



South Carolina Auctioneers' Commission

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www.llr.sc.gov/POL/Auctioneers/



APPLICATION FOR AUCTION FIRM LICENSE

INCLUDE WITH YOUR APPLICATION:

- Check or money order in the amount of \$400 (\$300 license fee, \$100 recovery fund fee) made payable to LLR – Auctioneers Commission. ALL FEES ARE NON-REFUNDABLE. NO CASH IS ACCEPTED. A return check fee of up to \$30, or an amount specified by law, may be assessed on all returned funds.
- Notarized escrow/trust account certification affidavit.
- Designation of Agent for the Service of Process, if out-of-state.
- Application must include a 2" x 2" color photo taken within the past six months.
- If the firm's form of business is other than a sole proprietorship or partnership, proof of authorization from the SC Secretary of State's Office to transact business in this state. For additional information on filing with the SC Secretary of State, please contact that office at (803) 734-2158 or at www.scsos.com/Business_Filings.
- If the Applicant is not licensed as an auctioneer in this state, the Applicant must pass an exam required by the Commission. Licensed real estate brokers and real estate firm applicants are not required to take the auction firm examination, if a licensed auctioneer is employed to handle transactions peculiar to the auction profession. Upon receipt of the application, the Applicant will be notified with instructions for taking the examination.
- Written proof that the Applicant identified below is an owner and/or manager and has the authority to make decisions for the firm.

FOR COMMISSION USE ONLY	
FEES	DEPOSIT
\$300 License Fee	
\$100 Recovery Fee	
License Issued	

APPLICANT INFORMATION

Firm Name: _____ Federal ID No.: _____

Physical Address: (Street, City, State, Zip, County) _____

Mailing Address: (Street, City, State, Zip, County) _____

Phone: _____ Email: _____

BUSINESS INFORMATION

Type of Business Entity: (Check type)

☐ Partnership ☐ Corporation ☐ LLC ☐ Other: (Specify) _____

Applicant Name: _____ (Choose one) ☐ Owner ☐ Manager ☐ Owner and Manager

Are you a licensed SC Auctioneer? ☐ Yes ☐ No

☐ If Yes: SC License Number: _____

☐ If No: The board will send you instructions to take an online exam.

Contact information for the Applicant who is the owner or manager of the Auction Firm:

Physical Address: (Street, City, State, Zip) _____

Mailing Address: (Street, City, State, Zip) _____

Phone: _____ Email: _____

If the Applicant is not a licensed auctioneer who is an owner or manager with authority to make decisions for the firm, give name and license number of proposed licensed auctioneer who will be used to conduct the auctions for the auction firm.

Name of Auctioneer: _____ License No.: _____

DISCIPLINARY QUESTIONS:

Answer all questions below. A written statement and copy of appropriate licensing board or commission order must be included for any affirmative answers regarding disciplinary issues.

1. Has any state taken disciplinary action against the firm's license or the licensed applicant? ☐ Yes ☐ No
2. Has your firm or the Applicant surrendered or allowed a professional or occupational registration/license to lapse in any jurisdiction due to any pending or threatened disciplinary action? ☐ Yes ☐ No
3. Has your firm or the applicant been found by a court or registration board to have violated the auctioneering laws or the professional/occupational laws of any jurisdiction? ☐ Yes ☐ No
4. Has this organization offered auction services under any other business name? If yes please provide the information below. ☐ Yes ☐ No
Former Name: _____
License No.: _____
5. Have you read and understood the South Carolina Auctioneers' licensing law and the Rules and Regulations of the Commission? ☐ Yes ☐ No

AUTHORITY TO MAKE BUSINESS DECISIONS

I, _____, am the owner and/or representative of
(owner or representative)
_____, and give
(name of auction firm)
_____ the authority to make decisions affecting the manner in
(manager or applicant)
which the firm does business.

Signature of Owner or Representative

Date

AFFIDAVIT

I, _____, am the person described and identified, and the person named in all documents presented in support of this application. I have carefully read the questions in the foregoing application and have answered them completely, without reservations of any kind, and I declare that all statements made by me herein are true and correct. Should I furnish any false or incomplete information in this application, I hereby agree that such act shall constitute the cause for denial or revocation of the auction firm license in South Carolina.

Signature of Applicant

Date

Sworn and subscribed before me this ____ day of _____, 20____.

Notary Signature: _____ (SEAL)

Print Notary Name: _____

Notary Public for the State of: _____

Commission Expiration Date: _____

Attach a recent full-face
2" x 2" color photo

No copies

Sign and date photo

Do not staple

South Carolina Department of Labor, Licensing and Regulation

Auctioneers' Commission

ESCROW/TRUST ACCOUNT CERTIFICATION AFFIDAVIT

Pursuant to S.C. Code, Section 40-6-155, a licensee must maintain and deposit funds in a trust/escrow account with an insured bank or savings and loan association if auction proceeds are held by the licensee more than three (3) business days. The Commission or its designated representative may examine the account for investigation or inspection purposes. Licensees must notify the Commission immediately by certified mail, return receipt requested, of any account changes. The following authorization and account information is required for licensure and renewal purposes. Complete the appropriate sections below which apply to your business policy.

This form must be properly notarized and sealed.

To be exempt from the escrow account requirement, I hereby certify that auction proceeds are paid to owners/consignors within three (3) business days.

Applicant or Licensee Signature: _____ License No. _____
(If applicant, indicate "pending")

I authorize the Auctioneers' Commission or its designated representative to examine any information regarding the escrow account herein indicated.

Applicant or Licensee Signature: _____ License No. _____
(If applicant, indicate "pending")

Account Holder's Name: _____ Account No. _____

Bank Name: _____ Bank Phone: _____

Bank Address: _____

I hereby certify I am employed by another licensed auctioneer, licensed auction firm, real estate broker-in-charge, or real estate firm that maintains an active escrow account used solely for the purpose of holding funds of others in relation to auctions.

Account Holder's Name: _____ Account No. _____

Bank Name: _____ Bank Phone: _____

Bank Address: _____

Applicant or Licensee Signature: _____ License No. _____
(If applicant, indicate "pending")

Principal Employer Signature: _____ License No. _____
(If applicant, indicate "pending")

Sworn and subscribed to before me this _____ day of _____, 20____

Notary Public

My Commission Expires: _____

(SEAL)

DESIGNATION OF AGENT FOR THE SERVICE OF PROCESS

KNOW ALL MEN BY THESE PRESENTS:

The undersigned, _____
(Type or print licensee's name)

being an applicant for licensure as a non-resident auctioneer or apprentice auctioneer of the State of South Carolina, does hereby irrevocably designate and appoint the Administrator, South Carolina Department of Labor, Licensing and Regulation Auctioneers' Commission, State of South Carolina, as his (her, its) agent for the purpose of accepting service of any and all processes issued by any court located within the State of South Carolina, as well as service of all pleadings and other papers, relating in any way to any action, suit or legal proceeding arising out of or pertaining to his (her, its) duties or responsibilities as an auctioneer or apprentice auctioneer in the State of South Carolina. The undersigned further consents, stipulates and agrees that any lawful process served upon the aforesaid agent shall have the same legal force and validity as if served upon the undersigned personally within the State of South Carolina and that the authority contained herein shall continue in force and effect so long as any liability against the undersigned remains outstanding in the State of South Carolina.

This _____ day of _____, 20____.

(Licensee's signature)

STATE OF _____

COUNTY _____

Personally appeared _____
(Type or print licensee's name)

before the undersigned Notary Public in and for the above-named County and State, the above-named day and date, and acknowledged the execution of the foregoing instrument to be the voluntary act and deed of such applicant for purposes therein set forth.

(Licensee's signature)

Sworn to and subscribed before me this _____ day of _____, 20____.

My Commission expires _____.

(L.S.) (Seal)

NOTARY PUBLIC