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COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF STATE
BUREAU OF PROFESSIONAL AND OCCUPATIONAL AFFAIRS

F I N A L M I N U T E S

MEETING OF:

STATE BOARD OF AUCTIONEER EXAMINERS

TIME: 10:44 a.m.

Held at

PENNSYLVANIA DEPARTMENT OF STATE

2601 North Third Street

One Penn Center, Board Room C

Harrisburg, Pennsylvania 17110

as well as

VIA MICROSOFT TEAMS

Monday, July 11, 2022

1 State Board of Auctioneer Examiners
2 July 11, 2022
3
4

5 BOARD MEMBERS:
6

7 Nevin B. Rentzel, Chairman, Professional Member
8 Arion R. Claggett, Acting Commissioner, Bureau of
9 Professional and Occupational Affairs
10 Sherman E. Hostetter Jr., Professional Member
11 Gerald A. Rader, Professional Member
12 Daniel A. Trace, Secretary, Professional Member
13 Christopher Dey, Deputy Attorney General, Consumer
14 Protection Division
15

16
17 BUREAU PERSONNEL:
18

19 Carolyn DeLaurentis, Deputy Chief Counsel, Prosecution
20 Division
21 Heather J. McCarthy, Esquire, Senior Prosecuting
22 Attorney
23 Ariel E. O'Malley, Esquire, Board Counsel
24 J. Karl Geschwindt, Esquire, Board Prosecution
25 Liaison
26 Terrie Kocher, Board Administrator
27 Andrew LaFratte, MPA, Executive Policy Specialist,
28 Department of State
29 Eli Yemzow, Legal Intern, Department of State
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2 State Board of Auctioneer Examiners

3 July 11, 2022

4 ***

5 [Pursuant to Section 708(a)(5) of the Sunshine Act, at
6 10:00 a.m. the Board entered into executive Session
7 with Ariel E. O'Malley, Esquire, Board Counsel, on
8 behalf of Jason E. McMurry, Esquire, Board Counsel,
9 for the purpose of conducting quasi-judicial
10 deliberations and to receive legal advice on matters
11 that are currently pending before the Board. The
12 Board returned to open session at 10:30 a.m.]

13 ***

14 The regularly scheduled meeting of the State
15 Board of Auctioneer Examiners was held on Monday,
16 July 11, 2022. Nevin B. Rentzel, Chairman,
17 Professional Member, called the meeting to order at
18 10:44 a.m.

19 ***

20 [Ariel E. O'Malley, Esquire, Board Counsel, on behalf
21 of Jason E. McMurry, reminded everyone that the
22 meeting was being recorded, and those who continued to
23 participate were giving their consent to be recorded.]

24 ***

25 Introduction of Board Members

1 [Chairman Rentzel requested an introduction of Board
2 members.]

3 ***

4 Approval of minutes of the May 9, 2022 meeting

5 CHAIRMAN RENTZEL:

6 The first order of business is our
7 approval of the minutes. You have on
8 your agenda the minutes from our last
9 meeting in May. Does anyone have any
10 questions? Are there any discrepancies?

11 Do I hear a motion to accept the
12 minutes?

13 MR. TRACE:

14 Motion to approve the minutes.

15 MR. RADER:

16 Second.

17 CHAIRMAN RENTZEL:

18 Any further discussion? Roll call vote.

19
20 Nevin Rentzel, aye; Arion Claggett, aye;
21 Gerald Rader, aye; Christopher Dey, aye;
22 Daniel Trace, aye; Sherman Hostetter,
23 aye.

24 ***

25 Report of Prosecutorial Division

1 [J. Karl Geschwindt, Esquire, Board Prosecution
2 Liaison, had nothing new to report from prosecution.]

3 ***

4 Report of Board Counsel

5 [Ariel E. O'Malley, Esquire, Board Counsel, on behalf
6 of Jason E. McMurry, referred to the final 16A-6411
7 Annex and Preamble regarding the fee regulation.

8 Mr. Hostetter asked what the goal is to have a
9 reserve to stay in the black, whether it is for six
10 months or a year to keep it level, and how much is
11 being raised.

12 Ms. O'Malley stated the fees were adjusted and
13 are going up and the fee increase was initially much
14 higher to move at a more rapid rate. She noted that
15 the fee increases are currently at a much more
16 staggered rate than before. She mentioned the Board
17 is still competitive and pretty average compared to
18 other states, but fees have not been raised for a long
19 time.

20 Mr. Hostetter expressed concern with how much
21 they are going to lose when the associations and other
22 states are all struggling a little bit as far as new
23 members and licensees.

24 Ms. O'Malley addressed the costs of running the
25 Board, noting the Board not raising initial licensing

1 fees for a long time is part of the problem if the
2 Board is not growing. She stated the Bureau of
3 Finance and Operations (BFO) would return every year
4 to go over the budget and the deficit and the Board
5 would have the option of bringing licensing fees back
6 down in the future. She encouraged the Board to work
7 with what is front of them and keep an eye on it.

8 Mr. Radar noted the Board previously asked for an
9 explanation of the rates to give to the membership
10 when they initially saw the numbers

11 Ms. O'Malley stated an explanation as to why the
12 fees were raised and a summary of where those fees are
13 used could be provided to licensees. Chairman Rentzel
14 referred to the prosecution report in January
15 explaining investigations and expenses and suggested
16 the BFO report explain to the membership and public
17 that there were 500 investigations to better
18 understand Board expenses.

19 Acting Commissioner Claggett offered to take care
20 of that and provide a public record.

21 Mr. Hostetter mentioned the Board used to receive
22 a breakdown of complaints from prosecution and
23 requested seeing those in writing again.]

24 MS. O'MALLEY:

25 I would be looking for a motion to

1 promulgate the Board fee regulation as
2 final.

3 MR. HOSTETTER:

4 So moved.

5 MR. RADER:

6 Second.

7 CHAIRMAN RENTZEL:

8 Roll call vote.

9

10 Nevin Rentzel, aye; Arion Claggett, aye;
11 Sherman Hostetter, aye; Gerald Rader,
12 aye; Daniel Trace, aye; Christopher Dey,
13 aye.

14 [The motion carried unanimously.]

15 ***

16 Report of Board Counsel

17 [Ariel E. O'Malley, Esquire, Board Counsel, on behalf
18 of Jason E. McMurry, informed the Board of
19 correspondence from the House Professional Licensure
20 Committee inquiring about a lack of things regarding
21 the Act 41 Regulation. She noted Act 41 is a piece of
22 legislation that provided an additional pathway for
23 licensure for individuals from other states and
24 jurisdictions to obtain licensure and breakdown some
25 of the licensure barriers.

1 Ms. O'Malley noted Mr. McMurry was working on the
2 Act 41 Regulation and comments were being received.]

3 ***

4 Report of Board Counsel - Application for Review
5 [Ariel O'Malley, Esquire, Board Counsel, on behalf of
6 Jason E. McMurry, Esquire, Board Counsel, noted the
7 Board discussed the application during Executive
8 Session and is requesting additional information from
9 the applicant.]

10 ***

11 Report of Board Chairperson - No Report

12 ***

13 Miscellaneous

14 [Sherman E. Hostetter Jr., Professional Member,
15 addressed Group A and Group B education. He noted
16 Group A is the Harrisburg Area Community College
17 (HACC) and Reading Area Community College (RACC), and
18 Group B is the auction schools. He mentioned the
19 Board still needs to approve what someone needs to
20 learn to meet their requirements.

21 Mr. Hostetter noted previously working on an
22 outline of areas to include online auctions, bid
23 calling, marketing, and a whole host of things. He
24 mentioned the importance of putting that in place for
25 an applicant for licensure who attended an approved

1 auction school to do so.

2 Chairman Rentzel suggested having a work session
3 at the September meeting to put regulations in
4 writing.

5 Chairman Rentzel noted the importance of having a
6 standard for Group B schools to be recognized by the
7 state and asked Ms. O'Malley to inform Mr. McMurry of
8 the Board's request to have that work session in
9 September.

10 Mr. Hostetter also requested Mr. McMurry review
11 his notes of some of the completed work, so the Board
12 was not starting all over again.

13 Ms. Kocher stated Mr. Suter worked on that and
14 believed Mr. McMurry had that information but offered
15 to resend it.

16 Chairman Rentzel recommended also clarifying and
17 streamlining the reciprocity issue by approving
18 specific states that have reciprocity and whether
19 someone could be licensed through Act 41 or through
20 reciprocity.]

21 ***

22 Report of Acting Commissioner - No Report

23 ***

24 Report of Board Administrator

25 [Terrie Kocher, Board Administrator, informed Board

1 members that BFO was not available for this meeting
2 but requested a list of Board member questions in
3 advance to be prepared for any discussion. She
4 encouraged Board members to email those questions to
5 her to be forwarded to BFO.]

6

7 [Sherman E. Hostetter Jr., Professional Member,
8 offered to provide Board members with information from
9 the National Auctioneers Association's (NAA)
10 Conference.]

11 Chairman Rentzel thanked Mr. Hostetter for
12 representing the Board at the National Auctioneers
13 Association's Conference and also congratulated Mr.
14 Hostetter on his upcoming position as president of the
15 National Auctioneers Association.]

16

17 Meeting Dates

18 [Nevin B. Rentzel, Chairman, Professional Member,
19 noted 2022 and 2023 meeting dates for the Board's
20 review.]

21

22 Adjournment

23 CHAIRMAN RENTZEL:

24 Motion to adjourn.

25 MR. HOSTETTER:

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So moved.

MR. RADER:

Second.

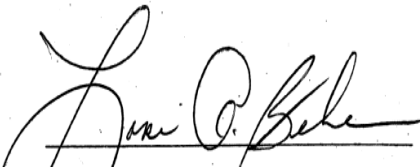
CHAIRMAN RENTZEL:

The meeting is adjourned.

[There being no further business, the State Board of Auctioneer Examiners Meeting adjourned at 11:11 a.m.]

CERTIFICATE

I hereby certify that the foregoing summary minutes of the State Board of Auctioneer Examiners meeting, was reduced to writing by me or under my supervision, and that the minutes accurately summarize the substance of the State Board of Auctioneers meeting.



Lori A. Behe,
Minute Clerk
Sargent's Court Reporting
Service, Inc.

STATE BOARD OF AUCTIONEER EXAMINERS
REFERENCE INDEX

July 11, 2022

TIME	AGENDA
10:00	Executive Session
10:30	Return to Open Session
10:44	Official Call to Order
10:44	Introduction of Board Members
10:45	Approval of Minutes
10:47	Report of Board Counsel
11:01	Miscellaneous
11:08	Report of Board Administrator
11:11	Adjournment

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