Agendas and Minutes, access consumer tips, download forms and much, much more. Visit the site today for valuable resources and information at www.state.tn.us/commerce/boards/auction

www.state.tn.us/commerce/boards/auction

What Is Reciprocity?

Over the past year, questions of licensing under reciprocity have been frequently brought before the Auction Commission, as more and more auctioneers are obtaining multiple state licenses and more auctioneers from other parts of the country are moving into Tennessee.

Tennessee Auction Law, under Section 62-19-117 addresses reciprocity. In short, reciprocity is best described as exceptions to the licensing provisions for **non-residents** of Tennessee. Non-resident auctioneers must conform to all the auction laws of Tennessee **except:**

- They may not be required to maintain a place of business in Tennessee if they meet the criteria set forth in 62-19-117 (a),
- They may not have to take a licensing examination if they meet the criteria set forth in 62-19-117(b)(1).

All other provisions of Section 69-19-111. General Licensing Provisions still apply to **non-resident** license applicants just as they apply to **resident** applicants.

Reciprocal agreements are entered into between states which have licensing requirements for auctioneers and auction businesses. The reciprocal agreements are generally limited to recognizing another state's license testing requirements. In Tennessee, the license of an applicant in another state holding a reciprocal agreement with Tennessee may be accepted as evidence the applicant passed a licensing examination of "equal or higher standards" than those required by Tennessee. In such a case, the applicant would not be required to take the Tennessee licensing examination. They would still be required to meet the other provisions for licensing as outlined in Section 62-19-117.

Currently Tennessee holds reciprocity agreements with the following states: Alabama, Arkansas, Florida, Georgia, Indiana, Illinois, Kentucky, Louisiana, Mississippi, North Carolina, South Carolina, Ohio, Pennsylvania, Texas, Virginia, West Virginia, and Wisconsin.

"The Tennessee Department of Commerce and Insurance is committed to principals of equal opportunity, equal access, and affirmative action." Contact the EEO Coordinator or ADA Coordinator at 615-741-2177 (TDD).

Address Corrections

The following licensees do not have a current address on file with the Auction Commission. Remember: when you move your license to another firm, move your office or close your business, you must file a Change of Address within 60 days.

Willard C. Mitchell R/E & Auction
Hawkins Realty
Steve Dorran
John Lewis
Danny Milam
LaFollette Auction House
Poor Red's
Mark Hafner
American Auction Co.
Trenton Stockyard Sales LLC
Alexander Henry
Ricky Odle
Ray Adcox Auction
Richard French
Fountain Valley Auction
Nashville Auction House-John Thetford
Stan Crooks
Perimeter Auctioneers
Pleasant View Auction Barn
James Batts
County Line Auction
Fred Duvall
Duvall Auction Company
Allen's Auction
Denby's Auction House
Brian Brown
Parkway Auction
Ole Time Auction
Barry Shelton Auct. & Rlty. Co.
Lester Auction Company
Barry Felts
Michael Shaw
Elite Realty & Auctions Sales
Jeffery Clayton
American Auction & Salvage
Ronald Knopp
Ocal Jones
Ricky Underwood
Overton County Auction
Whitehorn Auction Company-Gary C. Wills
Crossroad Auction
Neat Stuff Auction
Grundy County Auction
John Goddard
Gregory Brown
Mark Hafner Auction & Realty LLC
Charline Ladd
Wholesale Exchg. Inc DBA H & H Auct.
David Ridenour
Orange Blossom Auctions

Commission Report

The Tennessee Auctioneer Commission met on Monday, May 7, 2007 in Room 160, Davy Crockett Tower. At this meeting, three individuals appeared before the Commission to request a waiver of their apprenticeship in Tennessee based on experience obtained in other states. In all three instances, the Commission declined to waive the apprenticeship period and voted to authorize the applicants to take the Tennessee Apprentice Auctioneer Examination. Two other individuals appeared before the Commission to discuss the contractor which administers the licensing examinations for the TAC. The minutes of this meeting are available on the TAC website at www.state.tn.us/commerce/boards/auction .

The TAC met again on August 6, 2007. At this meeting, Commissioner Kenneth Dreaden who has served the last year as the Vice Chairman to the Commission was elected Chairman, and Howard Phillips was elected Vice Chairman. Also, this was the first Commission meeting for our new Consumer Member, Mary Frances Rudy, as well as our new Legal Counsel, Adrian Chick.

Upcoming Commission meetings are scheduled for Monday, September 10, 2007 and Monday October 1, 2007 at 9:00 a.m.(central) in Room 160, Davy Crockett Tower, 500 James Robertson Parkway, Nashville. All licensees are invited and encouraged to attend the meetings of the TAC.

Welcome to our Newest Commissioner

Mrs. Mary Frances Rudy has joined the Tennessee Auctioneer Commission as our new Consumer Member. Mrs. Rudy was appointed to fill the unexpired term vacated by John McLemore earlier this year. One of the most important seats on the Commission is the Consumer Member. In the capacity of Consumer Member, and as a non-auctioneer, Mrs. Rudy provides the Commission with invaluable insight into the auction consumer's perspective on issues presented to the Board. Mrs. Rudy was born in Nashville, Tennessee, graduated from Belmont University, and received her law degree from the Nashville School of Law. She currently practices law with the firm of Rudy, Wood & Winstead, PLLC. In addition, Mrs. Rudy owns Rudy Title and Escrow and has ownership interest in four other Tennessee title companies, and is a member of Tennessee's Rudy Farms Sausage family.

Mrs. Rudy's term officially expired on August 31, 2007 since she was appointed to fill a vacated seat. Commission members are appointed to three-year terms by the Governor of the State of Tennessee, and Tennessee Auctioneer Licensing Law specifically states that Commission members "shall hold over after the expiration of the member's term until a successor shall have been duly appointed and qualified." So, Mrs. Rudy will continue to serve as Consumer Member until a successor is appointed.

Mary Frances Rudy brings a wealth of knowledge and experience to the Tennessee Auctioneer Commission and we look forward to working with her as our Consumer Member.

DISCIPLINARY REPORT - MAY 2007

Big 1 Auction Co.
Advertising Violation
Paid Civil Penalty $100

Clarence Henderson, Jr.
Advertising Violation
Paid Civil Penalty $100

Other items reviewed by the Commission:

Complaint 200705359: Unsubstantiated – **Closed**
Complaint 200705571: Unsubstantiated – **Closed**
Complaint 200604394: No Violation – **Closed**
Complaint 200705839: No Violation – **Closed**
Complaint 200705730: Letter of Instruction – **Closed**
Complaint 200705731: **Deferred**

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Tennessee Auctioneer Commission
Continuing Education Seminar
Music Road Convention Center
Pigeon Forge, TN
Monday, October 22, 2007
9:00 am – 4:00 pm (eastern)

Managing Your Auction Business - 4 Hours
David Hart, CAI, AARE

David Hart is the Executive Vice President and Chief Operating Officer for Rowell Auctions, Inc. out of Moultrie, Georgia. In addition, he is an instructor in the National Auctioneers Association Accredited Auctioneer of Real Estate (AARE) designation program. Hart is also a regular instructor at Nashville Auction School where he instructs on Real Estate Auctions. He will be presenting a four (4) hour program on aspects of a successful auction business.

A two (2) hour program will be presented on Environmental Issues by Greg Sandlin, of Sandlin Environmental Consulting, Inc.

Tentative dates for the 2008 Seminars are Monday, February 25th and Tuesday, May 20th for the same seminar programs offered in October.

Driving Directions: From I-40 take Exit 407/Hwy 66 toward Sevierville-Pigeon Forge. In Sevierville, merge onto Highway 441 toward Pigeon Forge. At Traffic Light 1, Henderson Chapel Road, turn Right. Music Road Convention Center will be on your left. There are two hotel properties adjoining the Convention Center: the Music Road Inn and the Music Road Hotel.

Reserve online at www.musicroadhotel.com with reservation code # 6849-7948 or reserve by phone by calling 800-429-7700 as group T.A.C.

TENNESSEE DEPARTMENT OF COMMERCE AND INSURANCE AUTHORIZATION No. 335170, Revised 08/06. This public document was promulgated for 3500 copies per issue, at a cost of 37 cents per copy, paid by the Tennessee Auctioneer Commission Education and Recovery Fund.

Remember: Bring your Pocket Card

Licensees must sign-in with the correct license number to insure proper credit for your CE requirements. A certificate of completion is given to all attendees. If you need a certificate for credit for other states, you will need to copy the certificate you are given to submit as proof of CE. TN hours are reported electronically.