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21 NCAC 04B .0701 CHANGE IN SPONSOR OWNERSHIP AND OTHER REQUIREMENTS

Eff. April 1, 2001

Necessary with substantive public interest

No comments with merit

Agency must readopt

Necessary with substantive public interest and must be readopted

Agency must readopt

Rule Citation

21 NCAC 04B .0801

Rule Section

2

Rule Citation

21 NCAC 04B .0801

Rule Name

CHANGE IN SPONSOR OWNERSHIP AND OTHER REQUIREMENTS
From: Becky Stewart [becky@ncalb.org]  
Sent: Monday, October 31, 2016 8:32 AM  
To: 'Charles Diehl'  
Subject: FW: Public Notice - Rules Review

Regards,
North Carolina Auctioneer Licensing Board
Rebecca J. Stewart (Becky)
Administrative Officer
108 Ber Creek Drive
Fuquay-Varina, NC 27526
Phone: (919) 567-2844---Fax: (919) 567-2865
becky@ncalb.org

From: marc pepper [mailto:marc_pepper@yahoo.com]  
Sent: Friday, October 28, 2016 5:00 PM  
To: info@ncalb.org  
Subject: Re: Public Notice - Rules Review

I dont understand what this is? Periodic review of....Rules process? Not sure i follow. Is this daying that were finally updating auctioneer rules to bring us up to the 21st century?

Sent from Yahoo Mail on Android

On Fri, Oct 28, 2016 at 4:54 PM, NC Auctioneer Licensing Board  
<info@ncalb.org> wrote:

---

Periodic Review of 21 NCAC 4B

Please visit the Board's homepage at [www.ncalb.org](http://www.ncalb.org) for information about the periodic review process for the administrative rules governing Auctioneering in North Carolina. The Board has made initial determinations regarding the necessity status of each of the current rules. An explanation of this stage of the process, public comment instructions regarding these initial determinations, a listing of the initial determinations, and a copy of the existing rules as currently written are all accessible from the homepage.

Once the Periodic Review stage (necessity determinations) is completed, including review and consultation with both the Rules Rules Review Commission and the Legislative Administrative Procedures Oversight Committee, a schedule will be established in 2017 for the amendment/re-adoption process, which will include
public comment opportunities regarding the text of any proposed or existing rules.

If you have any questions, please contact NCALB Executive Director Charles Diehl at (919) 567-2844.

NC Auctioneer Licensing Board | 108 Ber Creek Drive, Fuquay-Varina, NC 27526

Unsubscribe marc_pepper@yahoo.com
Update Profile | About our service provider
Sent by info@ncalb.org in collaboration with

Try it free today
Good morning, Mr. Pepper:

The email message and the website homepage/links offer information about the process, but please feel free to call me at the number below with any questions you may have.

Regards,

Charles F. Diehl
Executive Director
NC Auctioneer Licensing Board
(919) 567-2844
cdiehl@ncalb.org

Regrets,
North Carolina Auctioneer Licensing Board
Rebecca J. Stewart (Becky)
Administrative Officer
108 Ber Creek Drive
Fuquay-Varina, NC 27526
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If you have any questions, please contact NCALB Executive Director Charles Diehl at (919) 567-2844.

NC Auctioneer Licensing Board | 108 Ber Creek Drive, Fuquay-Varina, NC 27526
Dear Mr. Pepper,

On behalf of the North Carolina Auctioneer Licensing Board, thank you for your comment regarding the Periodic Review activity for 21 NCAC 4B. Your input is appreciated, and will be considered as we enter the Re-adoptions of the Rules process. A public comment period will be announced for consideration of any new rules or revisions to the existing rules once a time-line is determined.

Regards,

Charles F. Diehl  
Executive Director  
NC Auctioneer Licensing Board  
(919) 567-2844  
cdiehl@ncalb.org

E-mail correspondence to and from this address may be subject to the North Carolina Public Records Law N.C.G.S. Chapter 132 and may be disclosed to third parties.
Sent from my iPhone

Begin forwarded message:

From: "O'Neal" <boneal1@carolina.rr.com>
Date: November 13, 2016 at 6:29:15 PM EST
To: "Gary" <garyboydauction@yahoo.com>
Subject: rules

Where it states VHS tape--Change VHS to CD or something similar more modern
Under advertising you might add Internet advertising must include your name and number as well--
Under options for CE credit, you might mention you added Auto Dealer credits will count
Suggestion:
Please review the NCALB website database under search for auctioneer-- I believe it was entered in
two different formats but often I search by name and are told no record but if you know the city or
county and search that way most of the time the name appears --- That means it is not user friendly
and could cause some folks to think a person does not have a license when in reality they do.

Betty O'Neal
Choose to have a great day!
www.auctionsbyoneal.com
704-474-5929

This email has been checked for viruses by Avast antivirus software.
www.avast.com
Dear Ms. O'Neal,

On behalf of the North Carolina Auctioneer Licensing Board, thank you for your comment regarding the Periodic Review activity for 21 NCAC 4B. Your input is appreciated, and will be considered as we enter the Re-adoption of the Rules process. A public comment period will be announced for consideration of any new rules or revisions to the existing rules once a time-line is determined.

Regards,

Charles F. Diehl
Executive Director
NC Auctioneer Licensing Board
(919) 567-2844
cdiehl@ncalb.org

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Charles Diehl

From: Matt Price, Auctioneer [matt.price@ebbids.com]
Sent: Monday, January 09, 2017 11:34 PM
To: cdiehl@ncalb.org
Subject: .101 Purpose

Charles,

We have seen in the past the many times when unlicensed entities such as Estate Tag companies start an auction between clients for the sale of goods, and venues that promote their site as an auction company or use live electronic bidding as a method to increase the values. Because of those issues, I encourage a change in the rules to say:

My suggestion is that this change to state "It is the responsibility of the Board to:

License Auctioneers
License Apprentice Auctioneers
License Auction Firms

and to investigate complaints of individuals and firms that are acting as auctioneers and take appropriate action in regards the law and their responsibility for licensing those entities, and ensure that the qualifications and activities of those engaged in auctioneering activities are in accord with the law and in the best interest of the public."

Then keeping "The Board id not a board of arbitration." However, I do believe that there needs to be a board of arbitration or other entity that will resolve those complaints - if it is auctioneering - then I believe it is the Board, if it is fraud as I have heard reported several times - then I believe the recommendation to the sate should be to license Tag Companies. Just my opinion.

--

Matt Price, Auctioneer
(919)723-1782
www.ebbids.com
In this particular Rule - I do believe that there needs to be a preamble that clarifies if the remedies under such are for licensees or non-licensees or anyone who is engaging in "Auction Behavior" as we have seen in the past with Estate Tag companies and online "Live Auction" venues.

--

Matt Price, Auctioneer
Price Auctioneers
(919)723-1782
www.cebids.com
I have seen in this particular form several instances of being 18 years old and a High School Graduate. In some cases, there are individuals who are taking coursework who have not yet graduated (my grandson is one - at 17 he was in High School taking College Courses) in which a person who is in the process of completing their High School Diploma should be considered in the Apprentice area whereas successful completion of Graduation from High School or obtaining a GED needs to be forwarded on receipt of said diploma.

In other words, there are kids who are 17 who have only two hours of credit left that need to take a standard 7 hours of work, some of them are in College (Wake Tech, etc) that could go through Auctioneering as a business course (or marketing) that could apply for a apprentice license, and on graduation should be able to present the licensing board with the diploma to continue consideration of their license. If they do not graduate, then their license would terminate.

--
Matt Price, Auctioneer
Price Auctioneers
(919)723-1782
www.ebbids.com
I would make a suggestion to place into these rules any and all payment options that the new licensee may need to know. Such as all initial fees must be made by certified check, whereas renewals may be drawn from their personal accounts or business check.

--

Matt Price, Auctioneer
Price Auctioneers
(919)723-1782
www.ebbids.com
In this section, it should be noted that there are not minimum requirements for an auction school set. This means that any auctioneer may start a school at any time. I believe there needs to be the following:

- Do they require accreditation from a qualified college?
- Course Syllabus including tests
- Textbooks if selected
- Oversight requirements (if 100% of the students fail the course - what actions are taken to audit the schools teaching methodologies?)

--
Matt Price, Auctioneer
Price Auctioneers
(919)723-1782
www.ebbids.com
In the .0502 (1) I would increase the number of hours for Auctioneering ethics to 2 hours.

--
Thank you!

YiS
Matt Price
Advisor, VOA Communications
Occconeechee Council Venturing
Charles Diehl

From: Matt Price, Auctioneer [matt.price@ebbids.com]
Sent: Monday, January 09, 2017 11:37 PM
To: cdiehl@ncalb.org
Subject: .0503 (2) Supplimental Instruction Areas

Charles -

Sorry for this large number of emails - I am following the website in how it has to be addressed.

There needs to be a supplimental addition to Online Sales such as proxibid as well as online advertising such as AuctionZip that includes inclusion of licensing information.

--

Matt Price, Auctioneer
Price Auctioneers
(919)723-1782
www.ebbids.com
As we have seen here in Fuquay Varina - some places have gone out of business at least three times.

"Going out of Business" and "Retirement" sales should be additional words that can be used to be deceptive in advertising that should also be part of this rule.

--
Thank you!

YiS
Matt Price
Advisor, VOA Communications
Occoneechee Council Venturing
Sub part (d) states the minimum number is 6 (six) Since it has been 4 for several years, should this also be changed.

Additionally, should there also be minimums as to what should be delivered. I.E. we have the list for schools - but what about changes or new items that come down the pike insofaras advertising or marketing? I believe the board should look at that as

--
Matt Price, Auctioneer
Price Auctioneers
(919)723-1782
www.ebbids.com
Dear Mr. Price,

On behalf of the North Carolina Auctioneer Licensing Board, thank you for your comment regarding the Periodic Review activity for 21 NCAC 4B. Your input is appreciated, and will be considered as we enter the Re-adopt of the Rules process. A public comment period will be announced for consideration of any new rules or revisions to the existing rules once a time-line is determined.

Regards,

Charles F. Diehl
Executive Director
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