



STATE BOARD OF AUCTIONEER EXAMINERS

MAILING ADDRESS

STATE BOARD OF
AUCTIONEER EXAMINERS
P.O. BOX 2649
HARRISBURG, PA 17105

COURIER ADDRESS

STATE BOARD OF
AUCTIONEER EXAMINERS
2601 NORTH THIRD STREET
HARRISBURG, PA 17110

PHONE: 717-783-3397

FAX: 717-705-5540

EMAIL: st-auctioneer@pa.gov

WEB: www.dos.pa.gov/auct

PARTNERSHIP APPLICATION FOR AN AUCTION COMPANY LICENSE

An auction company is a company, which, as part of its business, arranges, manages, sponsors, advertises or carries out auctions.

Every person, except an individual who is licensed as an auctioneer, shall, before operating an auction company, obtain a license from the Board to operate an auction company. Every partnership, corporation or limited liability company must obtain a license even though a member or officer is licensed as an auctioneer.

If you are an individual licensed as an auctioneer (not part of a partnership, corporation or limited liability company) **DO NOT COMPLETE THIS APPLICATION.**

If the applicant is a partnership, corporation or limited liability company, then a member of the partnership, an officer of the corporation or a principal of the limited liability company, who is licensed in this Commonwealth as an auctioneer, must be designated as the auctioneer-of-record. The Board has also determined that if a member of the partnership, an officer of the corporation or principal of the limited liability company is not a licensed auctioneer, you are required to designate an auctioneer-of-record. The auctioneer-of-record is principally responsible for the conduct of the auctions of the partnership, corporation or limited liability company.

The Board must be notified, on application forms provided by the Board, if the operation of the auction company is sold or discontinued or if the name or location of the auction company has changed.

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Follow Instructions Below and Submit ALL Required Documents

FEE: \$50.00 NON-REFUNDABLE APPLICATION FEE. CHECK OR MONEY ORDER MADE PAYABLE TO THE "COMMONWEALTH OF PENNSYLVANIA." THERE IS A \$20.00 CHARGE FOR ALL CHECKS RETURNED "NOT PAID" REGARDLESS OF THE REASON FOR NON-PAYMENT.

Page 1- MUST be completed in its entirety.

- Name and Social Security Number of Each Individual Partner.
- Primary Daytime Phone Number.
- Primary Email Address.
- Name of Auction Company.
- Name of Auctioneer-of-Record and License Number.
- Business Address.
- Mailing Address (if different from the business address).
- Bond Number.

If using a fictitious name, you must submit a time stamped or certified copy of the original fictitious name registration filed in the Corporation Bureau of the Department of State. The Corporation Bureau can be reached at 717-787-1057 or ra-corps@pa.gov or www.dos.state.pa.us/corps.

Page 2-Questions 1-9 MUST be completed.

The Board is authorized to deny licensure if any principal in the applicant has certain criminal convictions. When asked about criminal convictions, you must provide information about any principal in the applicant who has been convicted. If the applicant is a partnership, all partners are considered principals.

Page 3-Verification Statement MUST be signed by a partner and the Auctioneer-of-Record.

BOND INFORMATION:

- The bonding company must be licensed by the Pennsylvania Insurance Department to operate in the Commonwealth of Pennsylvania.
- Bond must be in the amount of \$5,000 payable to the Commonwealth of Pennsylvania.
- Bond must indicate it is for an “Auction Company.”
- Bond form must be signed and witnessed.
- The bonding company must sign the bond and imprint their seal in the appropriate area.
- A certified copy of the Power of Attorney must be attached to the bond.
- Bond submitted must be the original document with original signatures.

If you are applying as a nonresident, the “Consent of Nonresident Licensee” must be completed and notarized.

PLEASE NOTE: ALL ITEMS LISTED ABOVE MUST BE COMPLETED IN ORDER TO PROCESS THE APPLICATION. IF THE APPLICATION IS NOT COMPLETED IN ITS ENTIRETY OR THE REQUIRED DOCUMENTS ARE NOT PROVIDED, PROCESSING TIME WILL BE DELAYED.

IF A PENDING APPLICATION IS OLDER THAN ONE YEAR FROM THE DATE SUBMITTED AND THE APPLICANT WISHES TO CONTINUE THE APPLICATION PROCESS, THE BOARD SHALL REQUIRE THE APPLICANT TO SUBMIT A NEW APPLICATION INCLUDING THE REQUIRED FEE.

IN ORDER TO COMPLETE THE APPLICATION PROCESS, MANY OF THE SUPPORTING DOCUMENTS ASSOCIATED WITH THE APPLICATION CANNOT BE MORE THAN SIX MONTHS FROM THE DATE OF ISSUANCE.

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BLACK INK ONLY

NAME AND SOCIAL SECURITY NUMBER OF EACH INDIVIDUAL PARTNER:

PRIMARY DAYTIME PHONE NUMBER: _____

PRIMARY E-MAIL ADDRESS: _____

May we contact you about this application at this e-mail address? YES NO

NAME OF AUCTION COMPANY: _____

NAME OF AUCTIONEER-OF-RECORD AND LICENSE NUMBER:

NAME: _____ LICENSE NUMBER: AU-_____

(Please Note: Auctioneer-of-Record must have a current license and bond on file with the Board office.)

BUSINESS ADDRESS: _____

Street Address : *P.O. Box (if applicable)*

City: State: Zip Code:

MAILING ADDRESS *(if different from the business address):*

Street Address : *P.O. Box (if applicable)*

City: State: Zip Code:

BOND NUMBER: _____

PROVIDING AN INCORRECT BOND NUMBER WILL DELAY THE PROCESSING OF YOUR APPLICATION.

APPLICANT IS REQUIRED TO COMPLETE THE FOLLOWING QUESTIONS:

If you answered "yes" to any criminal or disciplinary question, provide a full written explanation AND a certified copy of any and all relevant Board, court and/or legal documents, including the criminal complaint, charging documents, documentation of the final disposition and sentence imposed, as well as documentation of your successful completion of any and all of the sentencing requirements that may have been imposed.

THE FOLLOWING QUESTIONS MUST BE ANSWERED:	YES	NO
1. Do you hold, or have you ever held, a license, certificate, permit, registration or other authorization to practice a profession or occupation in any state or jurisdiction?		
2. If you answered yes to the above question, please provide the profession and state or jurisdiction.		
3. Have you had disciplinary action taken against a professional or occupational license, certificate, permit, registration or other authorization to practice a profession or occupation issued to you in any state or jurisdiction or have you agreed to voluntary surrender in lieu of discipline?		
4. Do you currently have any disciplinary charges pending against your professional or occupational license, certificate, permit or registration in any state or jurisdiction?		
5. Have you withdrawn an application for a professional or occupational license, certificate, permit or registration, had an application denied or refused, or for disciplinary reasons agreed not to apply or reapply for a professional or occupational license, certificate, permit or registration in any state or jurisdiction? been convicted, found guilty or pleaded nolo contendere, or received probation without verdict or accelerated rehabilitative disposition (ARD) as to any felony or misdemeanor, including any drug law violations, or do you have any criminal charges pending and unresolved in any state or jurisdiction? You are not required to disclose any ARD or other criminal matter that has been expunged by order of the court.		
6. Have you been convicted (found guilty, pled guilty or pled nolo contendere), received probation without verdict or accelerated rehabilitative disposition (ARD), as to any criminal charges, felon or misdemeanor, including any drug law violations? Note: you are not required to disclose any ARD or other criminal matter that has been expunged by order of the court.		
7. Do you currently have any criminal charges pending and unresolved in any state or jurisdiction?		
8. Within five years prior to the issuance of the license in force, have you been convicted in a court of competent jurisdiction in this or any other state or in federal court of forgery, embezzlement, obtaining money under false pretenses, extortion, conspiracy to defraud or other like offenses, or at any time, have you been convicted in a court of competent jurisdiction in this or any other state or in federal court of a misdemeanor related to the profession of auctioneering or of any felony?		
9. Are you conducting sales via an online Internet bidding platform?		

VERIFICATION STATEMENT:

I verify that this application is in the original format as supplied by the Department of State and has not been altered or otherwise modified in any way. I am aware of the criminal penalties for tampering with public records or information under 18 Pa.C.S. § 4911.

I verify that the statements in this application are true and correct to the best of my knowledge, information and belief. I understand that false statements are made subject to the penalties of 18 Pa.C.S. § 4904 (relating to unsworn falsification to authorities) and may result in the suspension, revocation or denial of my license, certificate, permit or registration.

Signature of Partner

Date

Signature of Auctioneer-of-Record

Date

In order to comply with federal law, the State Board of is obligated to inform each applicant or licensee from whom it requests a social security number that disclosing such number is **mandatory** in order for this Board to comply with the requirements of the federal Social Security Act pertaining to Child Support Enforcement, as implemented in the Commonwealth of Pennsylvania at 23 Pa. C.S. §4304.1(a). In order to enforce domestic support orders, at the request of the Commonwealth's Department of Human Services (DHS), the licensing boards must provide to DHS information prescribed by DHS about the licensee, including the social security number.

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF STATE
STATE BOARD OF AUCTIONEER EXAMINERS
P. O. BOX 2649
HARRISBURG, PENNSYLVANIA 17105-2649
717-783-3397

BOND # _____

BOND

KNOW ALL PERSONS BY THESE PRESENTS, that the application for _____
Auctioneer/Apprentice Auctioneer/Trading Assistant/Auction
Company/Auction House

_____ a/an _____, with business located at
Name of Applicant Individual/Partnership/Corporation/Limited Liability Company

_____ Street

_____ City State Zip Code

as PRINCIPAL, and _____ with a Certificate of Authority from the
Name of Surety Company

Pennsylvania Insurance Department and located at _____
Street

_____ City State Zip Code

as SURETY, are held firmly bound unto the Commonwealth of Pennsylvania in the sum of \$5,000 (Five Thousand Dollars) lawful money of the United States of America, to be made payable to the said Commonwealth, for the use of the Commonwealth, its attorney or assigns, or any person or persons who may have a cause of action under the Auctioneer Licensing and Trading Assistant Registration Act (Act 85 of December 22, 1983), to which payment will and truly to be made, we do hereby bind ourselves, jointly and severally our heirs, executors, administrators, successors and assigns firmly by these presents. This agreement will continue in effect until written notification of cancellation by surety.

SIGNED SEALED AND DELIVERED THIS _____ DAY OF _____ 20 _____

WHEREAS, the above-bounded Principal desires to operate or conduct the business of

_____ Auctioneer/Apprentice Auctioneer/Trading Assistant/Auction Company/Auction House

within the Commonwealth in accordance with the provisions of the Auctioneer Licensing and Trading Assistant Registration Act and the rules and regulations adopted under and pursuant thereto.

NOW, THEREFORE, the condition of this obligation is such that if upon and after issuance of such license the above-bounded Principal shall fully and faithfully observe the provisions of all the laws of this Commonwealth and the rules and regulations promulgated by the State Board of Auctioneer Examiners as a licensee then this obligation shall be void; otherwise, it shall remain in full force, virtue and effect.

And, the obligors, jointly and severally, for themselves, their heirs, executors, administrators, successors and assigns, do agree with the Commonwealth that upon violation of the said Act, and the rules and regulations promulgated by the State Board of Auctioneer Examiners, or the applicable rules and regulations of the Department, Board or Commission of the Commonwealth thereunder or of any laws of this Commonwealth, and upon the revocation of the licensure and upon forfeiture of the bond, aforesaid, or upon the recovery of a judgment and in execution of that judgment on the bond, as specified at §13(c) of the Act, for any such violation during the continuance of such license, the full amount of this bond shall be due and payable.

And we, and each of us, do hereby confess judgment against us and each of us for the penal sum of \$5,000 (Five Thousand Dollars), with cost of suit and release of all errors, without stay of execution, waiving inquisition and condemnation of any real estate, and we, and each of us, do hereby waive the benefit of any law or laws now in force, or which may hereafter become a force exempting property from levy and sale upon execution, and we do hereby empower any attorney, or the Prothonotary, of any Court of Record within this Commonwealth or elsewhere, to appear for us and each of us, to confess judgment as expressed, and for the entering of such judgment and so doing this shall be sufficient warrant; a copy of bond being filed in said action, it shall be necessary to file the original as a warrant, any law or rule of Court notwithstanding.

SIGNATURE OF PARTNER

SIGNATURE OF WITNESS

PRINT NAME OF WITNESS

SURETY:

NAME OF SURETY COMPANY

SIGNATURE OF SURETY

STREET ADDRESS OF ATTORNEY- IN- FACT

(BUSINESS SEAL)

CITY STATE ZIP CODE

CERTIFIED COPY OF POWER OF ATTORNEY NOMINATING, CONSTITUTING AND APPOINTING SAID ATTORNEY-IN-FACT FOR SAID CORPORATE SURETY MUST BE ATTACHED HERETO. DATE OF SAID CERTIFICATION AND DATE OF EXECUTION OF BOND MUST AGREE.

CONSENT OF NONRESIDENT LICENSEE

Whereas, the Auctioneer Licensing and Trading Assistant Registration Act in the Commonwealth of Pennsylvania requires that a nonresident licensee of the State Board of Auctioneer Examiners files a consent that suits and other legal actions may be commenced against a licensee in the proper court of any county of the Commonwealth in which a cause of action may arise or in which a plaintiff may reside.

Now witnesseth, that the undersigned _____

Name of Applicant

of _____

Street

City

State

Zip Code

an _____, hereby consents to the commencement of suits and other legal actions
Auctioneer/Apprentice/Trading Assistant/Auction Company/Auction House

against the licensee in and county of the Commonwealth in which a cause of action may arise or in which a plaintiff may reside by service of any process of pleading authorized by the laws of the Commonwealth or the Secretary of the Commonwealth of Pennsylvania; and

That the undersigned stipulates and agrees that service of process or pleading as aforesaid on the Secretary of the Commonwealth, shall be taken and held in all courts to be as valid and binding as if due service had been made upon the undersigned within the Commonwealth of Pennsylvania; and

That the undersigned intends that this consent shall be and hereby is irrevocable.

State of _____ County of _____

SWORN TO AND SUBSCRIBED BEFORE ME THIS _____ DAY OF _____ 20 ____

MY COMMISSION EXPIRES: _____

Signature of Notary

Signature of Applicant