



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

LIMITED LIABILITY APPLICATION FOR AN AUCTION COMPANY LICENSE

Auction Company-A legally recognized entity that sells or attempts to sell property at auction or performs, or offers to perform, any of the functions or activities requiring licensure as an auction company under section 3(a)(1) of the Auctioneer Licensing and Trading Assistant Registration Act, Act 88 of 2016. The term includes any legally recognized entity that holds itself out as engaged in the business of selling property at action.

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

Every action company shall designate an auctioneer-of-record. Each auction company shall designate an individual licensed as an auctioneer to serve as the auction company's auctioneer-of-record. The auctioneer-of-record may be an owner, shareholder, member, partner, employee, independent contractor or other agent of the auction company. The auctioneer-of-record is principally responsible for the conduct of the auctions of the auction company in accordance with the law.

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 of Limited Liability Company.
- Primary Daytime Phone Number.
- Primary Email Address.
- Name of Auction Company (If different than the limited liability company name).
- 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 copy of the approved 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.pa.gov/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 limited liability company, all members and all managers (if any) are considered principals.

Page 3-Limited Liability Company information MUST be completed.

- Name of each Principal Manager.
- Position of each Principal Manager.
- License Number of each Principal Manager (if applicable).

Verification Statement MUST be signed by a Principal Manager and the Auctioneer-of-Record.

Limited Liability Companies must submit a time stamped or certified copy of the original Certificate of Organization showing the Certificate of Organization has been 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.pa.gov/corps.

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/stamp in the appropriate area.
- A certified copy of the Power of Attorney must be attached to the bond.

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 OF LIMITED LIABILITY COMPANY: _____

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 (If different than the limited liability company name): _____

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?		
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. Will you engage in online trading assistant consignment sales transactions?		

NAME OF PRINCIPAL MANAGERS	POSITION	LICENSE NUMBER (IF APPLICABLE)

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 Principal Manager

Date

Signature of Auctioneer-of-Record

Date

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/Auction Company/Trading
Assistant/Trading Assistant Company

_____ a/an _____, with business located at
Name of Applicant Individual/Partnership/Association/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 88 of July 20, 2016), 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/Auction Company/Trading Assistant/Trading Assistant Company

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.

11/2016

SIGNATURE OF PRINCIPAL MANAGER

SIGNATURE OF WITNESS

PRINT NAME OF PRINCIPAL MANAGER

PRINT NAME OF WITNESS

SURETY:

NAME OF SURETY COMPANY

SIGNATURE OF SURETY

STREET ADDRESS OF ATTORNEY- IN- FACT

(BUSINESS SEAL/STAMP)

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.