

## **STATE BOARD OF AUCTIONEER EXAMINERS**

### **FREQUENTLY ASKED QUESTIONS**

#### **1. How do I become licensed as an auctioneer in the Commonwealth of PA?**

***In order to qualify for an auctioneer license you must first complete one of the following:***

- ***Serve an apprenticeship as a licensed apprentice auctioneer for a period of not less than two years in the employ of a qualified auctioneer and participate for compensation in no less than 30 auctions; OR***
- ***Successfully complete a prescribed course of study in auctioneering of at least 20 credit hours at a school approved by the board. A credit hour of instruction is defined as 15 standard hours of instruction, each of which is composed of 50 minutes. (Note: Harrisburg Area Community College and Reading Area Community College are the only two schools approved by the board at this time); OR***
- ***Apply through reciprocity from a state in which we have a reciprocal agreement (See question 6). To apply through reciprocity, you must reside in one the reciprocity states. If you do not reside in a reciprocity state, you can apply through option (4). Reciprocity applicants, providing they meet all board licensing requirements, are not required to take the Pennsylvania Auctioneer Exam; OR***
- ***Apply through a Non-Resident Exam Application. Apply to sit for the Pennsylvania Auctioneer Exam by providing certification of your current auctioneer license in another state. If your state of residence does not issue licenses, provide a detailed resume showing that you have been established in the business of auctioneering for at least two years.***

***After successful completion of one of the above (except reciprocity), you will be eligible to be scheduled for the auctioneer examination. When you pass the examination, you are eligible for an auctioneer license.***

#### **2. How do I become licensed as an apprentice auctioneer?**

***To qualify for an apprentice auctioneer license, a person must be sponsored and employed for compensation by a qualified auctioneer who employs no more than one other apprentice auctioneer. The auctioneer who sponsors and employs an apprentice auctioneer shall directly supervise the apprentice while the apprentice is conducting an auction or a sale at auction. The sponsoring auctioneer may provide for substitute supervision of the***

**apprentice for a particular auction if the sponsoring auctioneer is unavailable, if the substitute supervisor is a qualified auctioneer who provides direct supervision.**

**If the apprentice auctioneer changes sponsors, an application to change sponsors shall be filed with the Board Office within ten(10) days after terminating the sponsorship. An apprentice auctioneer license is invalid when there is no sponsoring auctioneer and credit does not accrue during that time period.**

**PLEASE NOTE:**

- **A non-resident auctioneer (auctioneer licensed obtained through reciprocity) is not a qualified auctioneer for the purposes of sponsoring or employing an apprentice auctioneer.**
- **A non-resident auctioneer or apprentice auctioneer is only permitted to sell at auction in this Commonwealth whatever property the laws of his state permit non-resident auctioneers and apprentice auctioneers to sell at auction.**

**3. What is a special license and under what circumstances can it be granted?**

**An auctioneer who is authorized to engage in auctioneering in another state shall be issued a special license for each auction conducted in the Commonwealth of PA. An application for a special license must be made 20 days in advance of the sale and must include the name and address of the consignor or owner of all items to be sold.**

**A separate application, separate bond and fee must be submitted for each auction and for each auctioneer conducting the auction. A special license is for one day only. If the sale will be held on more than one day, the fee is \$200 per day of the sale.**

**4. What is an auction company?**

**A company which, as part of its business, arranges, manages, sponsors, advertises or carries out auctions.**

**5. What is an auction house?**

**An established place of business, including but not limited to an auction barn, a sale barn and a sale pavilion, where two or more auctions are held within any 12-month period and where representations are regularly made that property**

*is sold at auction. The term does not include premises where isolated sales are conducted by an auctioneer or apprentice auctioneer and which are used primarily for purposes other than auctions or sales at auction.*

**6. What states does the Pennsylvania State Board of Auctioneer Examiners have reciprocity to obtain licensure?**

<i>Alabama</i>	<i>Indiana</i>	<i>Ohio</i>	<i>Tennessee</i>
<i>Florida</i>	<i>Louisiana</i>	<i>Rhode Island</i>	<i>Virginia</i>
<i>Georgia</i>	<i>North Carolina</i>	<i>South Carolina</i>	<i>West Virginia</i>
<i>Kentucky</i>			

**7. Can I apply for a reciprocal license if I have moved to Pennsylvania?**

*No. The movement from another state or jurisdiction to domicile in this Commonwealth eliminates the possibility of reciprocal licensing. If you now reside in Pennsylvania, you must qualify for a license under the same requirements that are applicable to residents of Pennsylvania (See question 1 above).*

**8. Am I required to secure a bond in order to become licensed?**

*Yes. An auctioneer, apprentice auctioneer, auction company or auction house license shall not be granted until the applicant has filed an approved bond payable to the Commonwealth in the amount of \$5,000. The bond shall be executed by a surety company authorized by the laws of this Commonwealth to transact business in Pennsylvania.*

**9. Can an Auctioneer, Apprentice Auctioneer, Runner or Other Employee Bid and Buy At Auction?**

*The Auctioneer and Auction Licensing Act, at 63 P.S. § 734.20(a)(13), strictly prohibits any auctioneer or apprentice auctioneer from bidding and buying for himself at any auction he is conducting. The purpose of this provision is self-evident. It is a conflict of interest for an auctioneer, who is the seller's agent, to also be the buyer at the auction which he is conducting.*

**10. Are there any exemptions to the licensing requirement?**

*Yes - Section 3. (h) - Auctioneer and Auction Licensing Act states:*

**Sales exempt from license requirements. – The requirement to obtain a license under this act does not apply to sales at auction in the following circumstances.**

- **To a specified single sale per year conducted by the owner of property if the owner is not engaged in the business of selling the property and if the property is owned by the person in an individual capacity.**
- **To a sale conducted by or on behalf of a charitable organization if the person conducting the sale receives no compensation therefore.**
- **To a sale conducted by or on behalf of a person appointed by judicial order or decree.**
- **To a sale conducted in the settlement of any decedent's estate.**
- **To a sale conducted by or under the direction of any public authority.**
- **To any sale required by law to be at auction.**

**11. Are there any other licenses required to perform auctions in Pennsylvania?**

**No. No political subdivision of this Commonwealth has the authority to levy or collect any license tax or fee upon or from an auctioneer or apprentice auctioneer licensed under the Auctioneer and Auction Licensing Act. Nor shall they be licensed by any political subdivision in order to carry on the business of auctioneer or to conduct a sale at auction.**

**12. When do the Pennsylvania auction profession licenses renew?**

**All auctioneer, apprentice auctioneer, licensed auction company, licensed auction house, registered auction company and registered auction house licenses renew on a biennial period. All licenses expire on February 28 of each odd numbered year. Once renewed, the licenses are valid for two years.**