

**MINUTES**  
**South Carolina Auctioneers' Commission**  
**Meeting**

10:00 a.m., November 19, 2012  
Synergy Business Park  
110 Centerview Drive, Kingstree Building Room 108  
Columbia, South Carolina

**Meeting Called to Order**

James Blocker, chairman, of Walterboro, called the regular meeting of the Auctioneers' Commission to order at 10:01 a.m. Other members participating in the meeting included: Matthew Holiday, of Spartanburg; Victor Avendano, of Mt. Pleasant; Michelle Pinkney, of Irmo; and Joe Burns, of Swansea.

Staff members participating in the meeting included: Lenora Addison-Miles, Administrator; Georgia Lewis, General Counsel; and Adriane Mack, Administrative Assistant.

**Public Notice**

Mr. Blocker announced that Public Notice of this meeting was properly posted at the S. C. Auctioneers' Commission Office, Synergy Business Park, Kingstree Building, and provided to all requesting persons, organizations, and news media in compliance with Section 30-4-80 of the South Carolina Freedom of Information Act.

**Pledge of Allegiance**

All present recited the Pledge of Allegiance. The invocation was given by Mr. Blocker.

**Approval of Excused Absences**

All members were present for the meeting.

**Approval of the August 20, 2012 Meeting Minutes**

**MOTION**

Mr. Avendano made a motion to approve the August 20, 2012 meeting minutes as presented. Mr. Holiday seconded the motion which carried unanimously.

**Chairman's Remarks – James Blocker**

Mr. Blocker welcomed everyone to the meeting.

**Administrator's Remarks – Lenora Addison-Miles**

Mrs. Addison-Miles stated there were 1,040 Auctioneers, and 166 Auction firms licensed through June 30, 2013. The September 7<sup>th</sup> examination results included 11 Auctioneer candidates, seven passed the exam, and the average score was 74. There was one Apprentice Auctioneer candidate. The next exam is scheduled for December 7<sup>th</sup>.

The July 1, 2012 Cash Balance report for fiscal year 2013 reflected a Recovery Fund balance of \$124,293.64, and the Auctioneer cash balance was \$947,238.97. As of October the Recovery Fund balance was \$125,728.93 and the Cash Balance was \$909,925.54.

Board members were reminded of the December 1<sup>st</sup> deadline to order State Official License Plates. Information needed to order plates was emailed to members on October 12<sup>th</sup>.

The SC Tort Claims Act PowerPoint that was presented at the Insurance Reserve Fund class was emailed to members on November 6<sup>th</sup>.

Ms. Miles presented the Office of Investigations and Enforcement (OIE) Case Report. Since January 1<sup>st</sup>, OIE has received a total of 26 cases. Eight cases are active, nine have been closed, three were designated as Do Not Open Cases, and six cases are pending board action.

The 2012 proposed changes to the LLR Engine Bill did not pass, no action was taken on the legislation and the proposed changes did not include language in reference to the one year versus two year license.

Christa Bell, Assistant General Counsel presented the Office of General Counsel (OGC) report. There are two cases pending in OGC for adjudication. One case is a petition to the administrative law court and one case will be presented to the board. Since January 2011, OGC has closed four cases.

Darra Coleman, Chief Advice Counsel, addressed the board regarding the renewal period and legislative matters. The agency is researching the annual versus biennial renewal period that was previously implemented by the agency. The issue is being researched for all boards affected. Additional information will be provided once the research has been conducted. Ms. Coleman advised members that the Commission may not seek sponsors for legislative changes and may not retain a lobbyist directly. Changes to the statute or regulations must be drafted by LLR, and the professional association would be responsible for finding a sponsor.

### **Unfinished Business**

There was no unfinished business.

### **New Business**

#### Investigative Review Committee (IRC) Report – November 9, 2012

Sharon Wolfe, Chief Investigator, presented the IRC report. The IRC recommended four cases for dismissal, and two cases for formal complaints.

### **MOTION**

Mr. Burns made a motion to accept the IRC report as presented. Mrs. Pinkney seconded the motion which carried unanimously.

#### Office of Investigations & Enforcement Process Presentation

Sharon Wolfe, Christa Bell, and Darra Coleman gave a presentation of the complaint process from receipt of the initial complaint to final disposition of the case.

#### Review of Application via Examination

##### *Ronald E. Avinger*

On August 14, 2012, the Commission received an application from Mr. Avinger for licensure as an auctioneer. Mr. Avinger's previous license lapsed June 30, 2011. His credit report contains unpaid collection accounts that exceed \$1,000. He answered "No" to question 12 on the application which asks have there been any judgments, liens or claims filed against you in the past five years. Mr. Avinger passed the exam on September 7, 2012 and his file is complete. Mr. Avinger was notified of today's appearance before the Commission, and his right to be represented by legal counsel, by letter dated September 11, 2012.

Mr. Avinger stated he is a 100 percent disabled Vietnam Veteran. He lost his job six years ago and went through a divorce which resulted in his credit issues. He currently has payment arrangements on two of the accounts, which should be taken care of by February. At that time, he will work on satisfying the other outstanding accounts.

**MOTION**

Mr. Holiday made a motion to take the matter under advisement in executive session. Mrs. Pinkney seconded the motion which carried unanimously.

*Beverly Joan Rich*

On August 17, 2012, the Commission received an application from Ms. Rich for licensure as an auctioneer. Ms. Rich's credit report contains unpaid collection accounts that exceed \$1,000. She answered "No" to question 12 on the application which asks have there been any judgments, liens or claims filed against you in the past five years. Ms. Rich passed the exam on September 7, 2012 and her file is complete. She was notified of today's appearance before the Commission, and her right to be represented by legal counsel, by letter dated September 11, 2012.

Ms. Rich stated she worked in the financial industry for 38 years. Seven years ago, she had a personal problem that led to her financial issues and left her with a lot of bills. All of her creditors, except Capital One, worked with her, which appears on her report three times. One account is a duplicate and has been removed, one account has been settled and she is attempting to settle the remaining account.

**MOTION**

Mr. Holiday made a motion to take the matter under advisement in executive session. Mrs. Pinkney seconded the motion which carried unanimously.

*Joseph James Santora*

On August 24, 2012, the Commission received an application from Mr. Santora for licensure as an auctioneer. Mr. Santora's credit report contains unpaid collection accounts that exceed \$1,000. He answered "No" to question 12 on the application which asks have there been any judgments, liens or claims filed against you in the past five years. Mr. Santora passed the exam on September 7, 2012. His file is missing a copy of his SC Driver's License. He was notified of today's meeting, and his right to be represented by legal counsel, by letter dated November 6, 2012 sent via e-mail.

Mr. Santora stated his identity was stolen seven years ago and he has spent five years attempting to resolve the issue. Two items on his report, AT&T and Charter Communications, were opened by his ex-wife. He was unemployed for three years. He is recently employed, performing disaster relief work. Earlier this year he had an accident which resulted in the medical bills that appear on his credit report. He is working with all the creditors to resolve the issues.

**MOTION**

Mr. Burns made a motion to take the matter under advisement in executive session. Mr. Avendano seconded the motion which carried unanimously.

Review of Auction Firm Application

*Amilia Marie Mattice – Community Consignments & Thrift*

On September 7, 2012, the Commission received an application from Ms. Mattice for licensure as an auction firm. Ms. Mattice's credit report contains unpaid collection accounts that exceed \$1000. She answered "No" to question 15 on the application which asks are there any unpaid judgments of debt now outstanding against a principal. Ms. Mattice is not a licensed auctioneer. She passed the online firm exam on September 19, 2012. Ms. Mattice was notified of today's appearance before the Commission, and her right to be represented by legal counsel, by letter dated September 19, 2012. Ms. Mattice was not present, but she requested the Commission review her application in her absence. She also submitted additional documentation for review.

Jenny Coulter delivered the documentation on Ms. Mattice's behalf.

**MOTION**

Mr. Holiday made a motion to go into executive session for legal advice. Mr. Burns seconded the motion which carried unanimously.

**Return to Public Session**

**MOTION**

Mr. Holiday made a motion to deny the request until the applicant can appear. Mr. Avendano seconded the motion which carried unanimously.

**Reconsideration of Application via Examination**

*Cathy Dunn Corona*

On November 8, 2012, the Commission received an updated application from Ms. Corona for licensure as an auctioneer. Ms. Corona originally appeared before the Commission on August 22, 2011. Her application was tabled until she furnished a completed application packet. Ms. Corona's credit report contains unpaid collection accounts that exceed \$1,000. She did not answer question 12 on the updated application which asks have there been any judgments, liens or claims filed against you in the past five years. Ms. Corona passed the exam on June 10, 2011. She has requested to appear today for reconsideration of her application.

Ms. Corona stated she lost her job in 2007, and in 2008 she was scheduled for back surgery which would have required her husband to take three months of medical leave from his job to care for her. They decided to move to South Carolina to be closer to family. Upon moving, her mother became ill. Ms. Corona and her husband were both unemployed and had no insurance. She has an appointment with a credit counseling agency to attempt to resolve her credit issues. She has not worked since March 2010. She currently has a federal tax lien against her home, which is being paid monthly through automatic bank drafts.

**MOTION**

Mr. Burns made a motion the matter be taken under advisement in executive session. Mrs. Pinkney seconded the motion which carried unanimously.

**Executive Session**

**MOTION**

Mr. Avendano made a motion to go into executive session for legal advice. Mr. Holiday seconded the motion which carried unanimously.

**Return to Public Session**

*Ronald E. Avinger*

**MOTION**

Mr. Burns made a motion to approve Mr. Avinger's license with the condition he provides a new credit report on or before June 30, 2013, and evidence of an effort to establish a payment plan with Chase Bank USA. Mr. Holiday seconded the motion which carried unanimously.

*Beverly Joan Rich*

**MOTION**

Mr. Holiday made a motion to grant the license with the condition she provides a current credit report on or before June 30, 2013, and any response received from Pinnacle Credit Service. Mr. Avendano seconded the motion which carried unanimously.

*Joseph James Santora*

**MOTION**

Mr. Avendano made a motion to grant the license with the condition he provides a new credit report on or before June 30, 2013, which provides evidence of a reasonable effort toward reduction in the amounts placed for collection. Mrs. Pinkney seconded the motion which carried. Mr. Holiday opposed the motion.

*Cathy Dunn Corona*

**MOTION**

Mrs. Pinkney made a motion to grant the license with the condition she provides proof of payments with the IRS for the tax lien, and on or before June 30, 2013, provide a new credit report which provides evidence of a reasonable effort towards reduction of the amounts placed for collection and/or evidence of a reasonable effort to establish a payment plan. Mr. Avendano seconded the motion which carried unanimously.

**CE Course Approval – BlueNet Professional Online Training**

BlueNet Professional Training has submitted outlines for two four-hour courses. BlueNet and EDJ are the same company, which EDJ is currently an approved provider. They will offer these courses through BlueNet and EDJ on two separate websites.

**MOTION**

Mrs. Pinkney made a motion to approve the courses from BlueNet. Mr. Avendano seconded the motion which carried unanimously.

**CE Course Approvals – SC Auctioneers' Association**

*Effective Communication Strategies*

*The Whole Show*

*Train the Trainer*

The SC Auctioneers' Association is requesting approval of three CE courses that will be offered during the Annual Convention in January 2013. They have included a resume and bio for instructor, Lynne Zink.

**MOTION**

Mr. Burns made a motion to approve the courses. Mrs. Pinkney seconded the motion which carried unanimously.

**Public Comments**

Mr. Randy Ligon, President of the SCAA, addressed the Commission. The SCAA Annual Convention will be January 11 through 13, 2013 in Myrtle Beach. He stated the association membership is steady at about 110 members and finances are steady. He encouraged Commission members to expand, implement, and fully exercise the powers of the Commission

to protect the citizens of South Carolina from illegal and fraudulent practices by unlicensed, untrained, uneducated people posing as auctioneers.

### **2013 Proposed Meeting Dates**

The Commission reviewed the proposed meeting dates for 2013: February 25, May 20, August 19 and November 18.

### **MOTION**

Mr. Burns made a motion to accept the proposed tentative dates, subject to the modification of the May 20<sup>th</sup> date to either reflect May 6<sup>th</sup> or 13<sup>th</sup>, to be confirmed at a later date. Mrs. Pinkney seconded the motion which carried unanimously.

### **Adjournment**

There being no further business, the meeting was adjourned at 1:06 p.m. The meeting was immediately called back to order by Chairman Blocker for the record to reflect that all applications are placed into the record as exhibits.

The meeting was adjourned at 1:07 p.m.

The next meeting of the SC Auctioneers' Commission is scheduled for February 25, 2013.