Auctioneer

FEBRUARY 2009

The official publication of the National Auctioneers Association





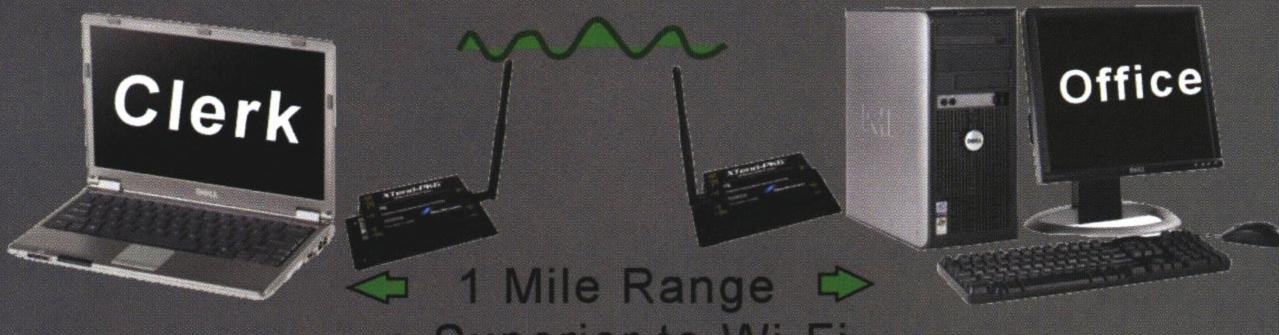
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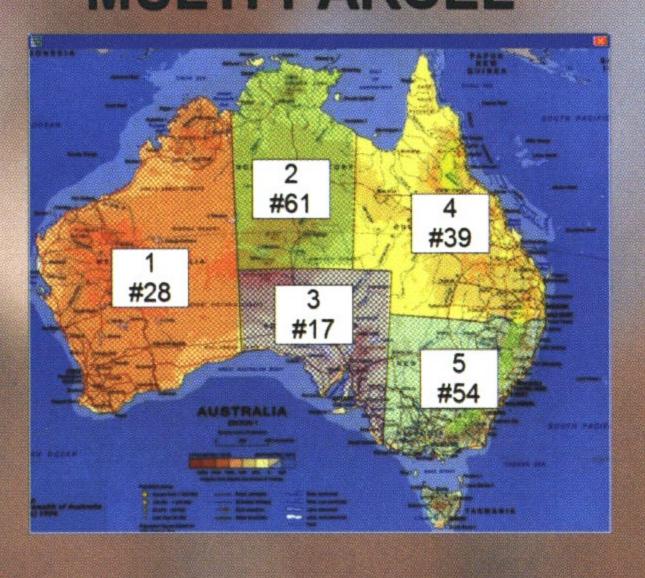
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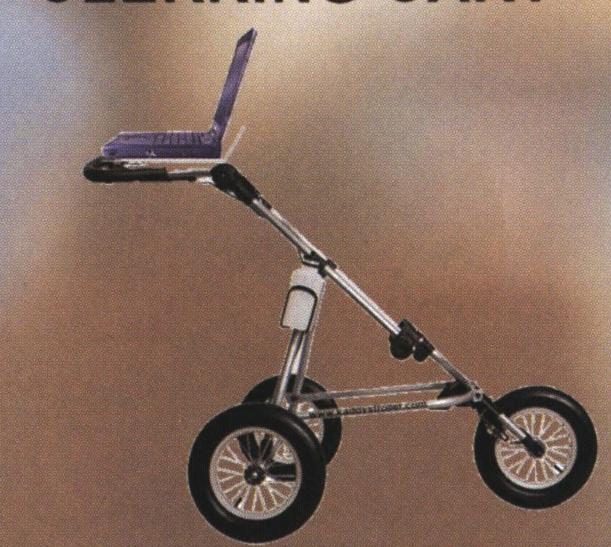
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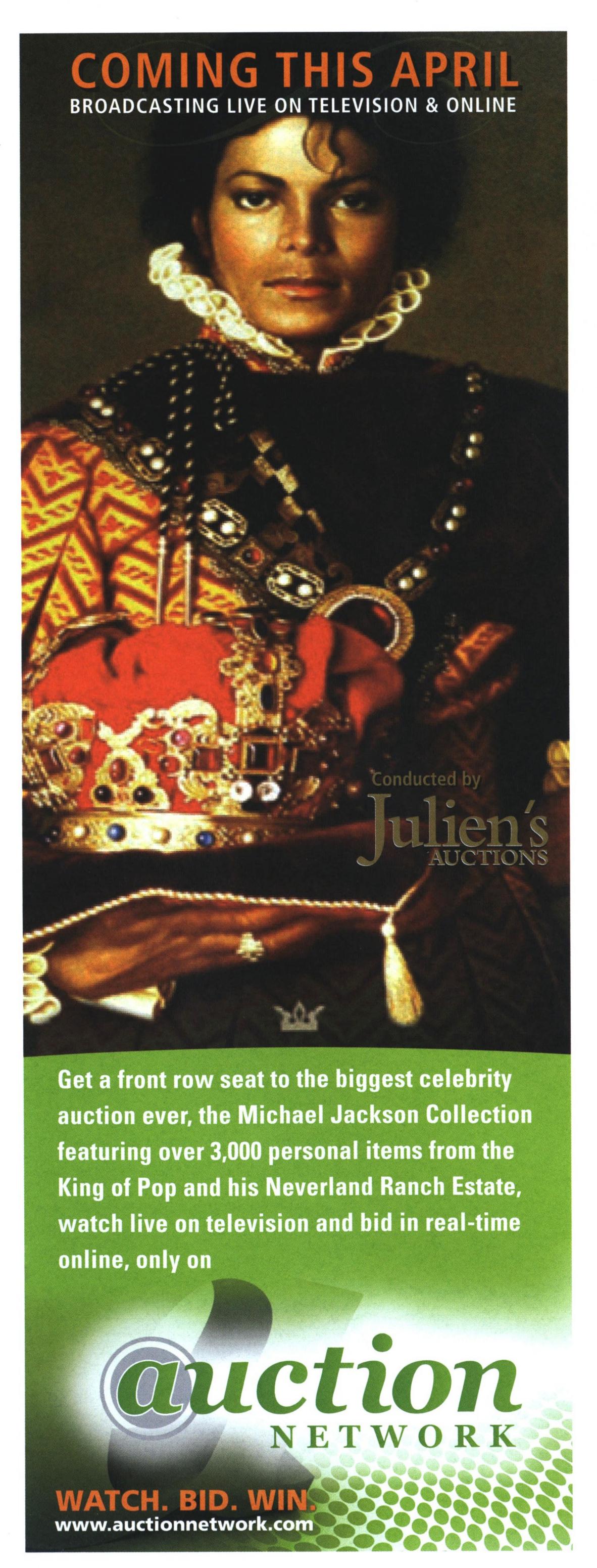
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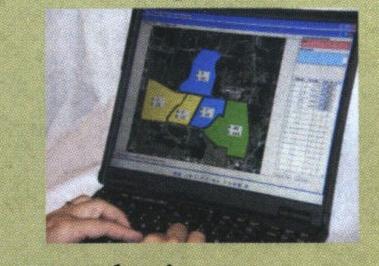


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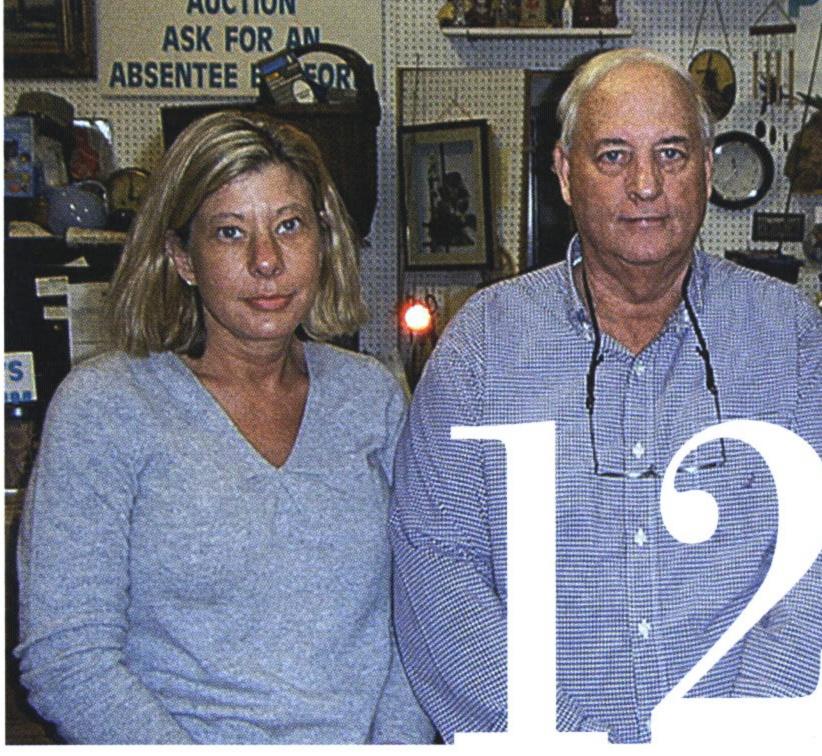
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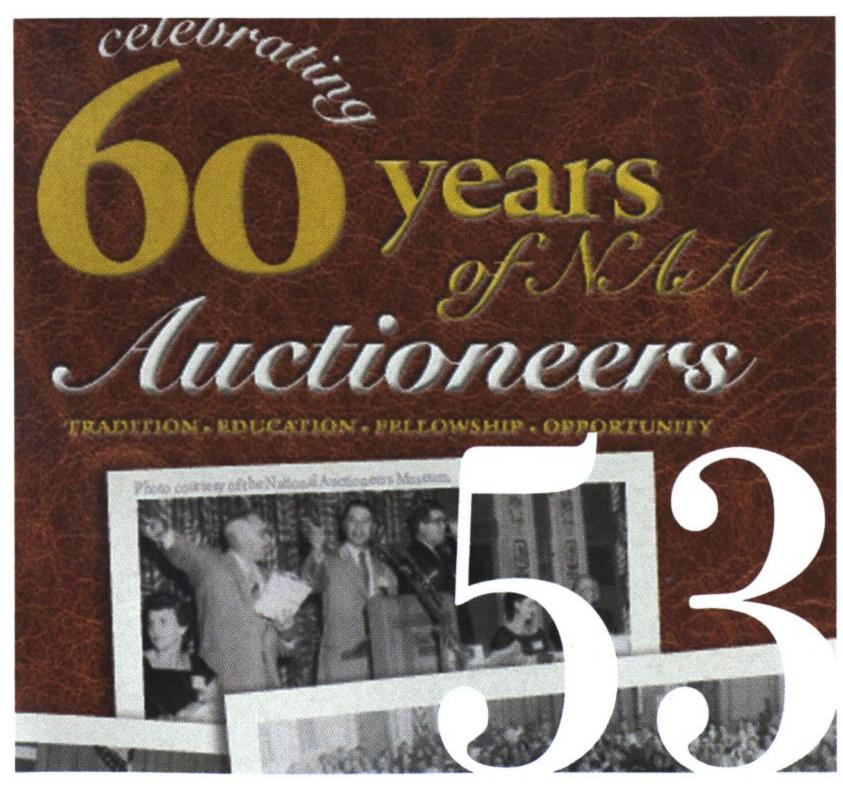
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On the cover

Real estate Auctioneer Walter Driggers III, CAI, AARE, of Ocala, FL makes a prediction that may surprise many traditional Auctioneers: "In two to four years, the majority of auctions will be online only," he says. "The format is just so easy to collect bids and you do not have to take your sound equipment to a site and so on. Ever since online auctions began maybe 10 years ago, it has just been a matter of time until the technology was ready for Auctioneers to do online-only auctions."

Cover story on page 30.

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FEBRUARY 2009 AUCTIONEER

mailbox

Mailbox

Let the NAA and fellow members know what you think about any topic.



Proffitt column was outstanding

Being the best Auctioneer

(played by Robert Redford) speaks to

(Glenn Close),

substantial sale receipts, there are wakents of autikon marketing who downto

numerous opportunities for Auctioneess to thermodyes to constant learning and

taller than others - salesmanship." prixa for what's being sold is the fundamental nervice Auctionnees provide to

with regret of unrestited dreams: 'And then when I walked down the street, people would've looked and they would've

said, These goes Roy Hobbs, the best

The best What does it take? What makes the best Auctioneers? Here are sen characteristics found in the top practitioners.

First and foremost, leading Auctioneers are

to sellen' properties and assets, to calling

take advantage of others for self gain. The improvement

"One attribute of great Auctioneers stands

there ever was in this game."

SCHOKER 2008 4107 ONTER

Dear NAA:

Steve Proffitt's auction law column titled "Being the Best Auctioneer" (the November 2008 issue of *Auctioneer*) was a winner and frontrunner for all Auctioneers to read and carry out. The article included 10 essential elements

for the auction business.

I am 85 years old and have been a full time Auctioneer since 1948. I have slowed down recently, but I am an avid reader of all auction news. In my opinion, this powerful piece of writing is one of Steve's best and includes the powerful characteristics needed to be the best of the

Auctioneers.

I send my compli-

ments to Mr. Proffitt and to the NAA staff for the excellent work that all of you are doing to promote the auction profession. You are upgrading the

market, conduct, and settle sales and you're

looking at one who won't be in business

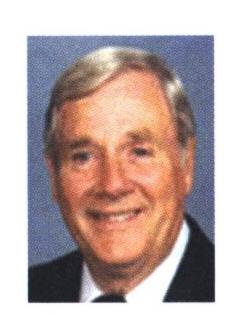
long. Pereminent pencitioners have the

Fourth, while business ability is important,

skills to make this look easy. It isn't.

image of the profession in the eyes of the public by educating the members. This will have an enormous influence for the success of the profession for years to come.

The NAA, including its directors such as my son, H. John Kramer, CAI, AARE, CES, make me feel so extraordinarily proud to say that I have been active in, and loved, the auction professional all of my life, except for the four early years spent in the Air Force as a World War II pilot.

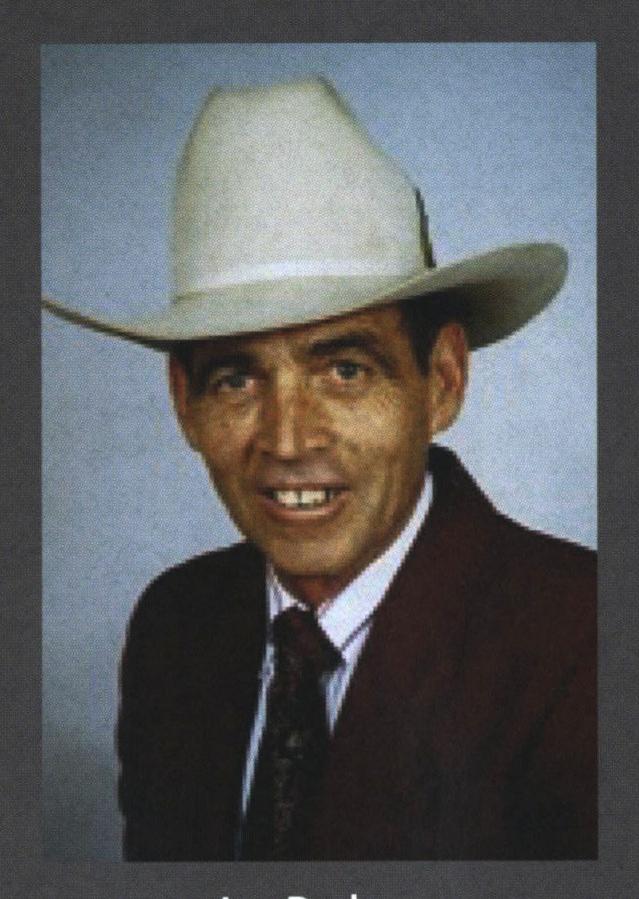


Horace J. Kramer Kramer & Kramer Inc. Auctioneers, Realtors Eaton, OH

(Editor's note to readers: The article referenced by Mr. Kramer can be viewed at www.auctioneers.org by clicking on the Members-Only section, then the News and Publications section on the left side of the page, then the Article Archives section toward bottom, and then opening the virtual issue of the November 2008 Auctioneer. The article is on page 36.)

8 FEBRUARY 2009 AUCTIONEER

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Art Parker
Parker & Co. Real Estate & Auctioneers
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I joined ARC to expand my knowledge and experience in the real estate auction business. It has turned out to be one of the best things I have ever done. The support available through ARC for successful real estate auctions has been great.

Auction Referral Cooperative

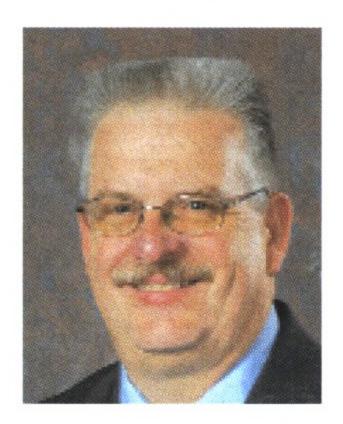
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worldwide real estate auction

Rumors and renewals

NAA ends 2008 with positive financial results; and it's time to renew your business relationships.



By Randy Wells, CAI, AARE, BAS, CES, GPPA, NAA President

NAA is Movin'
Forward and we have many things to brag about.
Unfortunately, we also have one myth to dispel:
b a n k r u p t c y.
Contrary to what is being said by some of our

members, I can assure you that NAA is not going bankrupt. In fact, we believe we ended the calendar year well in the black. Those results will be posted on our website and available in an upcoming issue of the *Auctioneer* as soon as they are verified by our year-end audit. Currently, you can go to the homepage of our website at www.auctioneers.org and click on the tab that says "Public Financials" and you can find 2006 and 2007 results.

Unfortunately, we lost members in 2008

and some of the loss can be attributed to the rumor mill. NAA is financially solid and our board is committed to transparency. Check out the summary of our meetings under the NAA Member Page – board information. Please help us spread the good news to not only those members who left NAA, but to all of the new members that NAA is proud to list on our membership roster.

THE LOSS OF ONE OF OUR OWN

A few short days before writing this column, I saw this e-mail posted on the NAA forum.

It is with a heavy heart that I send along this note about the passing of my mom, Pat Massart. She made the journey to heaven on New Years Eve at 2:15 in the afternoon. Details about the service will follow once available.

Trying to squash a rumor is like trying to unring a bell."

-Shana Alexander

Pat was diagnosed with pancreatic cancer in February 2007. Her final three goals were to meet her newest grandbaby (Maddi was born 12-23-08), enjoy the Christmas Holiday with family, and be here for her 41st wedding anniversary on 12-30-08. She hit all three of those goals and we enjoyed every second we had with her. It is comforting to know she is now cancer free and dancing in heaven. In the good times and in the difficult times we take Pat's advice and "remember to eat lots of ice cream." Savor the flavor, but savor and remember those you are sharing the ice cream with even more. When thinking of Pat, if you should need a little pick-me-up, just give yourself a "Pat" on the back in knowing she is with us always.

Blessings, Damien Massart, CAI, BAS, GPPA

I read this post with great sadness, but also with admiration. Pat will always be someone special that my family and I were fortunate enough to know. I had the privilege of serving on the AMI board and the CAI committee with Pat. Her immediate family meant the world to her, but she always had time for her auction family and would do whatever was needed to be done to increase auction awareness and education. Pat will be greatly missed, but never forgotten by her auction family

from the president

as they take a little time to reflect, relax and have some ice cream. She will also be remembered and recognized annually at CAI when the Pat Massart Award, for the best auction proposal, is presented on Day One and when the Pat Massart Leadership Award is presented to someone from class III on Friday at the conclusion of CAI each year. My sincerest condolences to the entire Massart family and to all who knew her.

BUSINESS RELATIONSHIPS

2009 is here and if you haven't already done so, it is time to re-establish past business relationships, especially with those people who last year were not interested in having an auction. Many businesses or individuals may not have been ready in the not-too-distant past to think auction, but many things have changed in the past few months. So take some time and try talking with them again.

It is also time to establish new contacts with buyers and sellers alike, introducing them all to the benefits of the auction method of marketing. One of the fastest ways that I know of to establish new contacts is to take the CES (Certified Estate Specialist) designation course offered by NAA Education Institute. That course will help teach you to identify a sphere of influence that will help you establish more contacts that will net you more auction business. As Kim Hagen, CAI, AARE, CES, past AMI president and mentor, would constantly remind me, booking more business is only a matter of SMP (See More People) or STP (See The People). It takes a lot of "No's" to get a "Yes". The next CES class will be offered February 23–26 in Charleston, SC.

It's also a good time to conduct a SWOT (Strengths/Weaknesses/Opportunities and Threats) analysis on each of your present clients. Identify which clients are profitable and which ones may not be and which ones consume too much time for the return you get. Then analyze the different possibilities of how you can provide "value added" services to these clients through your business and what opportunities you may be able to suggest to help increase the return for both the buyer and seller.

STATES AND THEIR CONVENTIONS

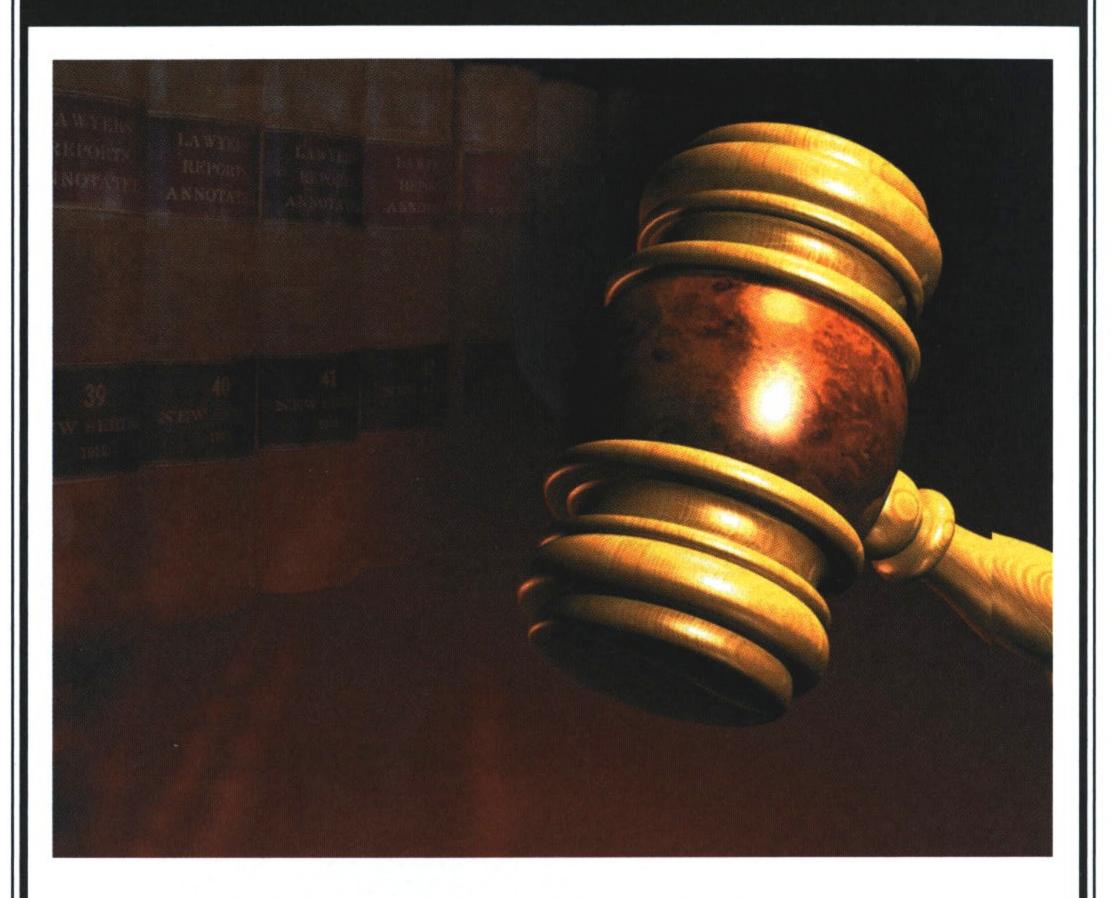
And finally, this is the season that most state Auctioneer associations have their winter conventions. Each of us should do our best to attend our own state convention, but it is also a great networking opportunity to attend other state conventions whenever possible. You will meet new friends, have a great time, maybe add some CE credits and hopefully take a little something home that will make your business more profitable and your life a little easier. And frankly, isn't that what all of us need?

And remember, "It's Your Attitude Dude" in 2009.

Have a great day,

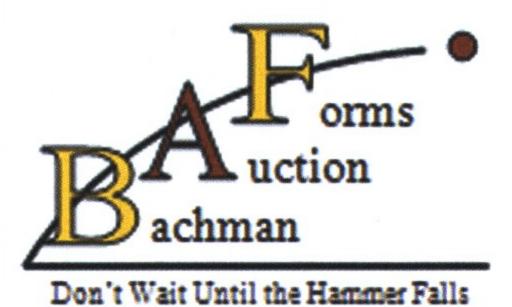
Randy

Going once, Going twice...SOLD!



Kurt R. Bachman, licensed Auctioneer and co-author of *Waiting for the Hammer to Fall*, knows that spending time and hard-earned money on purchasing pads of auction forms is a headache, and this is why he formed Bachman Auction Forms.

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Don't Wait Until the Hammer Falls

On fire for education

Virginia auction family is taking every NAA education class available

By Steve Baska, editor

To say that Auctioneer Tom Giroux, AARE, CES, of Virginia Beach, VA has a passion for auction education may be an understatement.

Since last July, Tom, 63, and his daughter Terrie Giroux, AARE, CES, have taken (or signed up for) every NAA education class available. They are finishing the course work to secure their newest designations and are charging forward toward new ones. "Terrie (who runs the firm's computer operations) and I are scheduled to take the MPPA class this month and the CAI program in March." (See all abbreviation descriptions at the end of this article).

Tom's wife Sandra (who runs the office) has taken or will take the ATS, CES and GPPA classes and graduated from Mendenhall School of Auctioneering last November. She has also taken the USPAP class (Uniform Standards of Professional Appraisal Practices), a requirement to



From left, Sandra, Tom and Terrie Giroux run Barrett Street Auction Company in Virginia Beach, VA.

obtain the GPPA designation. Tom has also brought along a contract Auctioneer on his team, Tom Perry, to take the AARE,

GPPA and other classes.

Why the passion? "I have been an Auctioneer for 20 years and my auction business concentrated on personal property until the last few years when I began auctioning real estate," he said. "While I was very busy and making a good living, I recognized that my marketing proposals were not of the quality of other Auctioneers who possessed some of the NAA designations. It was easy to recognize that I was not as technically-qualified or equipped with the latest information that some of my competitors had acquired."

Giroux said "The NAA classes have given me the tools to compete at the highest level

"I have immediately benefited from these classes by recognizing which customers to walk away from and how to acquire more real estate," said Tom Giroux.

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of the profession. I immediately benefited from the classes by recognizing which customers to walk away from and how to acquire more real estate, including submitting proposals to bid on seven figure commercial properties that I have never been asked to bid on before."

The bottom line was that Giroux knew his company's bottom line was not what it could be. "Often you don't realize you're not doing what you're capable of," he said. "I saw that my competitors were working less and making more money. We've been a true estate auction company, doing at least a once-a-month estate auction of everyday items, and I knew we could do more and a better job."

He urges all NAA members to consider taking the full range of NAA education classes. "I have come to realize that all the education dovetails together," he said. "At first I didn't think I'd benefit much from the BAS class (Benefit Auction Specialist), but I find people are calling us up and asking for help with benefit auctions, and the skills I leaned in BAS are very important. Also I took the ATS (Auction Technology Specialist) class because that was my weak point. The instructors were great and made sure everyone in the class learned the skills. That class was the real surprise 'sleeper' in all those I've taken."

Perhaps the main benefit of auction education, Giroux said, is that "The instructors paint a picture for you of where you have been and where your business can go in the future. They say 'This is the traditional way of doing business, but here are the trends; here is what the future is. Often we Auctioneers are so busy in keeping our immediate cash flow going that we don't take time to consider the future."

Terrie, 36, supports that view. "We were kind of stuck in our old cycle. We didn't really grasp what was possible," she said. "But each class has given us cutting-edge tools. I run our website and the ATS class gave me tools and skills to help drive people to our website."

Sandra said about the education that "We found we thought we knew stuff we really didn't know. The classes have been very beneficial in many ways."

The Girouxs run Barrett Street Auction Company, one of the largest auction houses in the Mid-Atlantic area. They handle onsite estate sales, estate tag sales, onsite auctions or estate liquidations through their 20,000 square-foot auction facility that seats 350. They serve Virginia, Maryland, Delaware, Pennsylvania, Ohio, West Virginia and south through the Carolinas.

Even if you are a busy veteran Auctioneer like Tom, he encourages you to take NAA classes. "I am a member of the gray hair club and, at my age, I cannot afford to waste time, so that is why I have taken every class the NAA offers," he said "The overall quality of each course is far superior to what I had anticipated."

NAA offers the following designations: Certified Auctioneer Institute (CAI); Auction Technology Specialist (ATS); Accredited Auctioneer Real Estate (AARE); Benefit Auctioneer Specialist (BAS); Certified Estate Specialist (CES); Graduate Personal Property Appraiser (GPPA) and Master Personal Property Appraiser - (MPPA). For detailed descriptions of these programs, visit www.auctioneers.org, and click on the link "Education and Designations" on the left side of the homepage. Or call Lois Zielinski, Education Coordinator, at 913-541-8084 ext. 28, or Harlan Rimmerman, NAA Director of Education, at 913-541-8084, ext. 19.



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Auxiliary expanding its role

More scholarships, education and networking are among group's goals

By Steve Baska, editor

The NAA Auxiliary has been expanding its role and activities in the last few years, and 2009 will reflect that effort in several ways. This story is intended to update the NAA membership on those plans and remind members about the breadth of what the Auxiliary is all about.

A primary accomplishment this year will be for the Auxiliary to award six scholar-ships to help youth fund part of their college costs. Three scholarships of \$2,000 each were awarded last year. The increase to six is year was a goal of Auxiliary President Barbara Fisher. "I want the Auxiliary to be able to help more of our children and grandchildren with their educations," she said.

The deadline for the scholarship application is February 23. If you would like to nominate a child or grandchild of an Auxiliary member (who has had continuous membership in the Auxiliary since January 1, 2004) contact Elaine Christian at (919) 876-0687; PO Box 41368, Raleigh, NC 27629 or email Elaine at execman@att.net.

An incorrect phone number for Elaine Christian was printed in the January Auxiliary column regarding Auxiliary scholarships. The correct phone number is (919) 876-0687.

The Auxiliary encourages any qualified member to nominate a child or grandchild for a scholarship.

Although the Auxiliary began on July 13, 1951, in Decatur, IL as primarily a networking and support organization for wives of Auctioneers, the group has changed as times have changed. Men have joined. The college scholarship program began. Seminars are being conducted by Auxiliary members to educate support staff and Auctioneers. A website for the Auxiliary has been established at www.naaauxiliary.org. A fundraising Fun Auction held during NAA's annual Conference and Show has grown.

Fisher says "The Auxiliary's primary goal is to support the National Auctioneers Association and to help educate the members of the Auxiliary."

She also points to the group's guiding vision and mission statements as leading the way toward expanded roles. The vision statement is "The Auxiliary is the source for promotion and advancement of the auction team in partnership with professional Auctioneers." The mission statement is "The mission of the Auxiliary is to embrace the entire auction team, to maintain high ethical standards, and to serve as a catalyst, creating education and networking opportunities associated with the auction method of marketing."

For example, in education, at this year's 60th International Auctioneers Conference and Show in July in Overland Park, KS, Auxiliary member Ruthie Taylor will present a seminar titled "Trade Shows,



The 2008-2009 Auxiliary Board that attended the long range planning meeting recently were, starting from right, ascending, Barbara Fisher, President; Susan Hinson, Vice President; Susan Rogers Holder; Darla Haynes, Lucinda Terrel; Annnette Wells, CAI, BAS, Chairman of the Board; Ramona King, Secretary/Treasurer; Lori Jones; Teresa Christy; Deidre Rogers, President-Elect. Kim Ward is in blue blouse in the middle. Not pictured are Sandy Bauermeister, Historian; Lou Blocker; Vicki Nitz and Terri Walker, CAI, BAS, CES.

a Key Factor to Promoting your Business." The seminar will be held on Friday, July 17, from 10 a.m. to 11:30 a.m. Different seminars have been presented in the past, including seminars titled "Customer Service" and "Cashiering Tricks and Tips" that were geared toward the auction support staff. They were written by and taught by three Auxiliary members: Barb Ruhter, Jane Aumann and Annette Wells, CAI, BAS.

Because the Auxiliary members hold a wealth of knowledge and experience in support staff issues, it's important they share that knowledge with others, members say.

Fisher also points to other recent projects

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done to accomplish the Auxiliary's goals. They include:

- Sponsored the annual Auxiliary Luncheon and Fun Auction at the NAA Conference and Show.
- Provided a professional speaker to address the needs and goals of the Auxiliary membership at the annual Conference and Show.
- Established the Hall of Fame award to recognize outstanding leadership and service within the Auxiliary membership.
- Provided funds to support NAA projects such as the "Investing in Our Future" campaign.

The Auxiliary encourages young people to join and get involved. "We would like more young members so we can benefit from their input, friendships and perspectives on goals for the future," Fisher said. "It's important for young people to be involved in all aspects of the auction industry and NAA, including the Auxiliary." Any person who has reached the age of 18 is entitled to join the Auxiliary upon recommendation of a member of NAA or a member of the Auxiliary in good standing. The Auxiliary recently gained 23 new members and is actively recruiting members daily.

The Auxiliary's website has been a centralized place to promote a sense of community among members. A photo gallery of scrolling photos shows Auxiliary members at recent events. An awards section shows Hall of Fame inductees, scholarship winners and others. A "good reading" page includes two recent books recommended by Chairman of the Board Annette Wells. Those include "All Business Is Show Business," by Scott McKain (about strategies for earning standing ovations from your customers and your employees), and "Chocolates On the Pillow Aren't Enough," by Jonathan Tisch (about re-inventing the customer experience). "The website is an informative tool that can be used by all Auxiliary members," Wells said. The website also lists names and contact information for all officers of the Auxiliary. Visit the website at www.naaauxiliary.rog.

Long range planning has also grown in importance for the Auxiliary in the last few years. The board met last October for a long range planning meeting in Pompano Beach, FL.

Fisher said "It was a jam packed weekend for the 11 board members, one member at large and NAA President Randy Wells (CAI, AARE, BAS, CES, GPPA). Mayor Lamar Fisher, CAI, AARE, presented both of us with keys to the City of Pompano Beach."

At that meeting, some of the decisions included: the Auxiliary will continue to work with the Education Institute; Auxiliary members will wear a button advertising the Auxiliary at the NAA Conference and Show; the Auxiliary booth at the conference will be placed close to the NAA registration desk; Auxiliary members will be present at the New Members' breakfast at the Conference; there will be two digital frames with Auxiliary photos playing all time at the Conference; the attendance goal for the Auxiliary luncheon at the 2009 conference is 250.

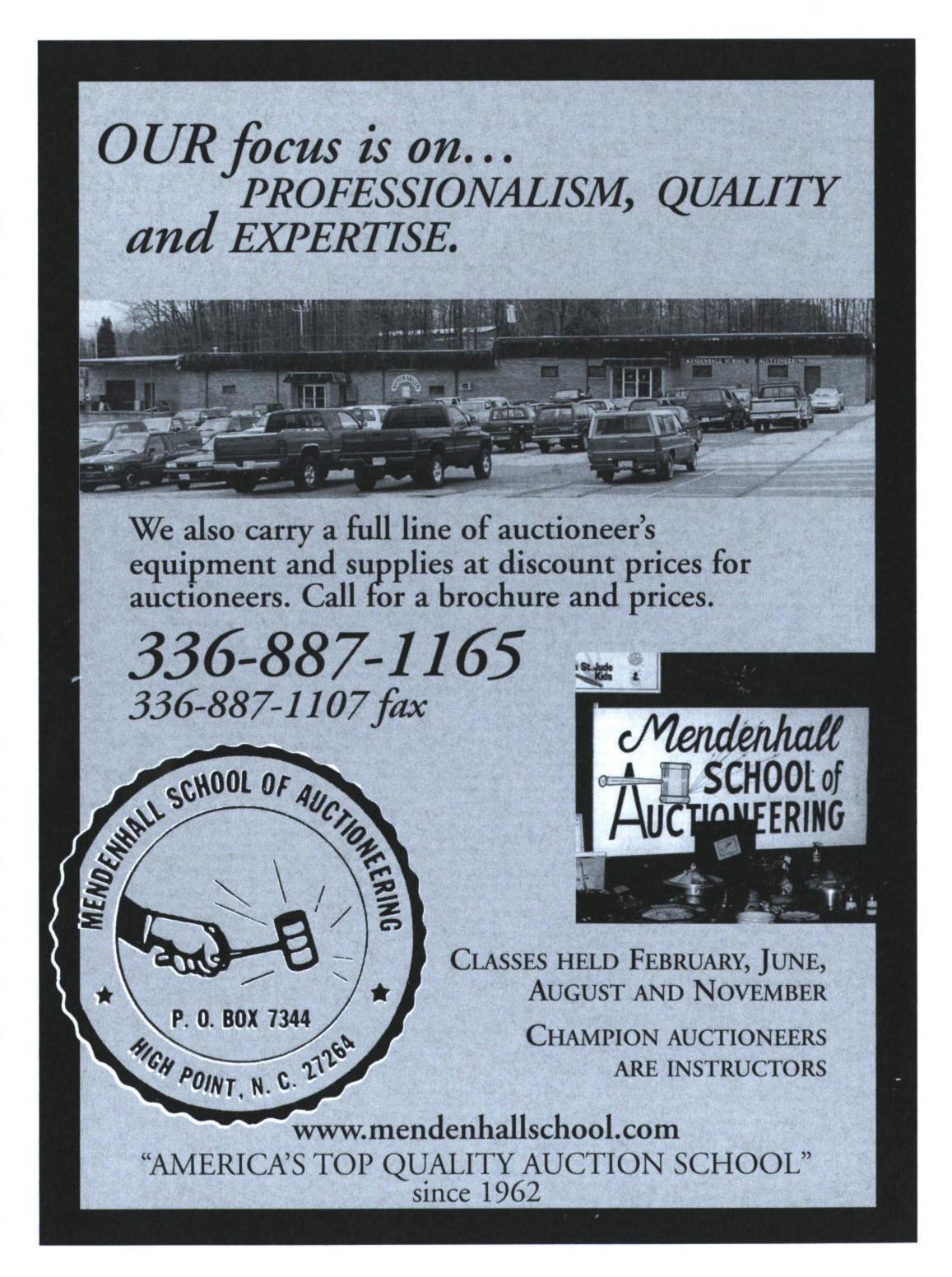
"This will be a very important business meeting on Thursday, after the speaker. We need everyone to be in attendance," Fisher said. "We are looking forward to an exciting time together. Plan



During a long-range planning meeting with the Auxiliary, NAA President Randy Wells, CAI, AARE, BAS, CES, GPPA, left, accepts a key to the city of Pompano Beach, FL from Mayor Lamar Fisher, CAI, AARE.

to attend all of the Auxiliary functions."

The Auxiliary members look forward to continuing to expand the role and vision for the Auxiliary in supporting the auction industry in the future.



Making improvements
NAA board of directors changes the Code of Ethics,
finances, committees, 2009 budget and objectives, and policies.

Conference calls are part of the way of life for the NAA board of directors. And a call on December 18, 2008 was no exception. The call began early that morning and ended more than two-and-a-half hours later. The formal summary of that call is posted online on www.auctioneers.org. But here is the story behind the story.

The five main issues discussed on that call were:

- 1) A change in the bylaws to reflect a change in the Code of Ethics.
- 2) A change in the bylaws to reflect the change in the fiscal year.
- 3) A change in the bylaws to add two new standing committees.
- 4) Approving the 2009 Business Plan and Budget.
- 5) Approving new policies and procedures for the board of directors.

The changes in the bylaws were noted in the November issue of Auctioneer, a requirement in order to provide NAA members notice of the potential action to revise the bylaws.

CODE OF ETHICS

The board revised the Code of Ethics in the October Board meeting in order to strengthen the penalties outlined if a member was found to have violated the Code of Ethics. During that time, a



recommendation was made from Daniel F. Church, NAA's legal counsel, to add private or public censure as part of the penalties. The board voted to approve this recommended change and thus revise the bylaws as noted below (the change in red is the addition the Board approved):

c) Suspension, Article II, 10, c: Reprimand, Expulsion, private or public censure. A member may be suspended, reprimanded, privately or publicly censured or expelled from the Association if he or she has been found to have violated the Code of Ethics of the National Auctioneers Association, the Articles of Incorporation or these Bylaws. No such action shall be taken against any member until the member shall have been given written notice of the charges against him or her and have been granted a hearing before the board of directors regarding such charges. The decision of the board of directors in such regard shall be final.

FISCAL YEAR

In 2008, the board of directors determined that a change in the fiscal year to be aligned with the calendar year would better reflect the true financial picture of the organization. It also allows the organization more flexibility as the annual Conference and Show, one of the top revenue generation events for NAA, is held mid-way through the year. The organization can make changes based on the financial performance of this event. The fiscal year was proposed to end on December 31 each year. While the board made this adjustment, the bylaws needed to be adjusted as well.

STANDING COMMITTEES

Two new standing committees were added to Article XII of the bylaws: the Audit Committee and the Human Resources

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Audit Committee. Both of these committees will provide the Board more oversight in the organization.

The audit committee consists of the treasurer, the past treasurer IF the treasurer is new to the position, and three non-board members. This committee will be responsible for reviewing the financial position of the organization. For 2008-09, the audit committee is comprised of treasurer Kurt Kiefer (who also serves as chair), Terry Dunning, CAI, MPPA; B. Mark Rogers, CAI, AARE and Sue Doyle, CAI.

The Human Resources Audit Committee will review the NAA Staff Member Handbook on a bi-annual basis and will serve as a review for the CEO's policies and practices regarding oversight of staff. For 2008-09, the HR Audit Committee is chaired by Director Christie King, CAI, AARE, BAS. Also serving on that committee are Rob Whitsit, Treasurer Kurt Kiefer and Director Shawn Terrel, CAI, AARE.

APPROVAL OF 2009 BUSINESS PLAN AND BUDGET

The business plan and budget was presented to the board as recommended by the Executive Committee. The budget reflects an income of \$3,064,500 and expenses of the same (including a \$247,742 contribution to reserves and continuing operations).

The budget supports a robust business plan that outlines objectives for staff to use in making progress towards NAA's vision, which is: The National Auctioneers Association (NAA) will unify and lead the auction and competitive bidding industries so they will be increasing utilized as the preferred method of sale for personal and real property in all segments of the economy.

The objectives include the following:

- 1) Grow regular membership by 100.
- 2) Determine a benchmark number and then increase the number of people who take NAA education.
- 3) Operate in a financial surplus each year.
- 4) Maintain annual operating capital of \$250,000.
- 5) Restore life-member funds by 12/31/09.
- 6) Create a reserve of \$650,000 by 12/31/2012.
- 7) Increase the number of people coming to the NAA website and the length of time they stay.
- 8) Measure the effectiveness of the strategic partnerships.

WHY ARE THESE OBJECTIVES IMPORTANT?

According to Randy Wells, CAI, AARE, BAS, CES, GPPA, president of NAA's board of directors, objectives provide staff direction without the board having to provide day-to-day operational support.

"These objectives clarify what is important to the board," Wells said. "Membership is a critical component of this plan.

He noted that membership has fallen within the last year from a high of more than 5,500. "Within one year, we have lost almost 800 members in NAA," he said. "It is important to reach out to those individuals and try to help them understand that we need them, we want them and find out what we can do to get them back."

Jay Nitz, CAI, chairs the Membership Committee. The committee is working on several strategies to reach out to past members. For example, if cost is the predominant reason that a member is not rejoining, NAA staff has developed a payment plan option that allows the individual to make three equal payments. The membership committee and staff have also made several personal phone calls to reach out to members who may have dropped their membership to find out how NAA can best meet their needs.

Scott Shuman, CAI, chair of the Education Institute and a member of the Executive Committee, said that education remains a focal point for the board and that is why increasing the number of people taking education is an objective.

"Education is the most important benefit that NAA offers members," he said. "We have asked staff to increase the number of people who take education and there only two ways they can do that: (1) improving the quality of the program and (2) increasing the awareness of the program. I am confident they will be working on both during the next year."

Several of the objectives that were approved by the board address ensuring the future viability of NAA's financial situation. During the transition fiscal year that ended 12/31/08, NAA ended the year with a positive surplus. Some of these funds will be used to restore some of the life member funds. The rest will be carried over to use as operating funds for NAA.

"It is clearly our focus to ensure that NAA is financially sound," said Kiefer. "This will allow our staff to continue to offer the

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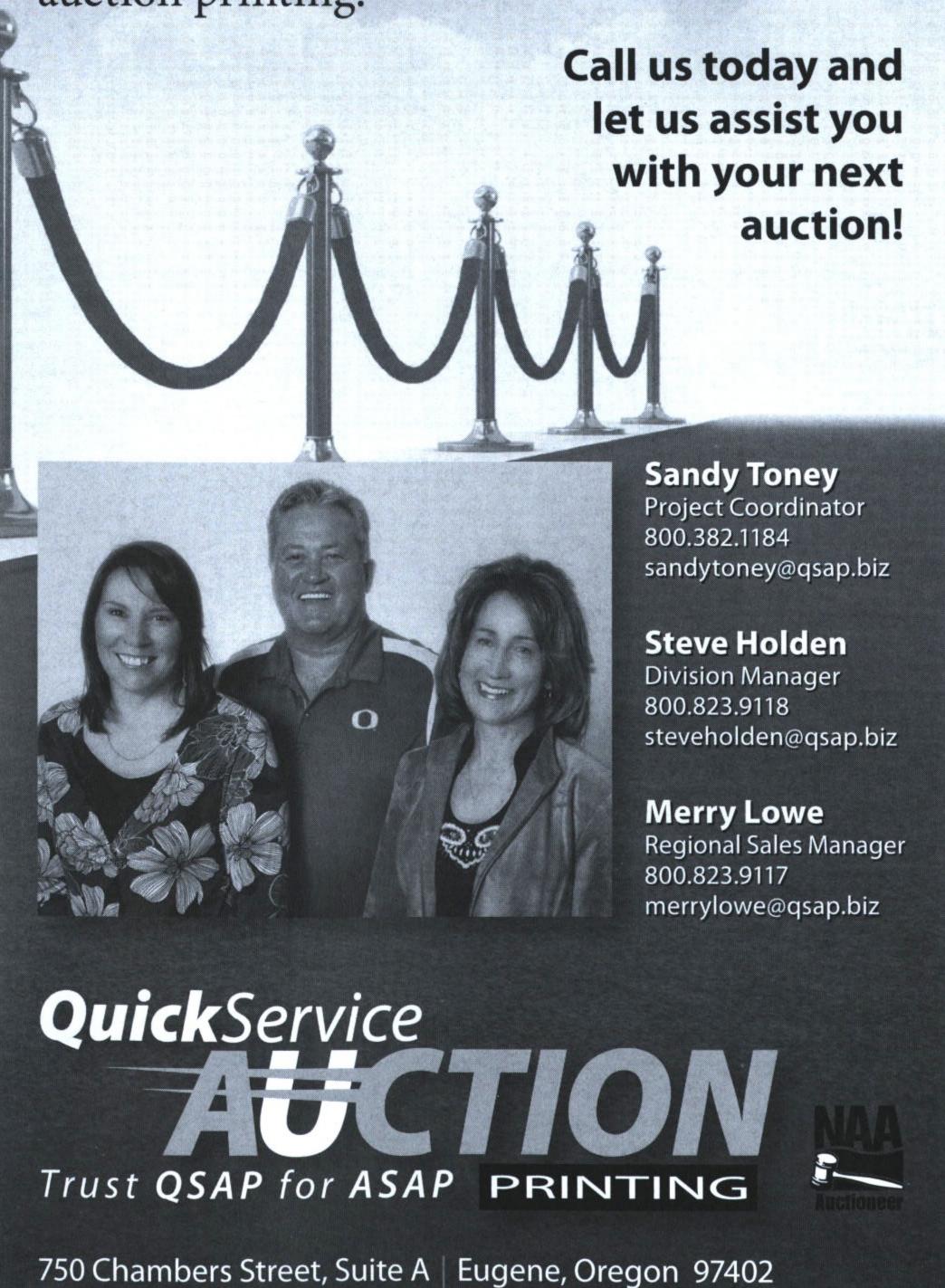
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naa board actions

programs and services that we are known to do."

Kiefer noted that having the life member funds be permanently designated as such is important as they were originally designed to provide NAA ongoing support.

ADOPTION OF BOARD POLICY AND PROCEDURES

The board also discussed and approved several Executive Committee recommendations regarding policies and procedures designed to ensure the meetings run smoothly and efficiently. These policies include:

- All reports must be written and in the board book. The board members have an obligation to thoroughly read these reports, come to the meeting prepared with questions and comments about the report. The chair of the committee only addresses the questions and comments about the report; otherwise the report stands as written.
- The board book will be sent electronically seven days in advance of the meeting. The board member must print his/her copy or have a computer available to download the contents.
- No action items will be voted on during committee reports. Action items may be identified during committee reports and chairs can request that the action items be moved from discussion to action at the end of the action item list.
- The chairman of the board will use his prerogative to ensure that board members do not duplicate comments or questions about an issue during the meeting.
- The board reiterates our commitment to Robert's Rules of Order.

The Executive Committee also submitted a recommendation for discussion that the board of directors currently has too many members. The committee proposes that the board be reduced by one member per year for the next three years. This action will require a change in the Articles of Incorporation as well as the bylaws. The board will discuss the revision to the bylaws at the April meeting. However, if the board passes this revision, the Articles of Incorporation must also be revised and that can only be done if a vote from the membership supports this at the Annual Business meeting in July.

REPORTS

The board also discussed the Technology Committee's decision to distribute a request for proposal to revise NAA's website. The current website attempts to meet the needs of three targeted audiences: members, potential members and consumers. As a result, the site is crowded with information and few people can find the information they need on this site. The Technology Committee recommends that the RFP be written in such a way that provides two sites. The RFP was expected to be distributed in January and plans are for designs to be ready for demonstration at the 60th International Auctioneers Conference and Show in Overland Park in July.

SUMMARY

Wells reiterated that the board is committed to ensuring that their meetings are transparent. Often, the summary of the meeting doesn't provide the insight into why the decisions are made. As a result, the board has directed that this kind of communication be provided to members.

"As much as we try to communicate our intentions," he noted, "sometimes we don't do it justice. That's why we encourage all of our members to not assume they know our intention, but to ask. Contact me at randy@rasnw.com.

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Legal Questions Advertising absolute with Auctioneer bidding

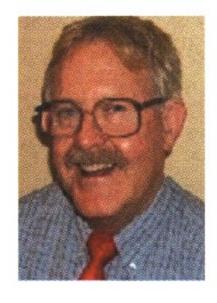


Kurt R. Bachman

Kurt R. Bachman is an attorney and licensed Auctioneer from LaGrange, IN. He can be reached at 260-463-4949 or krbachman@beersmallers.com.

Kurt R. Bachman and Beers Mallers Backs & Salin, LLP, appreciate the opportunity to review and answer legal questions that will be of interest to Auctioneers. The answers to these questions are designed to provide information of general interest to the public and are not

intended to offer legal advice about specific situations or problems. Kurt R. Bachman and Beers Mallers Backs & Salin, LLP, do not intend to create an attorney-client relationship by offering this information, and anyone's review of the information shall not be deemed to create such a relationship. You should consult a lawyer if you have a legal matter requiring attention. Kurt R. Bachman and Beers Mallers Backs & Salin, LLP, also advise that any information you send to Auctioneer shall not be deemed secure or confidential. Please visit one of our offices to ensure complete confidentiality.



like to know if it is legal to advertise real estate as "absolute auction" and then announce that the Auctioneer will bid?

Walt Dozier Vero Beach, FL

ANSWER: In a reserve auction, an Auctioneer generally can bid on a lot as the agent of a seller as long as the seller gave him or her authority to do so. In addition, an Auctioneer can bid on property for himself or herself, provided that the seller consents

I am in Florida. I would and the Auctioneer actually intends to purchase the lot. In both instances, an Auctioneer should fully disclose that he or she will be bidding to the bidders. However, at least one state prohibits an Auctioneer from bidding at his or her own auctions.

> In an auction without reserve, an Auctioneer generally cannot and should not bid on property in the sale. (This is true regardless of whether an Auctioneer wants to bid on behalf of a seller or him or herself.) An Auctioneer, as the agent of the seller, owes a fiduciary duty to the seller. A

fiduciary duty is the highest duty imposed by the law. An Auctioneer has a duty to sell the property to maximize the proceeds for the seller. An Auctioneer also has a duty of loyalty to the seller. But, an Auctioneer also has ethical duties and legal responsibilities to the public.

The NAA Code of Ethics defines "absolute auction" as, "[a]n auction where the property is sold to the highest qualified bidder with no limiting conditions or amount. The seller may not bid personally or through an agent." Under the law in most jurisdictions and the NAA Code of Ethics, Auctioneers are prohibited from bidding for the seller at absolute auctions. In addition to the prohibition in the NAA's definition of "absolute auction," the NAA Code of Ethics includes an express prohibition against encouraging a client to market property as absolute and then converting or canceling the auction. Article 1, Standards of Practice 1.2 of the NAA Code of Ethics states, "[t]he practice of encouraging a client to market a property as absolute when in actuality the member has verbally promised to convert the sale to an auction with reserve, or alternatively to cancel the sale if the marketing campaign does not produce an opening bid sufficient to satisfy the intended reserve of the client, is strictly prohibited." Realistically, if the Auctioneer bids on

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legal questions

behalf of the seller at an absolute auction, then the absolute auction now has an artificial price (the Auctioneer's bid), which has the same effect as converting the absolute auction to a reserve auction.

Furthermore, advertising an auction as absolute and bidding at the sale is inconsistent and could be construed as fraud or misrepresentation. At an absolute auction, the Auctioneer steps into the shoes of the seller and makes an offer to sell the property to the highest bidder with no reserve or limiting conditions. The Auctioneer should not be able to make an offer to sell the property and also be the same person accepting the offer to purchase the property. Bidders could challenge the validity of the sale, allege fraud, and raise ethical questions about the sale.

In addition to the ethical and legal issues described above, Auctioneers should consider the potential consequences of attempting to bid on behalf of the seller at an absolute auction. Even if the practice results in more money for sellers initially, frequent bidders will learn or discover what is happening. Once bidders learn that it is an Auctioneer's practice to advertise a sale as absolute and then bid at the auction, it may have a negative impact on the Auctioneer's reputation. Afterwards, bidders may elect not to attend the auction or will only submit limited bids. Ultimately, such conduct will have an impact on the Auctioneer's reputation and negate the effectiveness of advertising the property as being sold at an absolute auction.



MUST A RESERVE PRICE BE ANNOUNCED?



Some years ago, the state of California enacted an "Auction Commission" and the state's laws said "All auctions are considered reserve unless otherwise stated." So, the default auction was a reserve auction, with no announcement being needed in the media.

The auction commission also required that all Auctioneers reveal their reserve prices to any person

asking for such price "prior to the auction". And, we were required to have a printed copy of the reserve at the public clerk table as proof. But then, a few years ago, the governor disbanded the Auction Commission, and took their monies into the State General Fund.

My question is now, "Should or must a reserve be announced or made available" under law in California or elsewhere? And is it, or should it be, part of our NAA Code of Ethics that reserves be made available upon demand?

Anastasios (Tommy) Nicholas Varzos Zephyr Cove, NV

ANSWER: Generally, an Auctioneer does not have a duty to disclose the reserve price to the bidding public. Remember, the Auctioneer is an agent for the seller. The Auctioneer's loyalty is to his or her client. According to Article 1 of the NAA Code of Ethics, "Members pledge to protect and promote the interests of the client. This obligation of absolute fidelity to the client's interests is primary, but does not relieve members of the obligation to treat all parties to the transaction fairly." However, treating all parties to the transaction fairly does not mean that the Auctioneer must reveal the reserve price to a prospective bidder. The purpose of this section of the NAA Code of Ethics is to establish that Auctioneers cannot treat a bidder unfairly. It is not unfair to a bidder, if the Auctioneer does not disclose the reserve price. If the reserve price is not disclosed to any bidders, then none of the bidders were treated unfairly.

The majority of jurisdictions do not require an Auctioneer to disclose the reserve amount. Each state and municipality may have its own laws and regulations that govern reserve auctions. I am not licensed to practice law in the state of California, and therefore, am unable to make specific comments about their laws. In order to be certain about the laws, you should contact a licensed attorney from California.

Whether the NAA Code of Ethics should be revised to require members to disclose the reserve amount is an interesting question that should be considered by the NAA board of directors. Such disclosure is not common or usually required. Unless state law requires an Auctioneer to make a disclosure of the reserve price to bidders, or the seller authorizes the Auctioneer to disclose the reserve price to bidders, an Auctioneer should not disclose the reserve price to bidders. The Auctioneer's duty of loyalty is to the seller.

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Auctional

Plan your special day It's time to plan a benefit auction and

promotions for National Auctioneers Day

National Auctioneers Day – Saturday, April 18, 2009 – will be a day to celebrate the auction industry and its practitioners, as well as to help your community and promote your business. It's time to plan what you can do to celebrate this special day.

National Auctioneers Day is set aside by the NAA board of directors annually to draw attention to the auction method of marketing. All NAA members are encouraged to consider holding a benefit auction to raise funds for St. Jude Children's Research Hospital (NAA's designated charity) or for a local charity in your community. Or you can designate certain items at a regular auction to benefit a charity. Auctioneers have a long history with St. Jude. Since 1996, NAA members have raised more than \$4 million for St. Jude to help children who are battling lifethreatening illnesses.

NAA members are also asked to get media attention for the day by having a National Auctioneers Day proclamation signed by your mayor or governor (See sample proclamation on following page). Send the proclamation (along with a letter) to the official's attention. If you want to be present during the signing of the proclamation, note that in your letter. If you attend the signing, don't forget to get a photo and send the photo and copy of the signed proclamation to your local newspaper, to your state Auctioneers' association and to *Auctioneer* magazine.

National Auctioneers Day is also an ideal time to promote your business by sending a press release about the benefit auction you may be doing, or other charity work to help your community (See the sample press release on following pages).

HERE ARE ADDITIONAL WAYS TO MARKET NATIONAL AUCTIONEERS DAY AND YOUR BUSINESS:

- Write an article for your local newspaper. It can focus on your auction business, the history of the auction industry or the NAA's comprehensive Industry Research Study. The NAA website, www.auctioneers.org, has a number of speeches and presentations from which you can glean ideas. Or propose a monthly auction column to your local newspaper.
- Create a giveaway item to distribute to clients during the month of April.
 Wrist bands are an example. Create one with a catchy slogan, "Get in the Action of an Auction" or "Sell it at Auction." Or order the more traditional giveaways such as refrigerator magnets, sunglass cases, calculators or mouse pads. Be sure to include the NAA logo along with your company name and contact information.
- Hold an amateur bid-calling contest for local residents, or children. Work it in with a regular auction (as a bonus for a special client). It can be a two-hour affair with contestants sounding off by selling a few items. The grand prize could be donated from a local merchant (restaurant, travel agent or grocery store). Hand out brochures and business cards to promote your business. It's sure to generate media coverage!
- Announce the day to your clients through a letter or postcard. Use it as a way to promote your upcoming auctions in April. Don't forget to also

post it on your web site. A simple statement, such as "April 18 has been designated as National Auctioneers Day to pay tribute to auction professionals and the services they provide to the American public" will do the trick.

• Visit a classroom and educate students about the auction industry and what it takes to become an Auctioneer. It can tie into a career day, or stand on its own as a special guest visit. Be sure to give them a sampling of your bid-calling, and let them give it a try. Give them some background on the history of auctions and tell them how you got started in the industry. Pass out brochures, magnets, pencils or other giveaways they can take home.

Send us your stories and photos of your events held on National Auctioneers Day.
Email to: steve@auctioneers.org

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Sample Press Release

[Company Letterhead]

FOR IMMEDIATE RELEASE

Contact: [Contact]
[Business Name]
[Phone #]

National Auctioneers Day Saturday, April 18, 2009

[City, State] [Date] – The third Saturday of April marks a special day in the lives of Auctioneers throughout the United States, National Auctioneers Day. [Name] and [Auction Company] will join fellow Auctioneers and celebrate this annual event on Saturday, April 18, 2009.

One of America's oldest trades and the last bastion of the competitive free enterprise system, auctions and the age-old profession of auctioneering continue to grow. Auctions thrive in today's economy with approximately a quarter-trillion dollars in goods and assets sold annually at live-auction in the United States.

Consumers enjoy the thrill of an auction. Auctions are an effective and efficient means of turning assets into cash quickly. Most importantly, auctions are fun and entertaining. Auctioneers celebrate this annual event each year by volunteering in the community or coordinating an auction for a charitable organization in their community.

"Quote about community and charity work of Auctioneer," said [Name].

A 2004 study by Harris Interactive found the following facts about auctions:

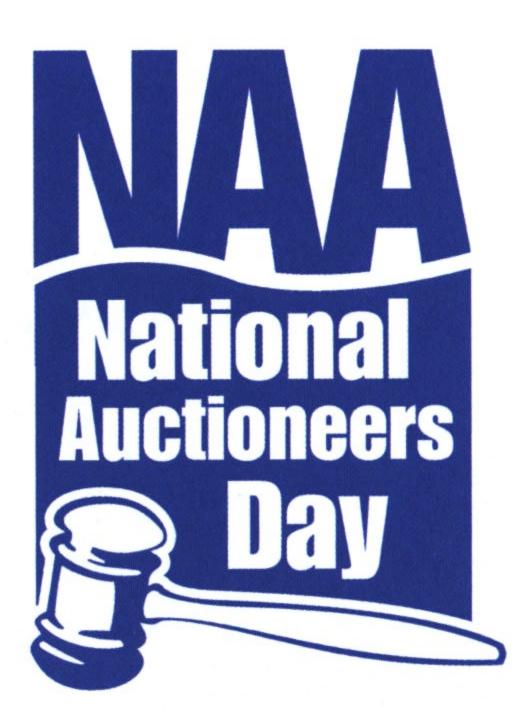
- -97% of attendees feel auctions are fun.
- -92% have a favorable impression of Auctioneers.
- -75% of attendees bring the whole family when they attend an auction.
- -Consumers will travel 1.3 hours to attend an auction.

[Information about the Auctioneer and auction company (e.g. years in business, specialty areas of business, website, etc.]

From the avid weekend auction fan, to the first-time buyer, [Auction Company] encourages consumers to join them at an auction and enjoy the experience.

###

National Auctioneers Day Proclamation



National Auctioneers Day Saturday, April 18, 2009

WHEREAS, the live-auction industry contributes approximately a quarter-trillion dollars to the United States economy each year; and

WHEREAS, auctioneering is one America's oldest trades; and

WHEREAS, auctions are the last bastion of the competitive free enterprise system in America; and

WHEREAS, the National Auctioneers Association's members strive to advance the auction method of marketing; and

WHEREAS, the National Auctioneers Association seeks to establish and uphold the highest standards of professionalism for its members in serving the American public,

THEREFORE, I (NAME and TITLE) hereby proclaim Saturday, April 18, 2009 as National Auctioneers Day.

- (Signature)

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Use the recession

While the economy is down, make your company known for great service above all competitors



Ryan George is owner of BiPlane Productions
Inc. and a member of the Auctioneer Magazine
Editorial Committee. For more auction advertising tips and trends like these, visit:
rytings.com/adverryting.htm.

By Ryan George

I recently spoke with a real estate auction coordinator (and broker) whose local market took a hit before the national real estate market slowed. In a geographic area that two or three years earlier had seen building moratoriums and upwards of 30% annual appreciation, home prices fell at well-into double digit percentages. As a result, roughly 50% of real estate agents in



his county did not renew their licenses. The downturn got rid of half of his competition in one year.

During a boom time, lots of people jump into your competition pool, trying to glean from the flux of business. In a recession,

your industry has to share fewer transactions. The Darwinian nature of capitalism tends to sift your weaker competition from the herd. The buying public's attention is left to focus on the stronger players still in the game, players like you.

Economic lulls can be a great time to establish and even grow your brand—your company's public perception—and not just by attrition. During a slump, consumers grow more careful in their purchasing decisions, as costs and mistakes are more difficult to absorb. So, perceived value grows in importance. The value associated with your brand will separate you from the pack faster during a recession than in a boom period.

Here's a vehicle example: six months into

Economic lulls can be a great time to establish and even grow your brand—your company's public perception—and not just by attrition.

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2008, MINI Cooper sales rose 33.3%, while BMW (MINI's parent manufacturer) sales dropped 8.7%.

"The last three months have been the best in our history as the significant structural shift to small cars has brought into our dealerships a diverse range of vehicle owners that currently drive large cars, SUVs and trucks. Our retailers tell us these people recognize the combination of efficiency, great dynamics and premium values MINI provides and it allows them to downsize their vehicle without downsizing their aspirations,' said Jim McDowell, Vice-President MINI USA."*

(Lest you doubt my objective research, know that Honda—a manufacturer whose lineup contains far fewer trucks and large SUVs than their slumping competition's lines—saw their sales rise 8.5% domestically in the first half of 2008.**)

MINI Coopers prove more expensive than cars of similar size and fuel economy. But their value appears much higher due to intentional selection of amenities and the consistent, targeted marketing of the brand (and the rising cost of gas).

So, I'm not telling you to charge less for your services. My company, BiPlane Productions, has consistently kept or raised its fees every year; and it's seen increases to record levels in number of auctions to advertise in 2007, then again in 2008. I've added actual value to the services BiPlane offers and perceived value through targeted presentation of BiPlane's brand. That brand is reinforced with a professional email blog, press releases, phone consultations, NAA committee volunteering, and hand-written notes to clients and prospects.

Five tips for recession-proofing your brand

- 1. Simplify your message and visual impression.
- 2. Focus on client value rather than company information.
- 3. Illustrate your value with charts more than words.
- 4. Concentrate advertising on a smaller-but-targeted audience.
- 5. Reinforce your brand image with consistency.

You've just got to prove you're worth your price—regardless of your price. In your marketing materials, answer the questions that prove your value, questions like: "What do you do that's different than your industry's standard?" and "What don't you do that most of your professional peers are wasting time, energy, and resources to offer?" Tout your answers to both.

When you use customer quotations or referral letters, choose the ones that speak to specific benefits, not just general satisfaction. Treat them like movies and restaurants do their critics' reviews. Make your company promotion as succinct as possible. When customers are comparing options, they want the comparison to be as quick and easy as possible. So, replace your paragraphs with visual images.

Illustrate your track record or services with comparison charts and/or easy-to-read graphs in your proposals and marketing materials. Show the regions you serve (towns, counties, and/or states) with a map, not a list. If you have the data, illustrate your company's reach by exhibiting where your bidders and web visitors call home.

While your competitors are cutting their marketing, their presentation, and their support staff, their brand recognition in

the marketplace drops. That vacuum gives you a place to extend your brand recognition.

If you must scale down your own company promotion, direct it to a smaller, more targeted public, cutting general, "shotgunstyle" ads, mailings, and web spots. Weed or purge your mailing lists. Poll your bidders to determine which media outlets most often get in front of your target audience. Simplify your advertising to just one or two points, and unclutter your advertising design to make it easier for your message (and brand) to be remembered.

Your dedication to a consistent, corporate image will build residual advantage, regardless of economic conditions. If you can establish yourself as the value brand in your market during a recession, you will accelerate into the growth periods faster than my own MINI Cooper does out of a clover leaf. Well, almost.

(* July 1, 2008. www.autonews24h.com, "Auto News: Auto Industry: BMW: BMW USA Reports June Sales". ** July 29, 2008. www.world.honda.com, "Honda Sets 10th Straight All-Time Record for Worldwide Auto Production in First Six Months".)





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NAA Member News

Virginia Auctioneer becomes chairman of state auction regulatory board



Bill Bryant, CAI, AARE,

Bryant, CAI, AARE, GPPA, president of the Counts Realty & Auction Group, has accepted the post of chairman of the board of Virginia's Auction Regulatory Board. Governor Tim Kaine

appointed Bryant to the five-member board in October of 2007. After serving the first year of his four-year term, the board unanimously voted Bryant their chairman.

"This is a high honor for me," said Bryant.

"I care so much about the state of the industry across the commonwealth. To have the opportunity to shape that; well, it's a responsibility with exciting potential."

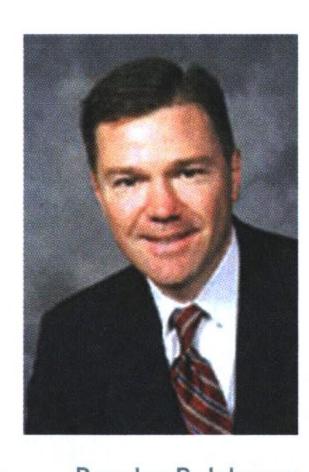
Bryant's auction firm employs four past presidents of the Virginia Auctioneers Association, a group that tries to improve the professionalism of the industry through continuing education and ethics standards. "As a company, we are very involved with the industry on the state level, but this regulatory board involvement allows us to influence how the government interacts with us Auctioneers," said Bryant.

Bryant has been working at the auction firm since 1982, becoming president in 1999. "I've learned a lot about the auction process in Virginia. I have a lot of friends

amidst my competition," he said. "I hope to represent my company and even my competitors well at this post."

Counts Realty & Auction Group is one of the largest auction companies in Virginia with eight offices across the commonwealth, conducting more than 60 auctions per year, most of them real estate. Specializing in land and multi-tract auctions, Counts has conducted auctions since 1964. More information about the firm is available at www.countsauction.com. Bill Bryant can be reached at 800-780-2991.

Douglas P. Johnson named broker of the year in division of Chicago Association of Realtors



Douglas P. Johnson

CHICAGO, IL – Douglas
P. Johnson, a partner
and Senior Vice
President of Sheldon
Good & Company
Auctions, LLC of
Chicago was
recently named
Broker of the Year of
of Investment Sales
Diversified for the

CommercialForum, a division of the Chicago Association of Realtors. The awards were presented at the 2008 CommercialForum Honors Awards Dinner at Trump International Tower. The event, presented in part by the Wall Street Journal, is the premiere awards program for commercial real estate practitioners, recognizing excellence in the commercial and investment brokerage community.

Johnson said, "This is a highly-coveted distinction and I am honored that the judges recognized my achievements. I am proud to represent Sheldon Good & Company in such a positive way and to have the opportunity to extend my auction expertise through my affiliation with the Chicago Association of Realtors and CommercialForum."

Gold Awards were granted in 12 categories total, including Investment Sales Industrial/Commercial Redevelopment, Investment Sales Broker Multi-Family, Investment Sales Diversified, Investment Sales Industrial, Investment Sales Office, Investment Sales Retail, Leasing Industrial, Leasing Office Owner Representative, Leasing Office Tenant Representative, Retail Leasing Owner Representative, Retail Leasing Tenant Representative and Rookie of the Year.

The awards program is open to all licensed commercial and investment practitioners. The criteria used for judging the awards analyzes closed transactions activity of the nominee from July 1, 2007 and June 30, 2008 and included the following attributes: gross dollar volume, number of transactions completed, impact on the community, professionalism, ethics, industry involvement, community involvement, clients' impressions and peers' impressions.

Johnson is a widely recognized expert on the real estate auction and donates his time to performing charity auctions around Chicago. In the last year he has worked with the American Diabetes Association, Omni Youth Services, Center for Enriched Living, Ezra-Habonim Niles Township Jewish Congregation, Illinois PGA, Illinois Hospitality Lodging Association and others.

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OBITUARIES

Patricia L. Massart, CAI, BAS, CES, GPPA



Auctioneer Patricia L.

Massart, 61, died on
December 31, 2008
surrounded by her family
and friends at her home in
Green Bay, WI after a
courageous battle with
pancreatic cancer. Pat was
vice president of United
Country Massart

Auctioneers, Inc., where she was Auctioneer, appraiser and consultant.

Pat was born on March 4, 1947 in Green Bay. She graduated from Preble High School in 1965 and Bellin School of Radiology in 1967. Pat married Robert "Bob" Massart on December 30, 1967. Pat worked full time as an x-ray technician in Norfolk, VA, Pensacola, FL and Beaumont Clinic in Green Bay for 15 years. In 1983 she graduated from Reisch Auction College and joined her husband, Robert, as an Auctioneer in their family business -

Massart Auctioneers, Inc. Pat graduated from the Certified Auctioneers Institute in 1991 and became a passionate advocate promoting the auction industry. She was later elected to the Board of Governors of the Certified Auctioneers Institute where she served for six years. During that time the Certified Auctioneers Institute changed its name to The Auction Marketing Institute and became the educational arm of the National Auctioneers Association. Pat was a class advisor for the Auction Marketing Institute influencing Auctioneers across the country for the past 17 years.

In recognition of her dedication and service, the Pat Massart Leadership Award was created and the Pat Massart Scholarship Fund was named in her honor. To contribute to the scholarship fund, contact Carol Jorgenson, executive director of the National Auctioneers Foundation at 913-541-8084, extension. 17.

Pat competed in the International Auctioneer Bid Calling Contest for several years and in 1964 was named 1st runner up in the competition. Pat was a member of St. Bernard Parish for 21 years and the Koinonia community making K-17 in 1986. Pat also worked at many Koinonia retreats. She actively

supported the Barry-Bestul Endowment for Catholic Education and Project Haiti. Pat made two mission trips to Haiti where she helped support the needs of impoverished Haitian children because they held a special place in her heart.

Pat is survived by her husband of 41 years, Bob, their four children and their spouses – Lara and Tim Feldhausen, Damien and Michelle Massart, Tricia and Broc Berge, Timothea and Dana Van Den Heuvel; seven grandchildren; her parents - Louis and Ethel Monfils; her brother and his wife – Marty and Gina Monfils; mother-in-law – Evelyn Massart; brother and sisters-in-law – Andy and Jane Massart, Annette and Richard Coshenet, John and Diane Massart; and several nieces and nephews. Pat was preceeded in death by her granddaughter, Katherine Feldhausen, and her father-in-law, Harris Massart. A mass of Christian Burial was held at St. Bernard Church. Entombment was in the Allouez Chapel Mausoleum. Pat's family thanked the Vince Lombardi Cancer Center staff for their care and support over the past two years. As Pat wished, a memorial fund has been established to support the Barry Bestul Fund and Project Haiti. Information is available contacting by info@massartauctioneers.com.

Steven L. Good, AARE



Steven L. Good, chairman and CEO of Sheldon Good & Company Auctions International, LLC, of Chicago, died Jan. 5. Born on November 16, 1956, Good was an attorney whose abilities led his firm to become the largest real estate auction company in the

nation, with more than 100 employees. He was a sought-after speaker about real estate auctions, and spoke at an NAA real estate seminar in April 2007.

He was the 2009 Chairman of the Realtors Commercial Alliance (RCA), part of the National Association of Realtors, and was past president of the Chicago Association of Realtors. He was also chairman of the board of John Marshall Law School Center for Real Estate Law. Good also led a committee to make recommendations to the Obama administration regarding the challenging real estate issues in today's economy.

In 2003, Good authored a book entitled "Churches, Jails and Goldmines: Mega Deals From a Real Estate Maverick," chronicling his career as a real estate Auctioneer with all the unique experiences – complete with dramatic and

often humorous tales. He was a prolific author in trade and academic circles. Good donated thousands of hours to many charitable organizations and conducted charity auctions for the Chicago Gateway Green Foundation, Northwestern Hospital Prentice Women's Healthcare Program and others across the country.

Michael A. Fine, CCIM, CAI, AARE, Executive Vice President of Sheldon Good & Company said, "On January 5, 2009, the auction industry lost one if its true icons with the passing of Steven Good. Steve was a most talented and charismatic individual, he loved his family, his career, and helping others in a whole variety of ways. Steve's knowledge and devotion to his profession demonstrated his commitment in taking the auction industry to a higher level and constantly giving back to his industry, his schools and his community throughout his life. Steve was not only an Auctioneer and real estate broker, but he was also an educator, public speaker, activist, writer, attorney, philanthropist, volunteer, visionary and was always there to lend a hand to so many worthwhile causes. As a testament to Steve, we will honor him by continuing to grow the seeds that he planted in so many places.

For me and for countless others, Steve was a mentor

in launching and nurturing professional careers, but above all else he was my friend. I am proud to be part of the ownership of Sheldon Good & Company so that I can play a role in honoring Steve by growing the company as we move forward. He commanded a presence in a way few people can. Steve said to me, on more than one occasion, that he had a great life. When asked to serve his industry he was always ready to help, teach or guide people in their careers. Steve grew Sheldon Good & Company into a professional business partnership of which he was very proud. We look forward to honoring Steve by continuing to grow Sheldon Good & Company and continuing to give back to the community and the industry as well. We are committed to carry the torch that was so important to Steve to create a strong relationship between the National Association of Realtors and the National Auctioneers Association for the benefit of educating professionals and raising the awareness of the auction as an viable marketing tool for real estate.

We mourn Steve's passing and appreciate the overwhelming response, offers support and prayers we have received from Auctioneers and others throughout the world. Our prayers and support go out to Steven's wife, Jami, and children, Scott, Logan and David, and also to Steven's father, Sheldon Good, the founder of our organization."

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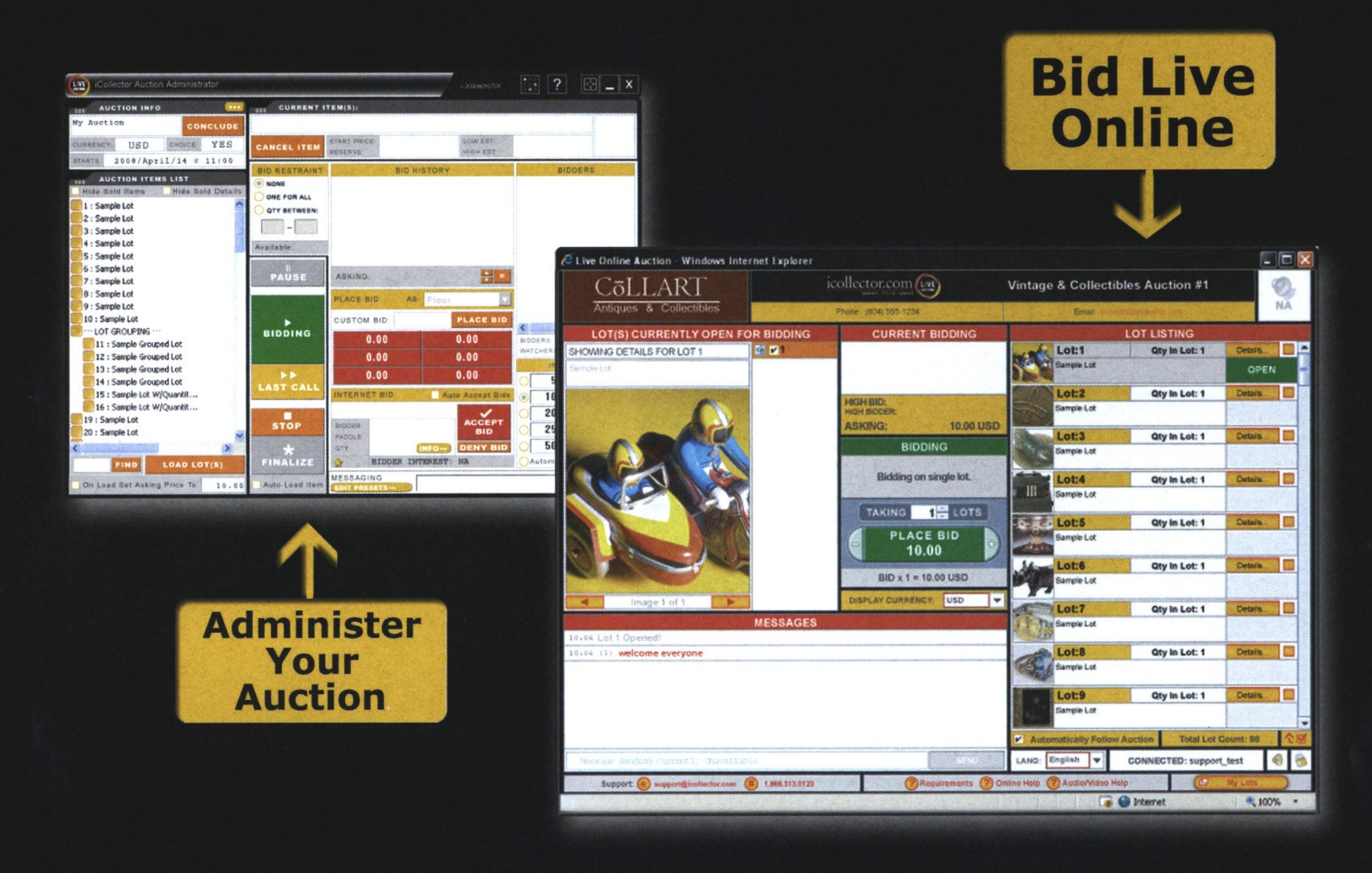
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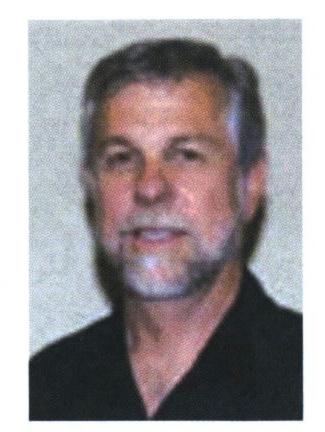
www.icollector.com



By Steve Baska, editor

Real estate Auctioneer Walter Driggers III, CAI, AARE, of Ocala, FL makes a prediction that may surprise many traditional Auctioneers: "In two to four years, the majority of auctions will be online only," he says. "The format is just so easy to collect bids and you do not have to take your sound equipment to a site and so on. Ever since online auctions began maybe 10 years ago, it has just been a matter of time until the technology was ready for Auctioneers to do online-only auctions."

In the last five years, many Auctioneers have added live Internet broadcasting of their onsite auctions (called "webcasting") to bring in more bidders while keeping the live crowd setting, but the industry may now be entering an even newer phase. This may be the era when the number of live crowd auctions begins to steadily and substantially decline, say some veterans and new Auctioneers. These proponents of Internet-only auctions say the advantages of this format are huge for every party involved: higher prices for the seller, more money available for advertising, more bidders brought to the auction, lower participation costs for the bidders, and greater ease of operation for the Auctioneer.



Walter Driggers III, CAI, **AARE**

Auctioneer Will McLemore, CAI, of Nashville, TN explains: "With an online-only auction, the bidder does not have transportation costs to get to the onsite auction, and he does not lose travel time. That frees the bidders to use that money to spend at the auction. And, an online-only auction allows you to put more money into direct advertising because you do not have to

spend money on logistics such as food, chairs, tents, heaters, restrooms and staff that serve people at an onsite auction."

This July, Driggers and McLemore will conduct the first presentation about online-only auctions ever held at an NAA conference. Their panel discussion, titled "Auctions Without Bidcalling," will be held from 3 to 4:30 p.m. on Friday, July 17 during the 60th International Auctioneers

Conference and Show in Overland Park, KS, a surburb of Kansas City. "We'll discuss case studies, the ups and downs, and we'll answer questions from the audience," Driggers said.

format to serve sellers

McLemore, who previously worked for Sotheby's and Ritchie Bros. Auctioneers, opened his own auction firm in 2006 and has focused on Internet-only auctions. "I've done only one live onsite auction. That was a personal property auction and we got about 25 percent lower prices than if we had held it online only. I see live onsite auctions continuing to have a place in the auction

industry, but only for items valued at \$1,000 or greater. Some people will always want to see those assets in person. But the bottom line is that, in most cases, a live crowd auction does not net the client more money."

Auctioneer Darron Meares, CAI, MPPA, who teaches auction technology seminars, says "There will always be room for all types of auctions. The progressive Auctioneers are the ones that develop the best sales option for the clients they are servicing. When we bring an auction to the table our crew decides the best way to conduct the auction and the crowd we want to



Will McLemore, CAI

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attract. In my opinion, the Auctioneer should have more than one weapon in the arsenal when competing in the current auction industry. A well-developed inventory of sales methods will separate one Auctioneer from another."

Auctioneer Lisa L. Gay, CAI, of Dickinson, TX says that, for her, shifting to online-only auctions "has been like starting a whole new company." "We started conducting online-only auctions about three years ago. We have sold estates, heavy equipment, a mobile home, vehicles, you name it...anything that can be sold live, can be sold online. With the challenging economy, it has been a blessing for us to be able to offer online auctions. It gets the items out in front of a larger pool of bidders. We are booking three months out and it shows no sign of slowing down. The sellers are plentiful, and the online auctions are a way to attract more buyers. We did 80 percent of our auctions in 2008 online only. This year, we predict that 90 percent will be online only."

Veteran Auctioneer Rick Musick, CAI, GPPA, of Eagle, ID is another believer in Internet-only au

Eagle, ID is another believer in Internet-only auctions. He's been an NAA member for 20 years and done scores of onsite auctions, but now much of his focus is on his weekly online-only consignment auction held on Tuesdays. It is a timed-bidding auction where bidding starts on the Wednesday before the Tuesday 1 p.m. auction on his website. "We're getting 1.5 million hits a month on our website," said Musick, who sells firearms, vehicles and bankruptcy liquidation items, among others. "It only takes three people to monitor our online-only auction, versus many more for onsite. And with online-only, we don't have to move items to a different location. And a lot of strip malls do not allow auctions onsite. We are also getting higher prices for firearms because of the wider audience."

NAA recently interviewed several longtime successful Auctioneers experienced in onsite and online auction procedures, asking them questions about the Internet-only format. Their answers are below.

WHAT ARE THE CRITERIA THAT AUCTIONEERS SHOULD APPLY TO DETERMINE IF AN AUCTION SHOULD BE ONLINE ONLY, INSTEAD OF ONSITE?

AARON MCKEE, CAI, AARE, OF PURPLE WAVE, INC. OF MANHATTAN, KS --- "Assets that are definable and valuable can be sold at an Internet auction. Assets that can not be quantified or described before the auction do not match the model well. Examples of items that are hard to define or describe include quantities of miscellaneous merchandise that are intertwined in different locations. Another time when a live auction is required is when detailed clarification of the auction terms may change based on how other lots in the auction perform like multi parcel real estate."

JOHN D. SCHULTZ OF ALBANY, MN ---- "Primary consideration should be given to the ability of the local market to consume the items available at auction. Typically, the smaller the niche or local demand, the more likely we are to use an online auction. Also, consideration needs to be given to the additional time and expense needed to properly prepare an online auction."



"We did 80% of our auctions in 2008 online only. This year, we predict that 90% will be online only," said Auctioneer Lisa Gay.

ROB DOYLE, CAI, OF PLEASANT VALLEY, NY ---- "We have been doing online-only auctions for three years. We have sold complete contents of homes, restaurants, small business liquidations, specialty collections, antiques and collectibles, large single items, vehicles and real estate. Due to the density of our area, we do very few onsite auctions. Parking is the main issue. However, we can still conduct the auction online only with no one going to the home except the successful bidder. Criteria: 1. Security of the location: Once lotted you do not want items removed or moved from lot to lot. 2. Motivation of the Seller: Need to make sure that the seller will release items once sold. Again, items in our Auction Center we control, items in someone else's location they control. What if they do not like the prices? 3. Timeframe: We like to have items up for at least seven days for bidding, 10 is better. It will take at least a day onsite to catalog and photograph. You will need a couple of days to collect payment and a day or two for removal. Total time for system to empty home will be 10 to 15 days. 4. Space: If the location is packed to the walls there is no room to work. Ideally, the items are spaced out and look good in their setting. Often items will bring more if still in the proper setting than if removed to another location."

▶ continued

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DARRON MEARES – "There are really no definite criteria anymore. With the advances in the software and applets involved with conducting online auctions, they are easy to run almost anywhere. The main criteria, in my opinion, would be moving the items and the cost-effectiveness of moving them to a secure location with wired broadband access. The secondary criteria would be the timing involved with getting the items catalogued, photographed and inventoried to then be uploaded to the web for online viewing."



Lisa L. Gay, CAI

LISA GAY – "The location is one key in determining if an auction should be online only versus onsite. If you are in a hard to get to location, with little or no parking, or the home or business isn't going to accommodate a large number of bidders, then an online only is usually the better option. The type of merchandise is the other key factor. Art, expensive glassware, tools and jewelry sell great online. These items are easily shipped and people are still paying good money for these types of items. However, don't discredit the plain and ordinary useful items as well. People are looking for ways to save

money when purchasing items that are functional; that side-by-side refrigerator or washer and dryer might have a high bidder from 60 miles away. This person probably wouldn't have spent the time to drive to a live auction, but saw what they needed at a good price online.

There is something great about being able to sit in your pajamas and bid at auction! It doesn't get any easier then that."

WHAT PROPERTY WORKS BEST TO SELL ONLINE ONLY, AND WHY?

ROB DOYLE -- "We have found all types of items sell well online only. Reasons why include: 1. Cost savings. The seller saves on the cost of packing, moving, unpacking. 2. Most items look better in their natural setting. 3. Buyers can manage their money better by watching the progression of bids. Example: If one chair is getting too high in price, they can move their bidding to another chair. 4. Many items can be sold in place that would not have been worth moving. Example: a pool table or upright piano located in

Live auctions with crowds onsite, such as this one by Purple Wave, may decline in number, some Auctioneers say.

the basement. 5. You can sell the rights to pick items from a crowded attic, barn or basement to reduce the cost of refuse removal. 6. Only successful bidders go to the site, unlike yard sales where many people attend and only a few bidders. The online format allows many to bid and a few to pickup."

LISA GAY — "Anything that you sell at a live auction can successfully be sold online. Online auctions are a lot of work, just a different type of work then setting up a live auction. They present their own unique set of challenges. Descriptions have to be accurate and photos are of the utmost importance. You will need a very good digital camera, one that shows markings on glassware, jewelry and pottery. If you list a 14 carat gold ring and can show a photo of the marking, people are going to be more comfortable bidding. The benefits of online only are huge: I don't have to tell you that we are not in the best of economies. The sellers are plentiful, money is tight for a lot of people and they are looking around their

homes at what they can sell. We also have had people that are looking to get rid of items that they are paying to store. They are looking at where they can cut cost and paying to store itemsthey rarely use or need, gets them thinking about selling these items at auction and getting some fast cash. The challenge is to find the buyers for all of the merchandise that is flooding the market right now."

JOHN SCHULTZ —"I'm not convinced there is an asset class that wouldn't sell online well. However, I have experienced very good results conducting online-only auctions of coins, and also grocery store liquidations. In addition, I am aware from several other auction colleagues who have had excellent results in the areas of industrial liquidations, and estates."

AARON MCKEE — "Online auctions work best to sell equipment, vehicles, and industrial assets because the assets are appropriate to a larger geographic region (can be transported) and buyers for the assets have specifications that help classify the assets."

WHAT ARE THE ONLINE FORMATS AVAILABLE? (A REAL-TIME LIVE BIDDING WITH THE AUCTIONEER STANDING AT A PODIUM LIKE AT A LIVE-CROWD AUCTION? OR A TIMED BIDDING OVER SEVERAL DAYS, IN AN EBAY-STYLE AUCTION? WHAT OTHER FORMATS WORK WELL OR BADLY?)

DARRON MEARES ---- "We have seen excellent results with both timed and live formats. Our main focus is a hybrid auction that mixes the timed format with the live format. We take timed pre-bids up to 45 minutes before the live auction and then use those bids as starting bids during the live auction. The pre-bidders have the option of bidding during the live auction and advances their pre-bids from the timed auction. We had a bidder with a declined credit card for \$527.00 at a hybrid online auction (timed/live). We took those same coins to the timed-only format for 10 days and wound up selling them for \$675.00. We use the timed auction for smaller consignment lots, a few bank consignment vehicles, a few lots of liquidation inventory or a very small collection in between the larger hybrid auctions online."

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John D. Schultz

JOHN SCHULTZ —"There are several widely excepted formats, and a new format that we are currently implementing with some of our auctions. The formats: Online Only, Online Pre-Bidding Only, Live Online, Live Online with Online Pre-Bidding, and the newest format that we've been using Live Online Only with Online Pre-Bidding."

AARON MCKEE --- "Formats include: Timed Auction: Items close at a pre determined time (eBay) Internet Event: auction with automatic extension or

popcorn bidding where a group of assets are sold in one event at a given time or items close in intervals like 1 item every minute or 1 item every 5 minutes or 5 items every minute. C-Liquidation: events where assets are on site and buyers can come to the auction, however the computer kiosks are the only auction interface and the internet bidding platform is the Auctioneer."

AARON TRAFFAS, CAI, ATS, CES, ALSO OF PURPLE WAVE AUCTION IN MANHATTAN, KS---"Real-time Internet bidding with an Auctioneer doesn't work well, because it negates the benefits of the Internet-only method, the ability of the automatic extension system to give a bidder several minutes rather than several seconds to make up his mind to bid again once he's been outbid. When we have a live event, sometimes we'll set up an Internet-only ring that is set to end while the live auction is going on. This method gives us the ability to sell many more items to the same crowd during the same period of time without the confusion of multiple bid callers.

ROB DOYLE ---- "We call our system Dynamic Online Only, as the lots close sequentially in 20 second intervals, and the clock extends on each lot that receives a bid in the last 20 seconds. The clock will continue to extend as people bid on that lot. This system is the closest model to a live auction. The bidding is not subject to "Sniper Bids" and the auction for each lot is not over until everyone is done bidding."

LISA GAY --- "We like the timed online-only auctions. We find that people's lives are so busy, that to drive out to attend a live auction and spend several hours waiting for the few items they are interested in, just doesn't work well for many people.

We also find that the 20s and 30s younger crowd didn't grow up going to auctions, however, they are very comfortable buying items online. This has enabled us to tap into a younger clientele that quite frankly, has more expendable income right now.

WHAT ARE THE EXACT STEPS AND LOGISTICS TO SET UP AN ONLINE-ONLY AUCTION?

DARRON MEARES --

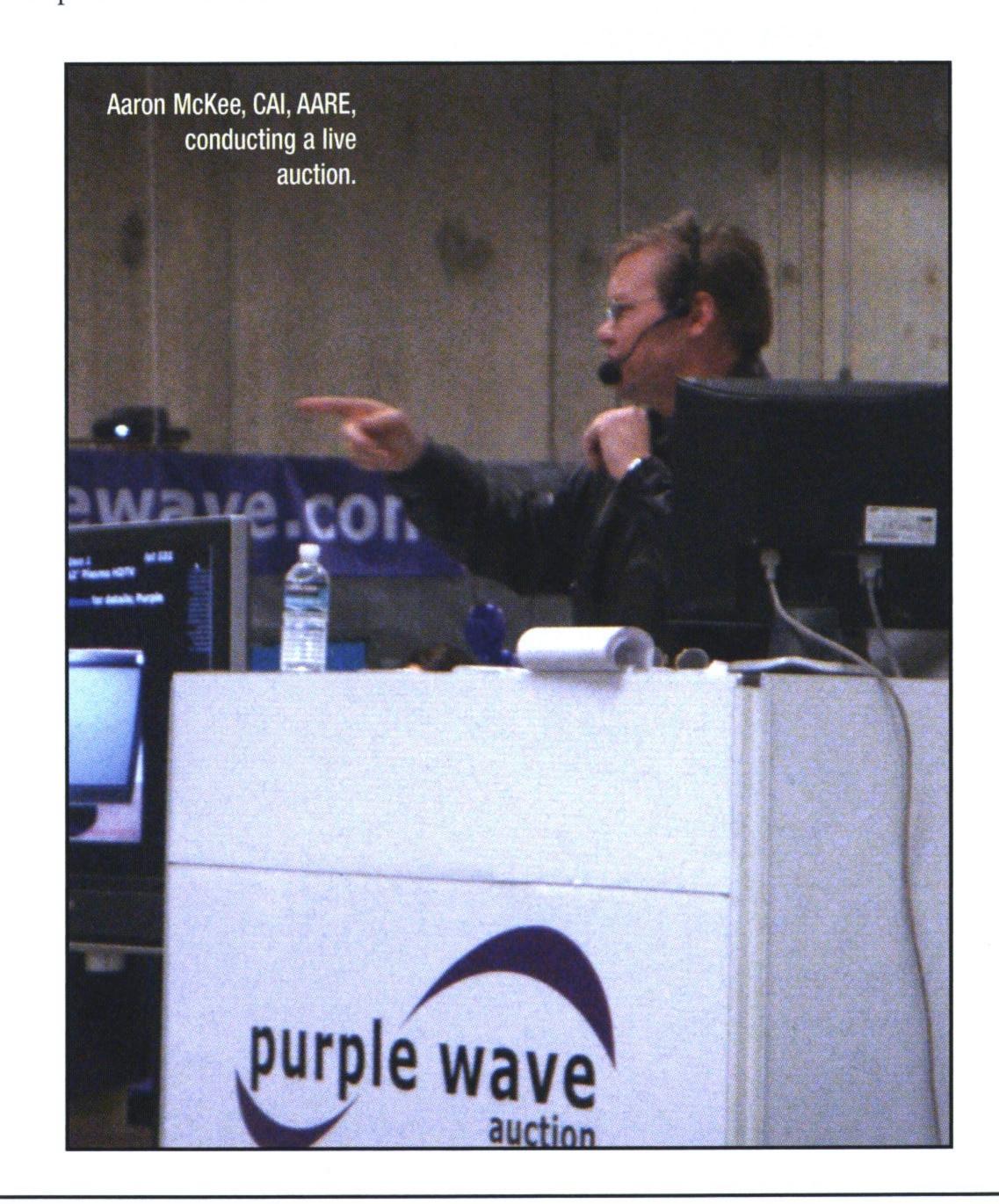
- 1. Consign the items
- 2. Setup the parameters of the auction (i.e. Time, date, timed vs. hybrid, terms and conditions)
- 3. Lot the items and develop the inventory
- 4. Photograph the items
- 5. Renumber or rename the photographs, if needed
- 6. Upload the catalog and photographs
- 7. Begin to take registrations

- 8. Watch the bidding progress for the duration of the timed auction
- 9. If timed/live, take the auction live and begin with the pre-bid amounts
- 10. Sell the items

LISA GAY ---- "We went with customized software that could be tailored to our needs. We set up a separate website, but it links from our main website. We set up a secure online credit card processing with authorize.net (Randy at NAA Cashless Commerce handled this for us), this allows us to invoice on-line, they click a button to pay and viola...the money is in our account. One area that you will need to rethink, is advertising. Depending on what you are selling, you have to think nationwide. Craigslist, specialty trade papers, nationwide antique publications are now a way to bring you more buyers and more affordable then when you offered just live auctions. We are finding the local newspaper in Houston Texas has drastically cut their circulation and moved the auction section to a hard to find area of the newspaper. We have focused our advertising dollars on national and specialty regional newspapers and trade publications."

ROB DOYLE --- "The Auctioneer needs to choose a software company. All items need to be photographed and cataloged. We use a remote capture digital camera connected directly to a laptop for photos and cataloging on the same laptop in Excel Spreadsheet. We take up to 6 images per lot. We give dimensions and note any markings as well as damage. The catalog is uploaded to the website. Marketing and email blasts direct bidders to the website and the catalog spiders out to other website to draw electronic bidders back to the catalog."

JOHN SCHULTZ—"1. Procurement of the items. 2. Detailed inventory of the items. 3. Photographs of the items. 4. Upload inventory and photo to online bidding software. 4. Advertisement of auction. 5. Approval of bidders. 6. Preview of items (depending on asset class). 7. Monitoring auction. 8. Close and invoicing of auction. 9. Collection of payment. 10. Shipment or checkout of items. In addition, there is the "normal" adver-



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tising and marketing of the items. There is also an increased request for more information from interested buyers than a live auction."

RELATED TO THAT, WHAT SOFTWARE PROGRAMS DO YOU USE TO RUN THESE AUCTIONS?

ROB DOYLE —"We have used LuJohns.com/BidderCentral.com and Proxibid.com. AuctionServices.com hosts the website and draws tremendous traffic to our site, which then links to the other websites."

DARRON MEARES ---- "We use MS Excel to develop the spreadsheet, MS Digital Photo Editor to clean up the pictures and the Proxibid applet to conduct the auction."

LISA GAY --- "We use a company called ProAce, but are looking at a different option that will have a bulk upload feature and allow us to use streaming video as well."

AARON TRAFFAS —"We use Maxanet by JBS Software."

A "SWOT" analysis of online-only auction format

Auctioneer Rob Doyle, CAI, recently did a SWOT analysis (strengths, weaknesses, opportunities, threats) of his Internet-only format, which he calls Dynamic Online Only Auction. The results can be applicable to many online-only formats.

S.W.O.T. for Dynamic Online Only Auction:

Strengths:

Quick turnover

Time and labor paid for

Maximizing price without impacting bidders

Bidders can buy from home, only travel if successful

Security

Low cost

Less handling, less breakage

Less overhead

Use of technology, spider technology

24/7 Preview and bidding

Funds are controlled by AAR

Leverage on decision making

Successful thus far

Strong email list

Knowledge and experience of lotting and cataloging

Technology- computers, cameras

Controlled pickup environment- scheduled time and place

Building and additional ability to bring items back for people to pickup for a fee

Sprinter

Different locations help build database

Overall turnkey service

We can guarantee everything will sell if we lot it

Policing bidders, payments, and mailing lists

Complete history of each sales lot

Commercially feasible- strong records of bidders on each lot

Website and portal pages

Support staff while onsite

Recycling of assets

We can retain the data and information for a later time if need be

Flexibility

NO negative haggling

Weakness:

Sellers controlling the environment, and possibly the removal process

Selling items before the auction

Not always a physical preview

Additional costs associated with doing previews

Pickup deadlines- bidders do not pickup on time or missing

Technology

Distances might affect bidders buying

People who do not own computers

Getting data from sellers to process at AAR

People not knowing what we do, knowledge of our services

Opportunities:

Selling corporations and large businesses

Converting existing contracts to Dynamic Online Auction

Getting sellers to send us the information for us to process and upload

1,2,3 step process

Repeat business

Antique dealers, vehicle dealers, collectors

EZ-Fast program

Portal pages

Prepare the sellers for the total overall process

Exclusive contracts

Specialty collections- photographed and cataloged well in advance

Threats:

Security of securing the items- Moving items or taking them out

Our commission will not be reduced due to mis-performance of the sellers

eBay

Other online competitive systems

Anxiety of sellers

Yard sales and tag sales

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DO YOU FORESEE THE ONLINE-ONLY AUCTION FORMAT GROWING IN THE FUTURE FOR MOST AUCTIONEERS, AND THE LIVE-CROWD FORMAT SHRINKING, AND WHY?

JOHN SCHULTZ — "The online-only auction format will continue to increase as the auction industry combats the smaller online-only companies that are popping up across the country. Here in Minnesota, we have seen a rapid expansion of online-only auctions. In fact, a large percentage of industrial and commercial auctions in Minnesota are conducted online only. This trend is starting to spread to motorsports, and antiques/collectibles. There will always be a place for the "live-crowd" format. However, with the increased demand on consumer's time, the online only format or a variation will continue to grow. Additionally, as margins within the auction industry tighten with the economy and rising costs, the economical benefits of conducting online-only auctions will also contribute to a shrinking of the "live-crowd" format auction."

LISA GAY --- "As much as I love the energy of live auctions. I do see the online format growing for most auction companies. We will never stop doing live auctions, but we are finding that the online bidders are now attending our live auctions and our live auction bidders are slowly coming around and signing up to bid on-line with us. The reason for the shrinking live auction attendance is not just the economy. For many people time is as rare of a commodity as money. Their children have soccer, baseball, music, dance etc etc. The typical young couple, in this generation, simply doesn't have the time to sit all day at a live auction. We have to look at where the bidders are, and if they are sitting in front of a computer screen at midnight, then we have to make sure we are there too."

AARON TRAFFAS —"A cataloged live auction takes much more labor to conduct than an Internet only auction. As more and more Auctioneers catalog auctions due to the enormous benefits, they'll look for ways to save labor costs and the reduction of overhead associated with the live event will shift the balance more towards Internet-only auctions. Live auctions won't ever go away, but the shift will be noticeable."

"Live auctions won't ever go away, but the shift will be noticeable," said Aaron Traffas.

SUMMARY

While Internet-only auctions are growing, it will remain vital for Auctioneers to be able to determine which formats and venues best serve their seller for the individual properties chosen for auction.

Auctioneer McLemore also emphasizes that just because he and others are moving more toward Internet-only auctions, that does not mean they are abandoning the role of a community Auctioneer. "In fact, we make it a point to operate as a real Auctioneer in our local community. We answer our phones like a real company and we allow live inspections of the property for sale," he said.

Driggers, who will present the online-only seminar at NAA's Conference and Show, urges Auctioneers to get comfortable with online auctions. "Watch some of them online. Go register for some. Help yourself in getting comfortable. It reminds me of the buyer's premium issue when people, years ago, said they would never use a buyer's premium and it would never work in their areas, and it has become standard business now for so many people. I think online-only auctions will be the same."



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Success Stories

Successful auctions are the goal of every Auctioneer. Here are the reports of what worked and how well.

MULTI-ESTATE AUCTION

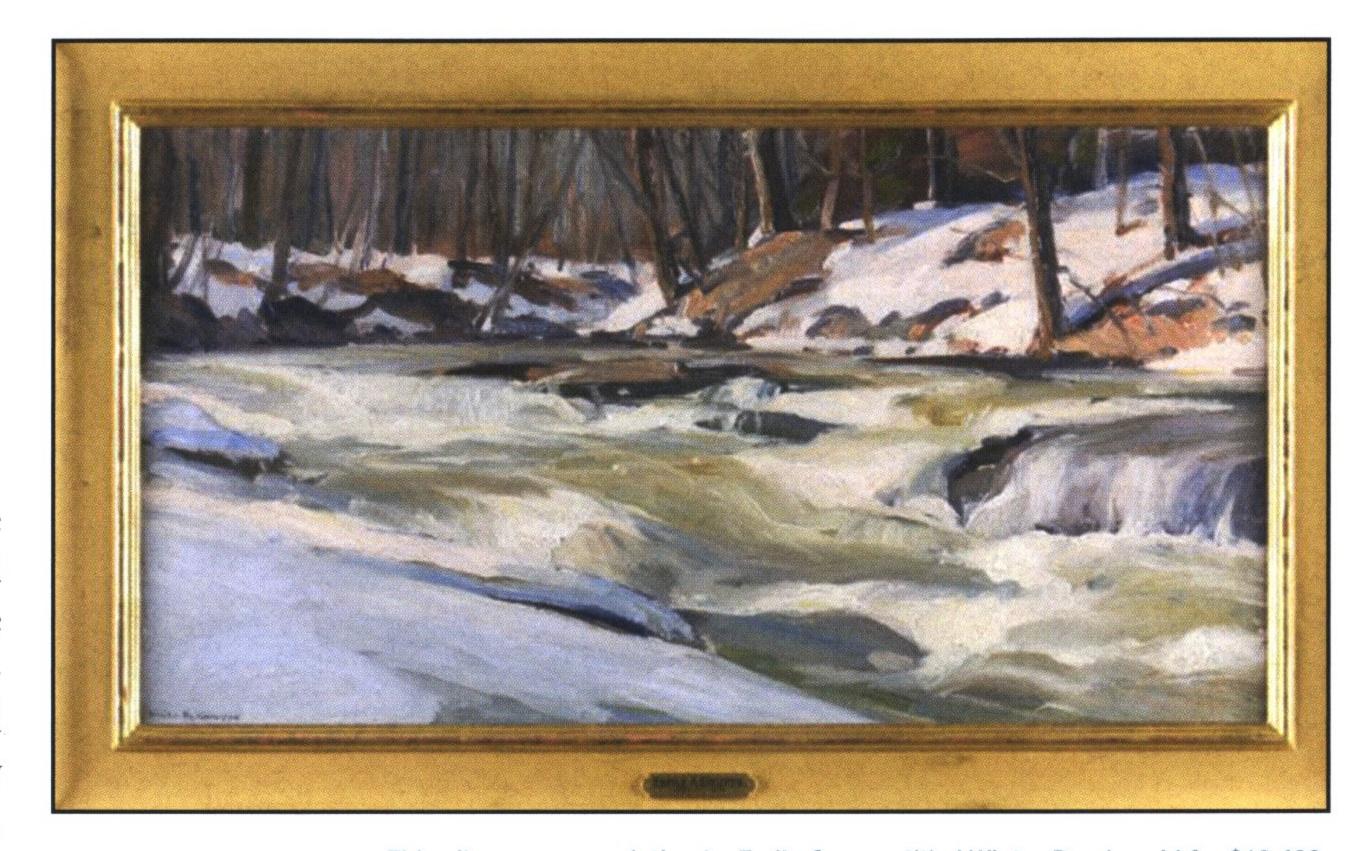
Silver and art help achieve highestgrossing auction for Leland Little company

HILLSBOROUGH, NC - A beautiful 72-piece sterling silver service by the renowned Mexican silversmith Hector Aguilar, in the "Aztec" motif, sold for \$41,400 at a two-day, four-session multi-estate sale, dubbed the "Historic Hillsborough Auction," by Leland Little Auction & Estate Sales, Ltd. The sale was held at the firm's spacious showroom in Hillsborough, NC. A large number of online bidders also helped achieve the success.

Aguilar's shop, Taller Borda, was known for its high-quality and well-designed sterling silver flatware, hollowware, jewelry and other objects. The service sold was large and rare, with the incised bands, scrolls and applied beads that exemplified Aguilar's bold eye for design. It was also a superlative example of mid-20th century Mexican silver. It was the top seller of the nearly 1,000 lots put up for bid in the December auction.

"This was the biggest grossing sale to date for our company, and a wonderful way to conclude the year," said Leland Little of Leland Little Auction & Estate Sales, Ltd. "We continue to attract national and international interest in our collections, and will continue what has been a successful partnership with LiveAuctioneers.com for online bidding. We anticipate more great sales in 2009."

More than 1,000 bidders registered through LiveAuctioneers.com, while around 900 pre-absentee and phone bids were recorded



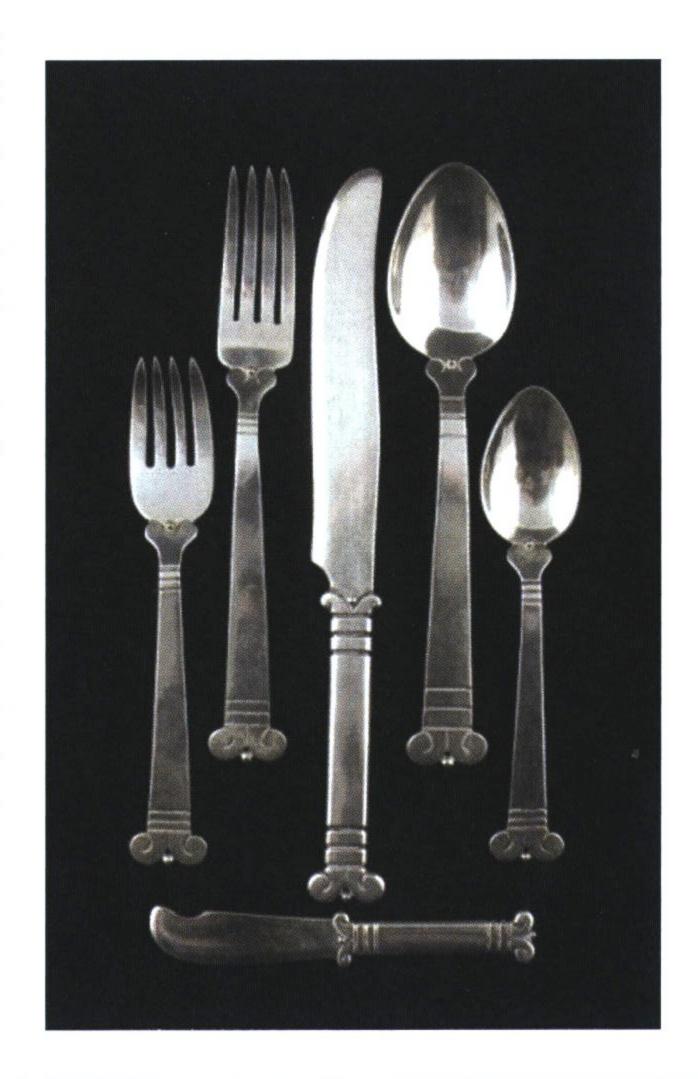
This oil on canvas painting by Emile Gruppe, titled Winter Brook, sold for \$18,400.

prior to the sale. The in-house crowd was about 200 people on Dec. 6 and between 75 and 100 people on Dec. 7. Following are additional highlights.

Spectacular period furniture pieces were offered in abundance. The stars of the category were a rare North Carolina paint decorated Rowan County blanket chest (circa 1800), from the Yadkin River area and having a six board poplar case with dove-tailed construction (\$36,800); and a pair of classical card tables, having mahogany veneers with gilt decoration (\$13,800). A late 18th-century Southern walnut corner cupboard, with one-piece form and Southern yellow pine secondary, brought \$5,463; a 19th-century French country trestle table with three-board burled hardwood rectangular top supported by two shaped legs realized \$4,830; and a 19th-century birch and walnut Southern sugar chest with hinged lid and bread board ends made \$3,795.

This 72-piece Hector Aguilar Mexican sterling set sold for \$41,400.

Fine art, a staple at many Leland Little Auction & Estate Sales, Ltd., quarterly cataloged sales, commanded prices that were within the estimates and, in some cases, beyond. Highlights included: a signed pastel on silk work by Elizabeth



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This rare North Carolina decorated Rowan County blanket chest sold for \$36,800.

O'Neill Verner, titled Jamie (\$28,750); a **REAL ESTATE** signed oil on canvas by Emile Gruppe, titled Winter Brook (\$18,400); a signed oil on canvas by Harry Berman, titled Pennsylvania Hills; an untitled canine rendering by Roy Dean de Forest.

The auction featured the single-owner photographia collection of Arnold Doren and Caroline Cornish. Top earners included a gelatin silver print by Andre Kertesz, titled Chez Mondrian, signed and dated 1926 in pencil en verso and in a Kulicke frame (\$6,325); and an untitled gelatin silver print by Minor White, of hands holding a bowl (\$4,600). A pair of Tiffany Studios bronze bookends (circa 1920), with Orientalist design of mythical griffin forms on either side of a medallion profile (and bearing a resemblance to L.C. Tiffany in his later years) achieved \$6,900; an antique Louis Vuitton monogram steam trunk with classic flat top, reached \$3,680; and a pair of late 19th-century Venetian glass wall sconces rose to \$3,105.

The auction also featured the outstanding coin collection of Dr. Hank Landon. Highlights included a roll of 20 uncirculated 1878 7TF Morgan silver dollars with cameo surfaces (\$4,255); a lot of 42 uncirculated Walking Liberty half dollars, dated 1934, 1935 and 1946-D (3,680); and a 1907 Liberty \$20 Gold Double Eagle coin, graded in NGC MS 61 condition (\$1,035).

To learn more about Leland Little Auction Sales, Ltd, Estate V1S1t www.LLauctions.com.

Multi-parcel system helps Wigton auction success in Ohio

When the owners of a 208-acre, three generation farm recently decided to

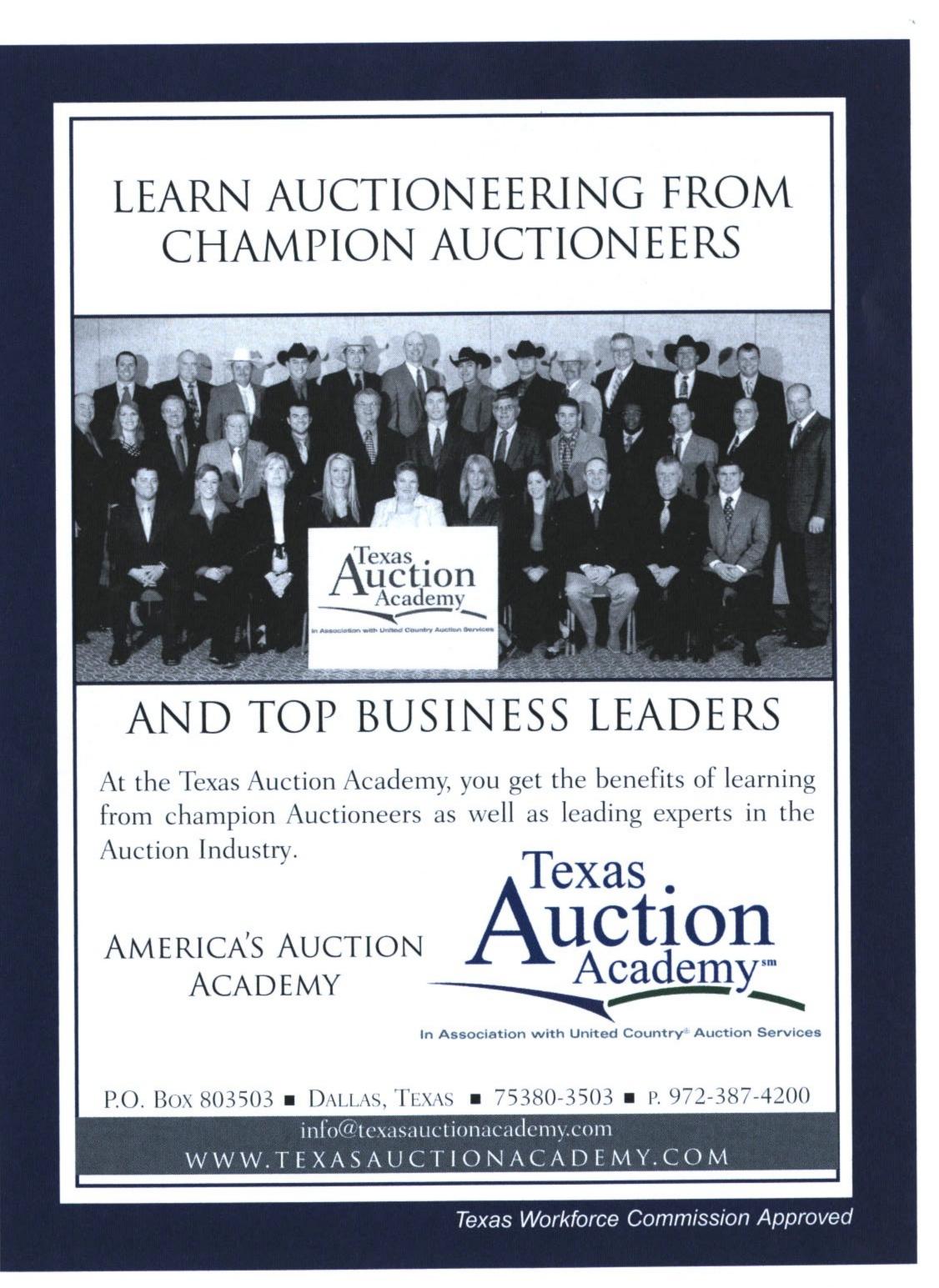
liquidate their farm in north central Ohio they chose Larry Wigton, CAI, AARE of Wigton Real Estate & Auction Co., Ashley, OH. The farm had been divided into 17 parcels years prior, and after discussing the advantages of a real estate auction and the multi parcel method of the parcels with Wigton, they were convinced to use the auction marketing method.

With 33 registered bidders and 80 people in attendance, the initial opening rounds on the parcels stopped at \$569,000. Using the Multi-Par Bidding System the bidders chose their parcels and the end result was a selling price of \$1.4 million (\$6,700 per acre) with the entire 208 acres going to a single buyer. The program was flawless. The screen was a gymnasium wall, the crowd and bidders got positive comments about how easily they were able to follow the bidding procedure.

The sellers were very impressed and pleased with the overall process and commented how much they learned about real estate auctions in a relatively short period of time. The winning bidder with Ohio connections was from the state of Washington. Also this past fall, Wigton sold a wedge-shaped 95 acre parcel of farmland with only 100 feet of frontage for \$4,200 an acre. For further information on these or upcoming auctions contact Larry at Wigton Real Estate & Auction Co. at 740-362-0007

www.wigtonauctions.com.

▶ continued



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ART AUCTION

Nigerian art selling high at Bonhams

Nigerian paintings brought stunning prices at Bonhams' Exploration Travel and Topographical Pictures Sale in London in December. Lot 46, titled Underwater Still Life, by Benedict Cukwukadibia Enwonwu M.B.E., sold for nearly 20 times its estimate at \$26,799. The owner had inherited the picture from her aunt who was given it by the artist in Nigeria. Speaking after the sale she said that she was shocked and delighted by the result.

Bonhams has featured Nigerian Art for a year now in its Topographical sales but has noticed a steep rise in interest and prices for work by Nigerian artists. Such is the interest in modern Nigerian art that Giles Peppiatt has organized a first sale of Contemporary African Art featuring artists from at least six African countries, mostly sub Saharan. Amongst the painting in this sale on April 8 will be three more works by Enwonwu.

Peppiatt said the works of this artist and other contemporary African artists are being bought by Europeans, Americans and South Africans. Among these buyers is one South African collector who has found the increasing price rises

of South African art has forced him to start collecting Nigerian artists. Sales of South African art are held twice a year at Bonhams and achieve world record prices. For more information please contact Julian Roup at Bonhams' press office or send email to julian.roup@bonhams.com.

HEAVY EQUIPMENT AUCTION

Over 2,600 registered for Ritchie Bros. auction

FORT WORTH, TX - More than 2,600 people from 37 countries registered to bid onsite and online at a heavy equipment auction conducted by Ritchie Bros. Auctioneers December 3 to 5. The firm sold more than 2,800 items for the construction, transportation, mining and other industries during the three-day unreserved auction, generating gross auction proceeds in excess of \$31 million. Bidders from outside Texas purchased almost \$17 million of equipment.

"The auction capped off a very good year at our Fort Worth auction site," said David Hobbs, Ritchie Bros. Division Manager. "Prices are remaining stable, despite the recent market turbulence. We saw very active bidding at the auction site as well as online. People weren't sitting on their hands; they were eager to bid on the equipment in the auction. It was also good to see many new bidders participating in the auction from all over the world."

Cash Construction Co. of Pflugerville, TX sold more than 30 heavy equipment items at the unreserved auction, including wheel loaders, motor graders, hydraulic excavators and loader backhoes. "We've invested in a lot of equipment over the past few years because we've been extremely busy, but things have slowed down considerably," said Robert Pullen of Cash Construction. "We decided to downsize and sell some of our surplus equipment. Ritchie Bros. was our first choice because they have a good name and vast advertising. I was a little nervous before the auction because I expected prices to be soft in the current market, but I was pleasantly surprised; we did very well on auction day."

Ritchie Bros. also announces that it has completed the purchase of approximately 16 acres of land near Tokyo, Japan, on which it intends to develop a new permanent auction site. This facility will be an important step in the company's strategy to expand its presence in the Asian market.

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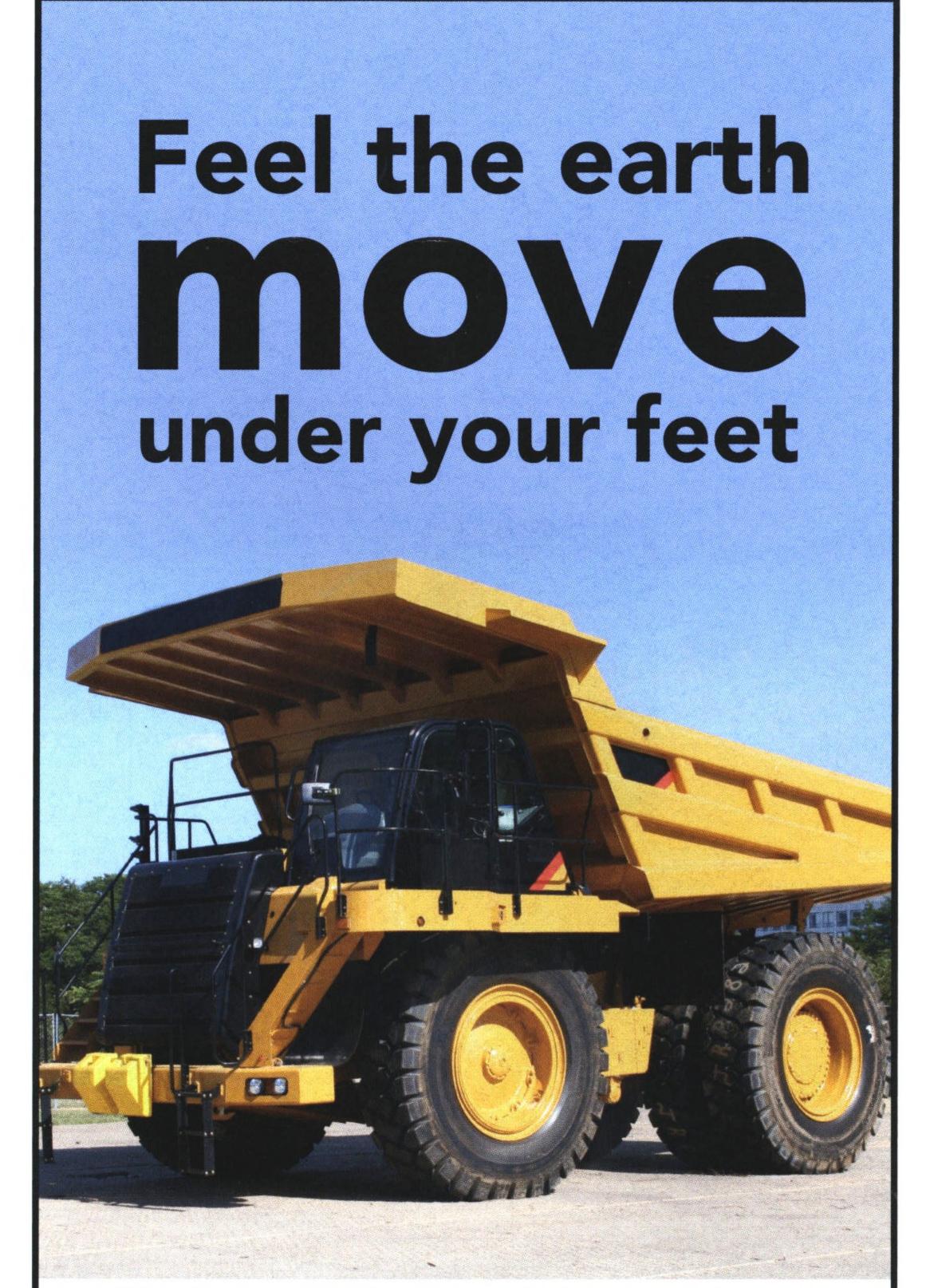
Jacob Barth, left, 2008 International Junior Auctioneer Champion, of Moses Lake, WA joined Mike Jones, CAI, GPPA, president of United Country Auction Services, on stage to raise money for student scholarships at the 2008 FFA Alumni Auction held in Indianapolis. The alumni auction was the grand finale of the weeklong convention that draws in excess of 54,000 people.

Mike Jones helps raise over \$198,000 for FFA at annual alumni auction

KANSAS CITY, MO – Mike Jones, CAI, GPPA, president of United Country Auction Services, presided over the Future Farmers of America's Alumni Auction for the second year while United Country affiliates from across the nation volunteered to donate their time to call bids and work the ring. During the live auction, Jones invited Jacob Barth, 2008 International Junior Auctioneer Champion and FFA member from Moses Lake, WA to join him on stage to help call bids. Together they helped the total exceed \$198,000.

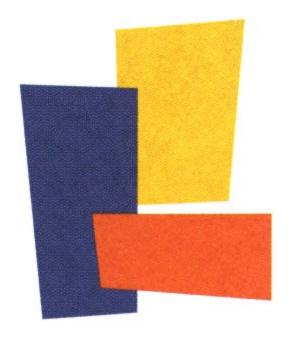
More than 54,000 members and guests from across the country assembled in Indianapolis recently for the 81st National FFA Convention. Among those guests was United Country Real Estate, a major sponsor of the FFA and the primary sponsor of the group's annual alumni auction. The FFA Alumni Auction is the culmination of a year's activities for its more than 47,300 active members. The event capped off a memorable convention with live, silent and online auctions. After last year's record-breaking results, this year's auction was expected to raise \$160,000 to benefit FFA members with scholarships to the Washington Leadership Conference and toward agricultural education degrees.

"The alumni auction was a huge success and through the hard work and dedication of alumni members and supporters, those in the blue corduroy will continue to develop into the leaders of tomorrow," said Jones. In addition to conducting the FFA Alumni Auction, United Country's chief executive officer, Dan Duffy, serves on the National FFA Foundation Sponsors' Board, and the company funds college scholarships through the Foundation.



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Be my Valentine

Valentine's Day historical cards featuring auction settings are hot collectibles



By Robert A. Doyle, CAI, ISA, CES, CAGA

It is wonderful to witness the auction method of marketing being utilized on vintage Valentine cards. A few of the colorful, cutout cards are hinged so that the figures can move; others have stands

on the back so that they could be placed upright on a mantle or table. All the Valentines boast neat sayings or poems.

Ephemera (paper items that were manufactured with a short life span) were not meant to last long, and included items such as calendars, trade cards, postcards, catalogs, letters, broadsides and business cards. They are highly-sought after today as collectibles.

Traditionally, Valentine's Day (February 14) has been celebrated by many not-for-profit organizations for conducting benefit, fundraising auctions. Some organizations, such as the American Heart Association, have conducted events with both live and silent auction formats.

Who Wants a Heart! They're Here for Sale,

Ive Every Kind in Plenty,

Ive Young and Old, and Hot and Cold,

and Some Entirely Empty.

Some Never Have Been Let Before,

of These I've Quite a Number.

And Others, Bein'a Qood Bit Worn,

I'll Sell'em for Old Lumber,

And Some There Are that's Badly Broke

And Some that's Justa Achin's

But, Strange to Say, These Very Hearts,

Are Among the Best for Takin's.

Who was Valentine? According to www.history.com, one legend contends that Valentine was a priest who lived during the third century in Rome. When Emperor Claudius II decided that single men made better soldiers than those

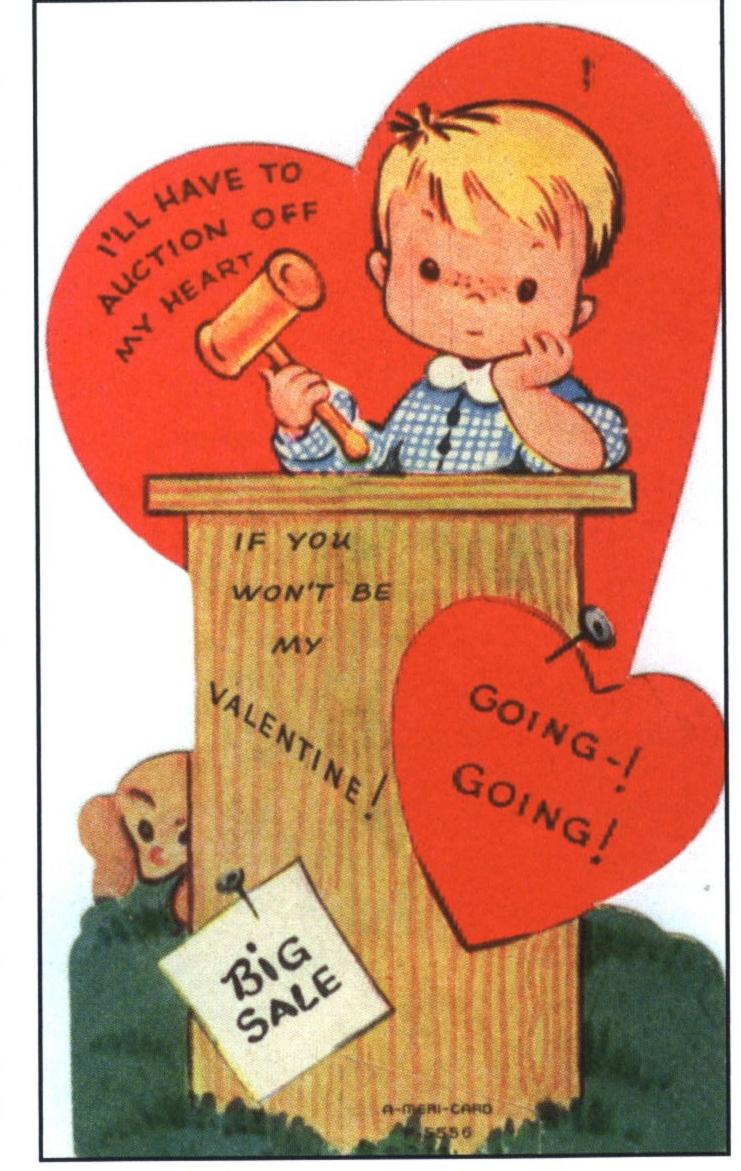
men made better soldiers than those with wives and families, he outlawed marriage for young men. The priest Valentine, realizing the injustice of the decree, defied Claudius and continued to perform marriages for young lovers in secret. When

Valentine's actions were Claudius discovered, ordered that he be put to death. One story describes that Valentine actually sent first "valentine greeting" himself, while in prison, to a girl who visited during him confinement. Before his death, it is alleged that he wrote her a letter, which he signed "From Valentine," an expression that is still in use today. Although the truth behind the Valentine legends is

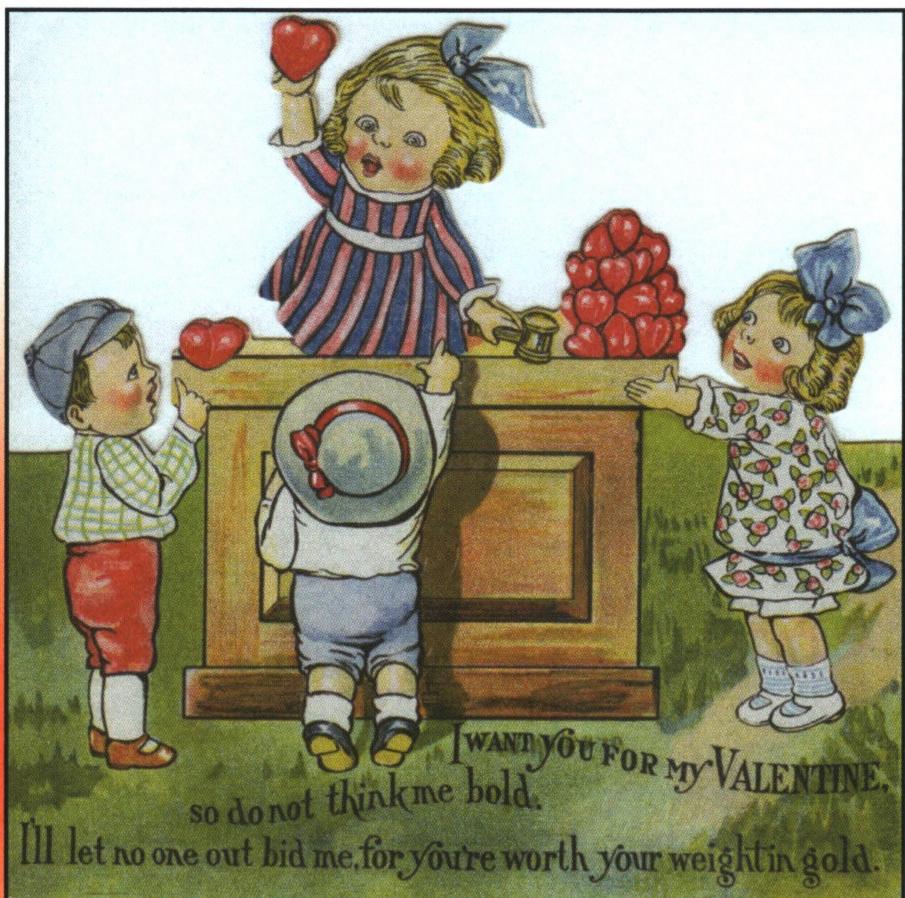
murky, the stories certainly emphasize his appeal as a romantic figure.

The auction method of marketing is at the "heart" of fundraising activities in February.

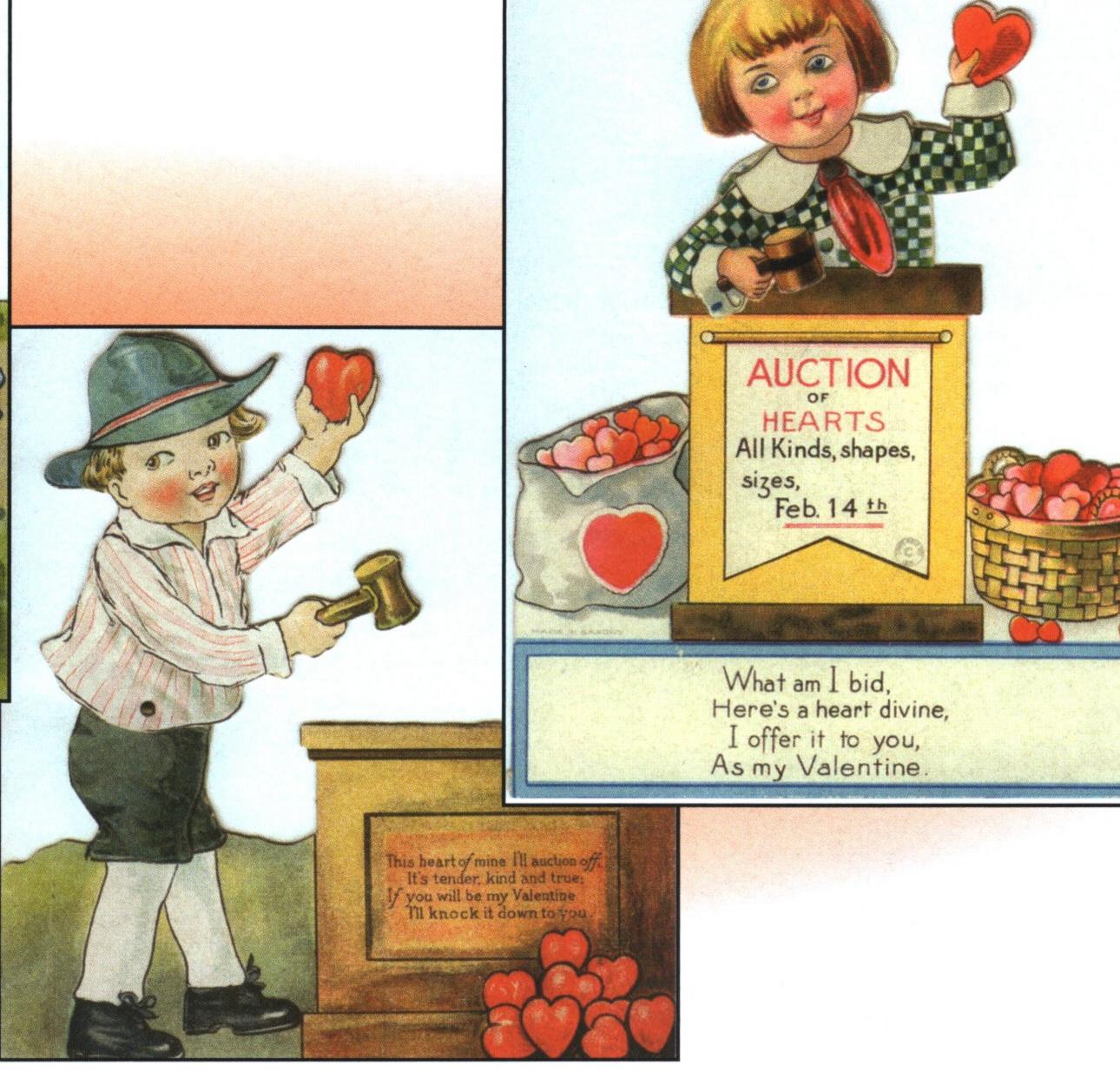




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Do you have historical items pertaining to Auctioneers of the auction method of marketing? If so, please consider donating them to the National Auctioneers Museum. Contact museum curator Lynn Ward for more information at lynn@auctioneers.org, or at (913) 541-8084 (ext. 17), fax: (913) 984-5281, or by mail at 8880 Ballentine, Overland Park, KS 66214. Rob Doyle can be reached at hikertwo@aol.com.



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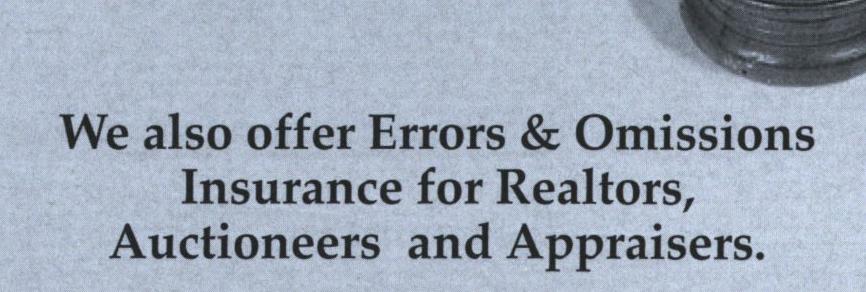
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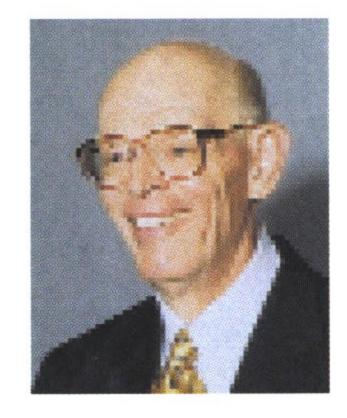
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Of character and contract

Case example of what to do when wrong property is delivered to a greedy buyer



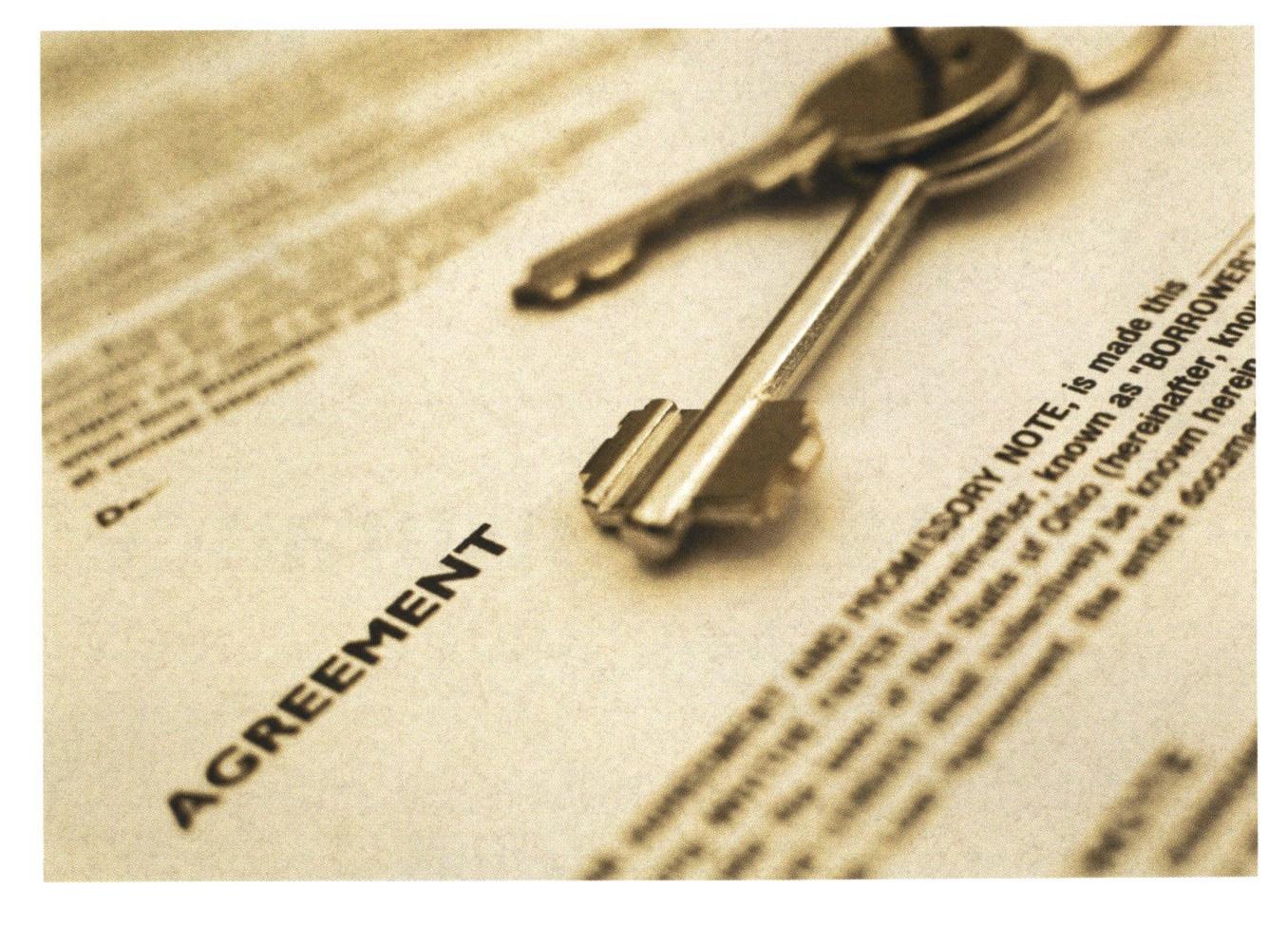
By Steve Proffitt

Steve Proffitt is
general counsel of J. P.
King Auction
Company, Inc.
(www.jpking.com).
He is also an
Auctioneer and
instructor at
Mendenhall School of
Auctioneering in
High Point, NC and
Reppert School of
Auctioneering in

Auburn, IN. He welcomes questions from readers about auctions and auctioneering. Readers' communications may be edited and revised. Mr. Proffitt will answer selected questions, but cannot provide personal answers. His answers do not represent legal advice or the formation of an attorney-client relationship and readers should seek advice from their own attorneys on all matters. Please submit questions to sproffitt@jpking.com or c/o J. P. King Auction Company, Inc. 108 Fountain Avenue, Gadsden, AL 35901.

"Your reputation is who people think you are. Your character is who you really are."

This quote above is how my law school professor in evidence class explained the difference between reputation and



character. It's a valuable reminder that a person's character might not match his reputation, for better or worse.

An Auctioneer contacted me about a quilt his firm had sold on an absentee bid to a "knowledgeable dealer" he believed was reputable. The quilt was in poor condition and the Auctioneer announced that before

Every lot sold is the subject of a separate sale and, therefore, a separate contract for sale.

selling it. The next day the dealer came to the auction house and a staff member delivered the quilt to the dealer, who was a woman. Unfortunately, she was given the wrong item. She received a high-grade quilt that had been sold to a telephone bidder for ten times the price of the first quilt of poor condition.

The Auctioneer promptly contacted the dealer to explain the error. The Auctioneer's staff member had given her a purchase receipt, along with the quilt. The receipt correctly showed the lot number of the quilt she had bought, its description, and the purchase price she had paid. The receipt proved the delivery error. The woman replied she had received the item

she was due and was keeping it (even though it was the wrong item). The Auctioneer said there was no chance the dealer didn't know that what she had bought was not what she got. He added she was merely taking advantage of an error to cheat him. The Auctioneer then had to rectify the matter with the telephone bidder who was supposed to receive the better quilt.

This issue goes back to the lesson my professor taught: Some folks have good reputations, but lack good character. When this happens, society has seen only the shiny paint and not the rust underneath. Money often leads weak people to do bad things and this is an example. An eight-letter word holds the answer to the Auctioneer's problem: "contract." A contract is the legal basis upon which all sales are made, including sales at auction. Every lot sold is the subject of a separate sale and, therefore, a separate contract for sale.

A valid contract for sale includes three essential elements: (a) an offer to sell or buy made by one party to another, (b) an acceptance of that offer by the other party, and (c) adequate consideration to bind the agreement. Let's apply these elements to understand the Auctioneer's situation. We'll call the poor quality quilt "Lot 1" and the high quality quilt "Lot 2."

At the auction, the Auctioneer described Lot 1 and opened the bidding. When the bids peaked at \$95, the Auctioneer sold Lot 1 to the dealer. Thereafter, the dealer paid the purchase price and was given a quilt. The seller and the dealer each had rights and responsibilities under their contract for sale for Lot 1, and no one but the dealer had any ownership right to this quilt. Due to a mistake, the dealer was not given the Lot 1 quilt. She was handed the Lot 2 quilt.

Lot 2 had been sold to a telephone buyer for \$950. That buyer and the seller also had a contract for sale with rights and responsibilities regarding Lot 2, and no one but the second buyer was entitled to the high-quality quilt. The dealer who bought Lot 1, but received Lot 2, had no right to the Lot 2 quilt because she didn't buy it. To better see this principle, suppose a buyer purchased a box lot in an auction for \$2 that was "Lot 10," but was mistakenly given "Lot 101," a \$10,000 diamond ring. Anyone can see the buyer has no legal right to the ring. The issue is the same with the quilts.

Here's the key: Except for the existence of a valid contract for sale, the dealer has no legal right to any auction lot: not Lot 1, not Lot 2, and not any other lot. She was entitled to receive Lot 1 and own it only because she made a valid contract for sale with the seller to purchase it. The dealer had no contract for sale with the seller to buy Lot 2 and the Auctioneer's staff error in delivering the wrong quilt created no right for her to possess or own it.

The Auctioneer was adamant that the dealer knew what she was doing. I'm sure he's right. Her actions were rooted in greed and dishonesty. She would have acted quite differently had she purchased Lot 2 (the high quality quilt) and been mistakenly given Lot 1 (the poor quality quilt). Then she couldn't have made the switch fast enough. People like this always deal on a one-way street, and that street always runs their way.

I advised the Auctioneer that this is a civil matter and should be addressed as such by the seller of Lot 2. The court can award the seller the return of the quilt and damages. How sad to see someone blacken her reputation for so little. Bad character often reveals itself cheaply, but the ultimate price will always be steep ... very steep!

"The entrepeneur always searches for change, responds to it, and exploits it as an opportunity."

......Peter Drucker

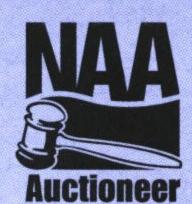
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- Complete this form, then MAIL with check or money order to NAA Membership 8880 Ballentine Overland Park, KS 66214

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☐ ASSOCIATE	Employees of Active Members who are not Auctioneers. Auction-related professionals representing the real estate, finance and legal industries should apply for Associate membership.		
□ VIRTUAL	Virtual member is an active auctioneer receiving all correspondence through on-line and electronic formats.		
LIFE		\$5,000 (\$1,000 every 5 months)	
□ REGULAR	An active Auctioneer that subscribes to the NAA Code of Ethics and embraces the NAA Mission and Vision.	☐ \$300 (1 year) ☐ \$535 (2 year) ☐ \$725 (3 year)	
☐ RETIRED	Any active member who is 65 years or older and conducts 12 or fewer auctions per year.		
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☐ AUXILIARY MEMBERSHIP	Any person who has reached the age of 18 shall be entitled to join the Auxiliary upon recommendation of any current NAA member or NAA Auxliary member.	\$25	
□ NAF	A voluntary donation to further support the National Auctioneers Foundation.	\$50	
□ PAC	The Auction PAC is the political giving arm of the NAA. Contributions to the Auction PAC must be made separate from membership dues. Only personal checks and checks from LLCs are accepted. Incorporated businesses are prohibited by law from contributing to the Auction PAC.		
	#		

2 MEMBERSHIP INFORMATION

First Name	Middle	Last	
Nickname			
Company Name			
Address			
City		State	Zip
Phone		Fax	
E-mail			
Web Address			

PERSONAL INFORMATION

☐ Check here if you think you have been an N your state association.	NAA member before or are a member of
☐ Male ☐ Female	
Number of years in the auction profession	Year of birth
Spouse's Name	
Name of auction school attended if applicable	
Referred by or your sponsor (optional)	
List State Association memberships	

TOTAL AMOUNT DUE EDSONAL INFORMATION

PERSONAL INFORMATION						
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Credit/De □ AMEX	bit Card Ir	nformation □ VISA	□ DISC	COVER		

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Card Holder Name (Print)	
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It is recommended that you indicate your specialties. This information is available on the NAA Web site where the public is able to do a search by specialty. You may choose UP TO FIVE.

	□ I 1 1 9 Man Castania
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☐ Benefit & Charity	☐ Logging & Forestry
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You Can Make a Difference in Membership!

Membership is an important part of the NAA and we are asking for your help.

Do you know someone who would benefit from joining the NAA? If so, all you have to do is ask.

Every member is important and you can make a difference by bringing in just one new member. Share *Auctioneer* and the adjoining membership application with someone who is not a member and discuss how NAA can help them grow professionally, or that they can make a difference in the industry and their community, or how many connections they can make through the same association you belong to.

You can also mention a new payment plan that NAA has implemented to make it financially easier to join. Instead of making one payment, they can make three consecutive, equal monthly payments. For example, if their membership category is \$300, they can make three consecutive payments of \$100, or if they choose a virtual membership for \$225, that would be three payments of \$75. Payments must be made by the 25th of each month, for three consecutive months, in order to participate in the payment plan. A statement will be sent at the end of each month showing the balance due. They can

either send in a check or credit card payment each month, or they can give us written authorization to run a credit card each month.

And we don't want you to forget that this payment plan option was also created to help you, our current members, succeed in today's market as well, so if you are interested please let us know.

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When appraisals are few Diversify your work when business is down

By Mike Odell

Appraiser Mike Odell, CES, MPPA is a certified appraiser, accredited by the International Society of Appraisers, with particular expertise in household evaluations, collectibles, equipment and machinery, as well as commercial, industrial and business appraisals. He can be reached at modell@tradermick.com.

Economic times are tough. In fact, my appraisal assignments have almost disappeared. The bulk of my appraisal business is from banks that make Small Business Administration loans, and that credit market has just dried up. We don't get as many insurance appraisals, because clients have fewer resources available to spend on insuring scheduled items.

The IRS still requires an appraisal for charitable donations in excess of \$5,000, but donors are less generous in a tough economy. Unfortunately, divorce is always with us, but attorneys are less likely to recommend the expense of an appraisal until they can see absolutely no hope of settlement otherwise.

Many appraisers I know are finding work hard to get at this time, so having diverse streams of income, such as auctions, estate sales, retail stores and appraisals can get you through hard times.

In addition to my appraisal work, I have an antique shop and auction gallery in Edmonds, WA, near Seattle. My business partner and I are planning events to draw customers into our store. We're going start with an Appraisal Day, offering a verbal opinion on potential treasures for a fee of \$5 per item. And our next event will be a talk by gemologist on

vintage and antique jewelry, including a verbal opinion of the value of jewelry brought in by our customers. We also plan a demonstration by a furniture refinisher, and other events to keep customers coming through the door.

At a few antique shows, I have noticed that dealers are now promoting themselves as appraisers through education at the Missouri Auction School. They are taking the time and expense to learn new skills to protect their businesses. Many already are doing estate sales and tag sales,

as well as becoming eBay Trading Assistants, listing items for the general public, for a fee or percentage. We may have to offer more services and be more competitive, and this may be a good time to look into NAA education to expand your potential in a new market. (Visit www.auctioneers.org to see education programs.)

Some auctions in my area are also facing very tough challenges. I recently went to an auction featuring Northwest Native baskets and photographs. I got there early so I would be assured of a good seat, as there is always a big turnout for these auctions. But not this time. I was sitting three rows back with nobody in front of me. In fact, the 20 attendees looked even fewer surrounded by about 150 empty chairs. I think all 20 people had come just to look and, once the Auctioneer began, prices were low. Baskets that usually would have sold for \$600 or more were selling for \$50 or less, and a few dealers got the bargains of a lifetime.

A few days later, I participated in an antique show. We took two booths, each eight-by-ten feet, in order to help fill the show, which was being put on by a promoter who is a friend of mine. The number of exhibitors was down by about 50 percent from the previous year. Actually, we did pretty well at the show, selling about 60 percent of the inventory we had on display, but sales are generally down all over, and retail sales are nearly all at a discount. In our store, we have been running a "half off" sale since about Thanksgiving to get people into the store,





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appraising

and those we have been able to attract have changed their buying patterns. In the past, we were selling items in the \$75 to \$100 range on average. Now our customers are homing in on the \$20 to \$40 pieces.

Strangely enough, in view of that trend, our daily "take" has increased somewhat. We're actually selling more items for less money and making more income at the end of the day. It seems that people still want to buy, but they're looking for bargains. Even Internet sales are down, although overseas buyers are spending more than U.S. buyers.

Who knows where this economy will go? Before conditions improve, we may even have to give away apples at auctions, like some of our predecessors in the auction business in the 1900s.

State Auctioneer association upcoming events

FEBRUARY

- 5-8: North Dakota Auctioneers Assoc. convention, Dickinson, ND.
- 6-8: Oklahoma State Auctioneers Assoc. convention, Oklahoma, City, OK.
- 6-8: Iowa Auctioneers Assoc. convention, Des Moines, IA.
- 6-8: West Virginia Auctioneers Association convention, Roanoke, WV
- 8: Oregon Auctioneers Assoc. convention, Portland, OR
- 13-15: Kentucky Auctioneers Assoc. convention, Louisville, KY
- 19: New Jersey State Auctioneers Assoc., general meeting, Bordentown, NJ.
- 20-22: Missouri Professional Auctioneers Assoc., Chesterfield, MO.

MARCH

- 2-6: California State Auctioneers Association cruise, Long Beach, CA
- 15: Indiana Auctioneers Association spring district 3 meeting, West Lafayette, IN
- 15-16: New York State Auctioneers Association, spring seminar, site to be determined.

APRIL

28: California State Auctionees Assoc., legislative day, Sacramento, CA.

MAY

No events reported to NAA.

JUNE

- 7-9: Alabama Auctioneers Association convention, Orange Beach, AL
- 11-13: South Dakota Auctioneers Association convention, Mitchell, SD.
- 12-14: Texas Auctioneers Association state convention, Kerrville TX
- 16-17: Michigan State Auctioneers Association summer conference, Port Huron, MI.

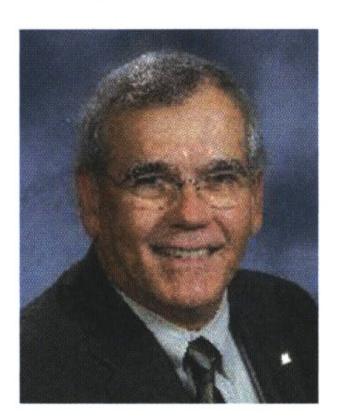
To be listed here, email your state association events to steve@auctioneers.org.



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Auction firm vs. bidder

Florida company wins court decision against bidder who refused to pay



By Randy Kincaid CAI,

Randy Kincaid
Auction Company, of
Lakeland, FL, has
conducted liquidations of business and
estate assets
throughout Florida
and Georgia for more
than 15 years.

My company recently won a

lawsuit against a bidder who refused to pay after placing the high bid for a video game machine at auction. NAA members may find the situation and legal decision relevant to them also.

At an auction liquidating coin-operated video games in an amusement center, a registered bidder won the bid on a Bally's Burgertime Multi Game for \$900. With buyer's premium and sales tax the invoice came to a total of \$1,079.56.

The bidder had inspected and played the game prior to bidding. He left the auction

and returned to pay at the conclusion of the auction. The bidder again turned the game machine on and found it had some defect and wanted to rescind his bid. After an auction company representative pointed out to the bidder that he purchased the game "as is" and had inspected to his satisfaction, he was obligated to pay and remove his purchase from the site.

The bidder became abusive to the auction company representative who was trying to resolve the issue and the bidder then left. Our auction company abandoned the game back to the seller and deleted the sale from the seller's settlement statement. We then sued the bidder in small claims court. The bidder claimed that he did not receive the game, and that he should not be required to pay for it. The bidder also argued that the auction company had allowed people to play the game after the auction before he had returned to pay for it and pick it up.

according to the Uniform Commercial Code and Florida statutes that title to merchandise passes on the fall of the hammer, and it was the bidder's responsibility to pay for and remove the machine.

When the bidder signed the registration form he had asknowledged reading the

Our firm successfully argued that

When the bidder signed the registration form he had acknowledged reading the terms of sale that he was purchasing "as is" and that it was his responsibility to inspect before bidding. The terms also dictated that removal was to be in the time frame announced at the auction, and the auction company was not responsible for items missing, abandoned or damaged. Another provision of the terms of sale forced the case into the auction company's home county instead of the county where the merchandise was sold or the bidders county of residence.

The judge took the arguments under advisement and delayed decision on the case. Two weeks later my company was awarded a judgment in the full amount of the invoice in addition to the costs of filing the claim. The total amount of the judgment was \$1,283.56.

The outcome of this case amplifies the importance of having written terms of sale that are acknowledged in writing by the bidder at registration. My company vigorously pursues auction skips, bad checks, and theft. I feel that as word gets out about his strict adherence to the terms of sale, post auction settlement problems are minimized.

Every time a bidder skips, four parties lose. The seller loses his opportunity to sell, the Auctioneer loses commissions, the state loses sales tax revenue, and the back up bidder is denied a purchase that he could have made.

Our firm successfully argued that according to the Uniform Commercial Code and Florida statutes that title to merchandise passes on the fall of the hammer, and it was the bidder's responsibility to pay for and remove the machine.

FEBRUARY 2009 AUCTIONEER WWW.AUCTIONEERS.ORG

New law prohibits sale of child products made of lead

Penalties possible for violators; resellers urged to read government website about new lead limits.

WASHINGTON, D.C. – This month new requirements of the Consumer Product Safety Improvement Act (CPSIA) take effect. Manufacturers, importers and retailers are expected to comply with the new Congressionally-mandated laws. Beginning February 10, 2009, children's products are not to be sold if they contain more than 600 parts per million (ppm) total lead. Certain children's products manufactured on or after February 10, 2009 cannot be sold if they contain more that 0.1% of certain specific phthalates or if they fail to meet new mandatory standards for toys.

Under the new law, children's products with more than 600 ppm total lead cannot lawfully be sold in the United States on or after February 10, 2009, even if they were manufactured before that date. The total lead limit drops to 300 ppm on August 14, 2009. The new law requires that domestic manufacturers and importers certify that children's products made after February 10 meet all the new safety standards and the lead ban. Sellers of used children's products, such as thrift stores and consignment stores, are not required to certify that those products meet the new lead limits, phthalates standard or new toy standards.

The new safety law does not require resellers to test children's products in inventory for compliance with the lead limit before they are sold. However, resellers cannot sell children's products that exceed the lead limit and therefore should avoid products that are likely to have lead content, unless they have testing or other information to indicate the products being sold have less than the new limit. Those resellers that sell products in violation of the new limits could face civil and/or criminal penalties.

When the CPSIA was signed into law on August 14, 2008, it became unlawful to

sell recalled products. All resellers should check the CPSC Web site (www.cpsc.gov) for information on recalled products before taking into inventory or selling a product. The selling of recalled products also could carry civil and/or criminal penalties. The agency intends to focus its enforcement efforts on products of greatest risk and largest exposure. While CPSC expects every company to comply fully with the new laws resellers should pay special attention to certain product categories. Among these are recalled children's products, particularly cribs and play yards; children's products that may

contain lead, such as children's jewelry and painted wooden or metal toys; flimsily-made toys that are easily breakable into small parts; toys that lack the required age warnings; and dolls and stuffed toys that have buttons, eyes, noses or other small parts that are not securely fastened and could present a choking hazard for young children.

The agency has underway a number of rulemaking proposals intended to provide guidance on the new lead limit requirements. Please visit the CPSC website at www.cpsc.gov for more information.

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In the Industry News and notes from the auction industry.

United Country Auction Services teams with Colliers International to auction commercial real estate

(KANSAS CITY, MO, AND BOSTON, MA) — United Country Auction Services, a division of United Country Real Estate, Inc. of Kansas City, MO, has formed a strategic alliance with Colliers International to provide accelerated commercial real estate transaction services to their respective commercial real estate clients. Colliers International is a global affiliation of independently-owned commercial real estate firms. United Country Real Estate is the largest integrated real estate and auction company in the U.S.

Accelerated marketing of commercial real estate involves setting a specific date for the sale of an asset and completing a saturation marketing effort to promote the asset for sale at the pre-determined date. Accelerated marketing events are generally completed through the auction or sealed bid process.

"It's likely that a large number of commercial assets nationwide will need to be sold in the next 12 months, and auctions are an ideal solution when seller requirements dictate," said Patrick Duffy, chairman of Colliers' National Retail Group. "The auction event is an excellent vehicle to expose an asset for sale to motivated and capable buyers, establish urgency through the date-certain aspect of the process and obtain the best, most transparent price for the seller through a competitive bidding process. We believe combining the resources of our two organizations creates a unique opportunity for clients to realize current market value in a predictable time frame, so they can clean out their balance sheets, adjust their commercial real estate portfolios and turn their attention back to their core business."

While auctions have been utilized regularly for unique luxury properties, farm and ranch land, fine art and collector automobiles, their use in commercial real estate transactions waned following the Resolution Trust Corporation (RTC)

disposition market of the late 1980s and early 1990s. In recent years, however, the expediency and effectiveness of this sales and marketing method has reignited the popularity of auctions in commercial real estate sales. In 2007, \$15.7 billion of commercial and industrial real estate was sold via the auction method of marketing.

Mike Jones, CAI, GPPA, president of United Country Auction Services, said, "As the nation's largest integrated real estate auction network with 675 offices, 4,000 agents and more than 140 dedicated, experienced auction professionals, United Country brings the support platform, accelerated marketing and auction expertise to this effort. With 11,000 employees in 61 countries, Colliers brings first-tier local commercial real estate expertise and global marketing reach. We believe that this team represents one of the most powerful assetdisposition platforms ever assembled for commercial real estate, and we are proud to be working with Colliers to offer this enhanced and differentiated solution to our collective client base."

Colliers' alliance with United Country Auction Services represents one of the tools deployed for clients by Colliers Asset Resolution Services, launched to respond to the demands and needs of banks, financial institutions and special servicers amid a dramatically changing commercial real estate marketplace.

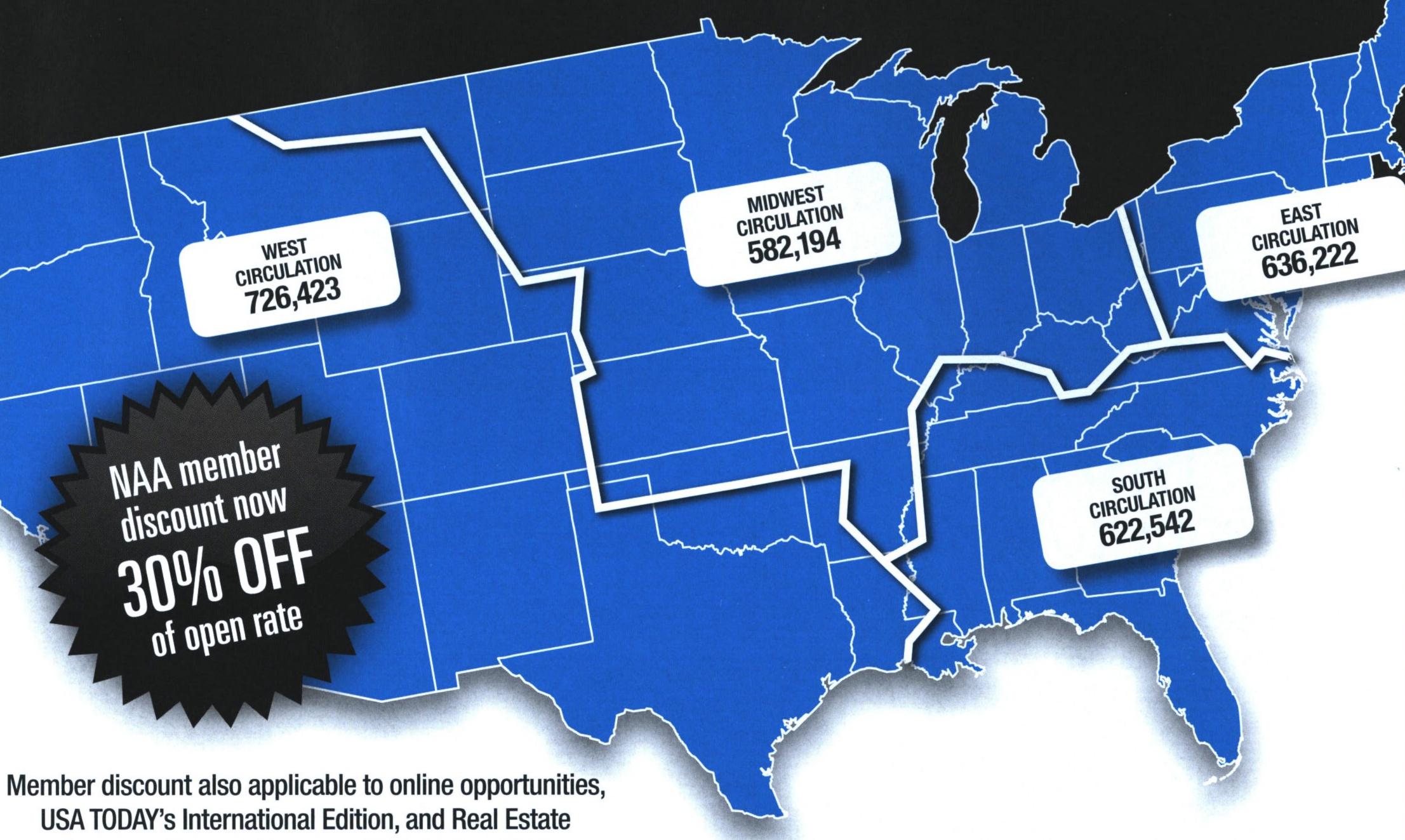
Asset managers and investors who are interested in learning more about the accelerated commercial real estate asset resolution services offered by Colliers and United Country may contact either Patrick Duffy at patrick.duffy@colliers.com or Mike Jones at mikejones@unitedcountry.com.

"It's likely that a large number of commercial assets nationwide will need to be sold in the next 12 months, and auctions are an ideal solution," said Patrick Duffy.

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Source: 2007 MMR, HHI \$85k+ and 9/07 ABC Publisher's Statement

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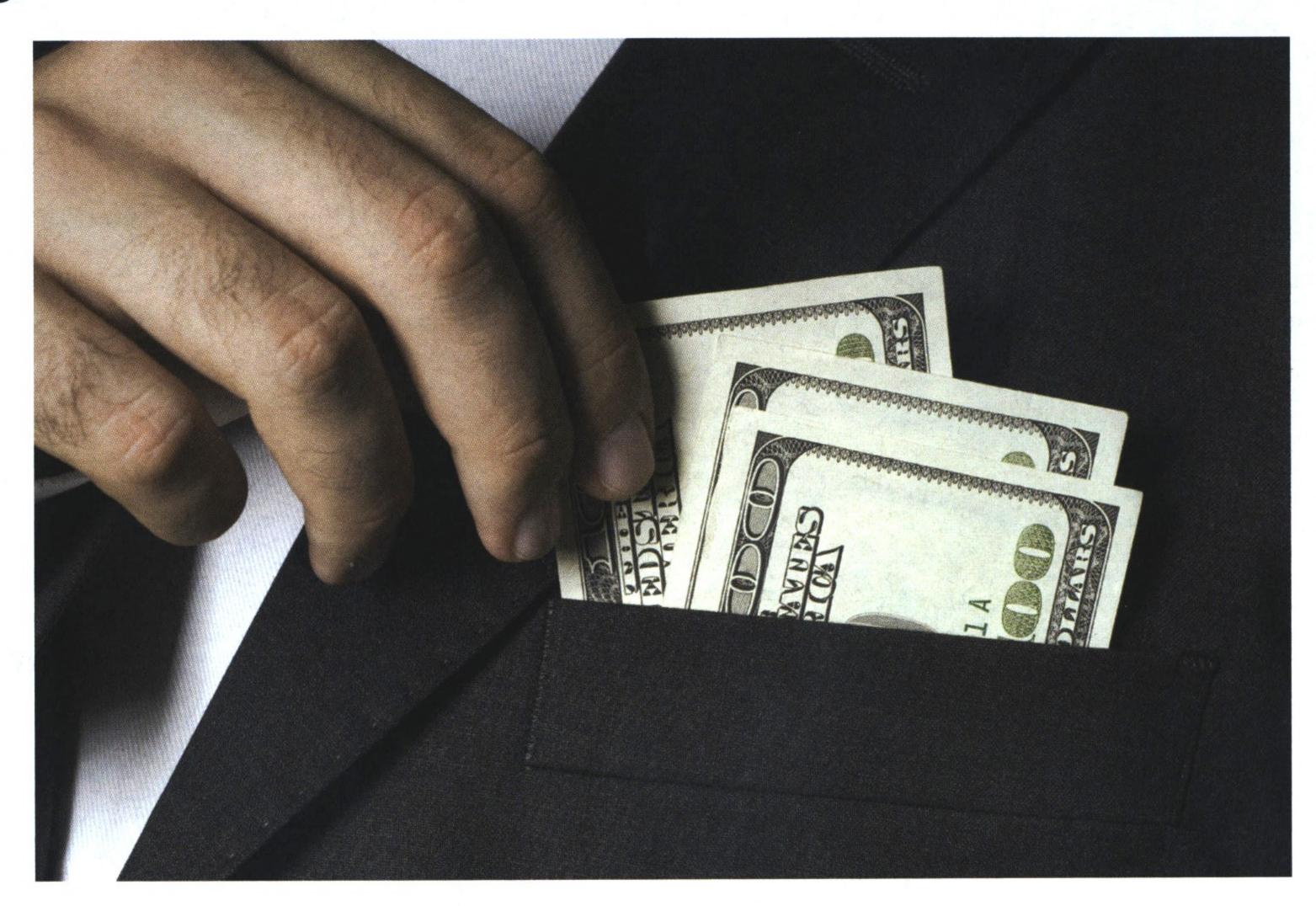
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Richard D. Ranft, CAI, AARE, GPPA Beloit, Wisconsin

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Harry E. Mullis, CES Reidsville, North Carolina

NAA's separate programs of health insurance and Errors and Omissions business insurance have saved many members more than the cost of their membership in NAA. Savings vary for your individual personal and business situations, but it is well worth your time to make comparisons with your current insurance plans. Many of the health insurance programs would not be available to you on your own, so please call for details. Contact NAA Insurance Plus representatives, Brandon Scarborough and Garrett French at (913) 754-7800.

NAA's new E & O Insurance Program is the first of its kind that will cover your business for general auctioneering, appraisals and real estate. This new program is not only unique in its coverage and offering, but also in the extremely attractive pricing. For details go to www.auctioneers.org, click on the link "Association and Membership" (on left side of the screen), then read "Business Building Benefits" in the box on the left side of the next page.

Auctioneer Auctioneer

Don't pass up savings that you could obtain by a few minutes of investigation today!

Register Today! Conference registration is now officially open

Join us at our Family Reunion!

Mark your calendar now and register today to attend NAA's 60th International Auctioneers Conference and Show held July 13-18, in Overland Park, KS, part of the Greater Kansas City metro area.

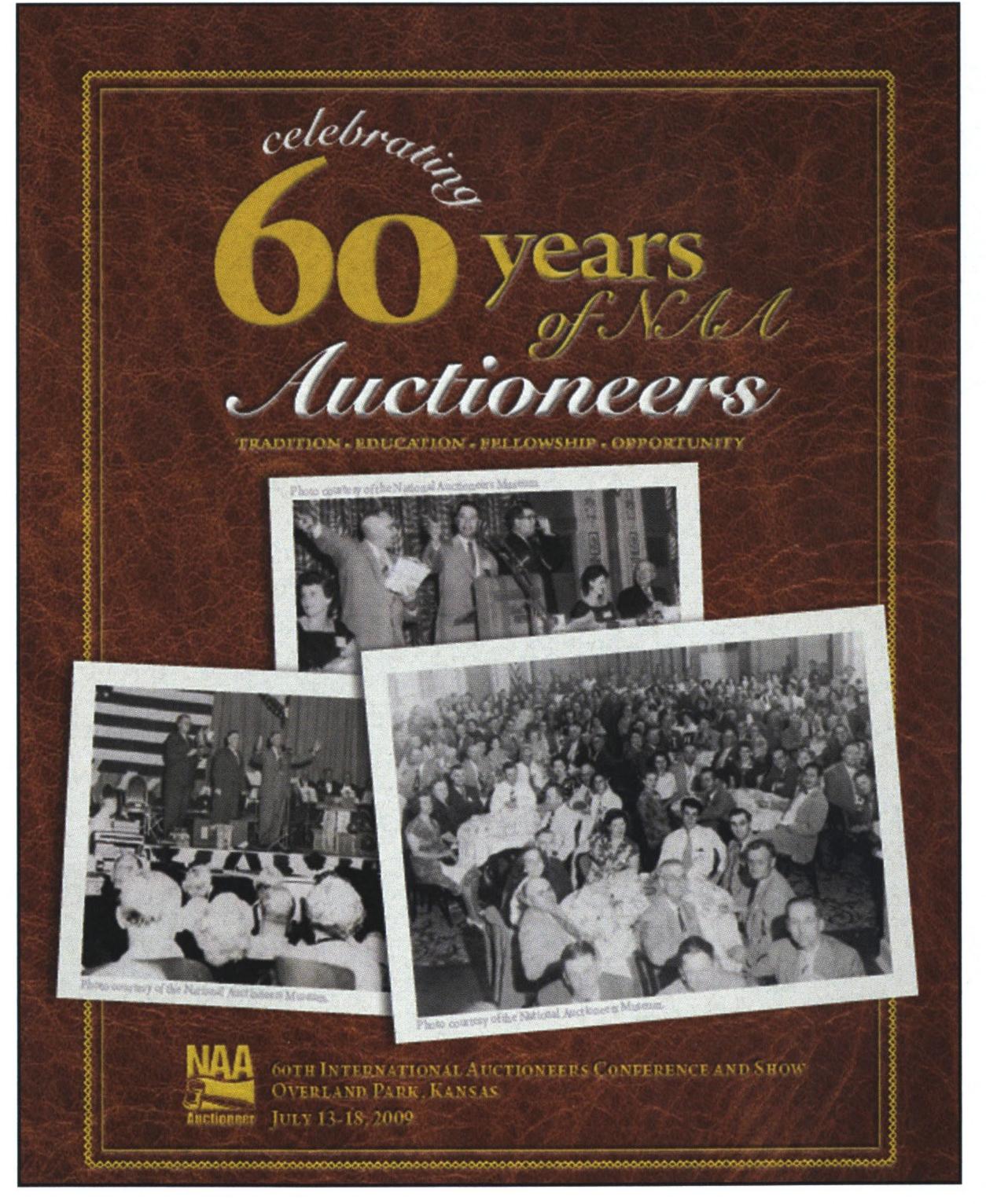
Join the fun and excitement as we celebrate 60 years of NAA Auctioneers at our Family Reunion. Be there as we pay tribute to NAA's past, and plan for the future.

Have you, or a member you know, missed a conference? You won't want to miss this year's conference. A special presentation is planned that will highlight NAA's rich history and tradition during the Opening Session. And, you just might see yourself, or an old friend, on the big screen!

Reminisce the grand ole days of yesteryear as we remember the 1956 Convention when former President Harry Truman was the guest of honor and when Albert C. Dunning was inducted into the NAA Hall of Fame in 1971. Share fond memories like that of the dedication of the new NAA executive office building in 1971 located in Lincoln, NE. Learn something new by perusing the National Auctioneers Museum's array of NAA historical and memorable photos and artifacts of the past 60 years.

At conference this year, you will once again experience innovative, informative and engaging education sessions and networking opportunities suitable for all levels of auction professionals.

Register today! The official Conference and Show Brochure and Conference Forms Booklet will provide you with all of



The 2009 Conference brochure

the information and forms you need to register for conference, participate in the contests, book hotel and travel arrangements, sign up for designation classes and play golf. It's easy to register. Simply go to www.auctioneers.org or complete the paper forms and return them to NAA. Also, don't forget to book your hotel and

travel arrangements by calling NAA Travel at 877-363-9378 (203-772-0470 international). Both the Conference Brochure and Forms Booklet are included with this issue of *Auctioneer* magazine.

We look forward to seeing you at the reunion!

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MAA Announce your candidacy for office in 2009

NAA members who wish to be elected as an officer or director of the association at the 2009 International Auctioneers Conference and Show in Overland Park, KS in July must announce their candidacy by March 1, 2009.

Candidates must submit ALL of the following by March 1, 2009

- A letter of intent to seek an officer or director's position.
- A brief response (about 75 words) for each of seven questions to be answered by all candidates. Each question (listed below) should have a 75-word answer.
- 3. A high-resolution professional color photograph of yourself.
- The following profile information: Marital status, children's names and ages, number of years in the profession, years as an NAA member, previous work history, community activities, hobbies/special interests, member of which state association(s), number of auctions you conduct annually, and your auction specialty.

Please send the information by email to hcombest@auctioneers.org or by conventional mail to the attention of the NAA Candidate and Review Committee, 8880 Ballentine, Overland Park, KS 66214 on or before March 1, 2009.

A profile of each candidate, with their photograph and answers to the following seven questions, will be published in the May issue of Auctioneer, and will be available on the NAA web site. The profile is intended to help members learn the candidates' goals and views.

The seven questions are:

- 1. If elected, what would you recommend or do that would grow the NAA membership during the next three years while you serve? Be specific and results-oriented.
- 2. What auction and life experiences do you possess that will benefit NAA and the membership by your serving on the board?
- 3. What are the top five goals that NAA should include in its Long-Range Plan for the next five years? Briefly explain your answers.
- 4. What changes do you foresee in the profession in the next 5 to 10 years, and how can NAA be best positioned to address those changes?
- 5. Most members agree that changes in the industry over the past 10 years have been significant. Given that a growing number of professionals involved in the auction industry today are not traditional bid callers, should NAA offer membership to those making auction marketing their career?
- 6. In your opinion, how can NAA enhance the image of the individual Auctioneer and the auction method of marketing?
- 7. Please explain what you see as your role, if elected to the board, and how you will make a difference in NAA, versus the other candidates.

Recommended guidelines

The NAA Candidate Information and Review Committee has developed a set of recommended guidelines for potential candidates. Candidates should know that these are the recommended qualifications that candidates should possess, although these are not required. Any NAA member may run for NAA offices. Suggested qualifications are: Be an NAA member for a minimum of three years; be actively involved at the state level and possibly have held state-level office; regularly attend NAA events, including Conference and Show; have a willingness to provide time, talent and treasure during service to the board; and embrace NAA's Code of Ethics, mission and values.

Mandatory service of directors

The Candidate Information and Review Committee has developed a list of requirements for service on the NAA board of directors. Candidates should be aware that these items are mandatory for all directors. Directors must: Attend scheduled NAA board meetings; attend NAA's annual Conference and Show; serve on NAA committees as requested by the President; be knowledgeable of Roberts Rules of Order (by which meetings are conducted); attend and provide educational presentations at various state association conventions throughout the year, as requested and available, as the official NAA representative; actively and aggressively recruit new members for NAA; contribute editorial content and articles for NAA publications as appropriate and when requested; and regularly observe the NAA website's discussion forums.

NAA Positions Available:

President-elect: Elected annually by vote of the membership. After serving as president-elect, this person goes onto serve one year as president and then one year as chairman of the board. Vice president: Elected annually by a vote of the membership. **Directors:** Four are elected to three-year terms by a vote of the membership. Treasurer: Elected every two years by a vote of the membership.

> 2009 Candidate Information and Review Committee: William L. Sheridan, CAI, AARE, GPPA (chair) Dennis K. Kruse, CAI Mike Jones, CAI, GPPA Larry Theurer, CAI, GPPA Joe R. Wilson, CAI Thomas L. Williams, CAI

NAA Bylaws (as they pertain to the nominating process)

(1.) Candidate Information and Review Committee. The President, subject to the approval of the Board of Directors, shall appoint a Candidate Information and Review Committee, the members of which shall serve for one (1) year or until their successors are appointed and qualified. The Candidate Information and Review Committee shall be appointed prior to March 1 of each year and will review and validate nominations for officer and director positions in the Association as follows: (2.) Nominations from the membership for Association positions must be submitted to the Association headquarters office on or before March 1 of each year for the election at the annual meeting in July. No further nominations shall be made after this date except by the Candidate Information and Review Committee as hereafter provided.

(3.) The Candidate Information and Review Committee will interview, either in person or by telephone, each candidate between March 1 and March 15 of each year to review the responsibilities of the position and the suggested qualifications for the position. At the conclusion of the interviews, the Candidate Information and Review Committee will summarize its interviews to be published for consideration by the entire membership. (4.) In the event that sufficient nominations are not submitted to the Candidate Information and Review

Committee to fill the slate of officers and directors to be elected at the annual meeting, the Candidate Information and Review Committee shall solicit qualified candidates to fill the slate. In the event that a full slate is prepared and a candidate subsequently withdraws or is otherwise disqualified, the Candidate Information and Review Committee shall fill the slate. It shall be the specific responsibility of the Candidate Information and Review Committee to present a full slate of nominees at each annual meeting. (5.) Election and Term of Office. The elective officers of the corporation shall be elected at the annual meeting of the membership. In order to be eligible to hold the office of President, President-elect, Vice President or Treasurer, a member must have previously served a full term on the Board of Directors. The President-elect shall succeed to the office of President if otherwise qualified and available to serve. All officers shall serve for one (1) year or until successors are elected and qualify, except that the Treasurer shall serve for

two (2) years or until a successor is elected and qualifies. (6.) Duties of Officer. The duties of the officers shall be such as their titles, by general usage, would indicate and such as may be assigned.

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NAA Treasurer position up for election; form on adjacent page has details

NAA members who wish to be elected as an officer or director of the association at the 60th International Auctioneers Conference and Show in Overland Park, KS in July must announce their candidacy by March 1, 2009.

The candidacy information on the adjacent page has details about how to apply. This page was published in the January issue of *Auctioneer*, but did not include the position of treasurer, which will be elected this year. The revised information in this issue includes text about the treasurer.

NAA wants your news

Auctioneer magazine is your publication. NAA's publications' department wants to get news and photographs of your successful auctions, as well as your letters and other feedback. Your news and photos can be featured in the Success Stories and other sections. The staff is usually able to print every news release and photo that is received. If you had special items that sold well, a benefit sale, a new method or product you tried that was successful, new members of your staff, or any other news you believe will promote your business and be of interest to NAA members, please send it by email or mail service to NAA. Email to steve@auctioneers.org, or send to Editor Steve Baska at 8880 Ballentine, Overland Park, KS. 66214.

Visit the virtual version of *Auctioneer*

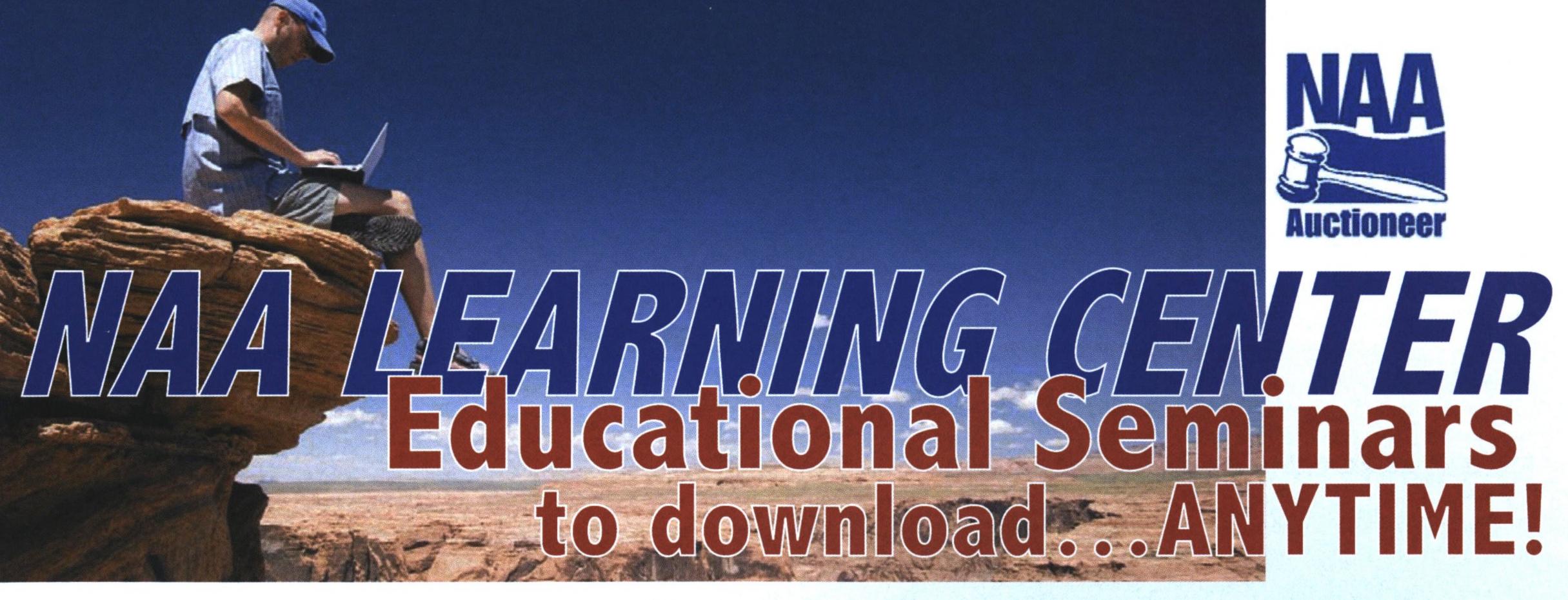
Auctioneer magazine is available for viewing on NAA's website at www.auctioneers.org for the convenience of NAA members. The publication appears in full form, with advertisements in place, just as you see them on the printed page. Viewers are able to place their cursor on thee upper right corner of a page and watch the page "turn," just as if you were turning a page by hand.

Here is how to access and read a copy of the virtual publications:

- Go to www.auctioneers.org
- Click on the Members Only link on the right side.
- Enter your username and password.
- When the next window appears, look on the right side to see the image of the cover of the latest magazine issue.
- Click anywhere on that image of the cover and it will open the virtual file of the magazine.
- Begin turning pages by placing your cursor on the upper right corner of the page and clicking once in that upper right area.



WWW.AUCTIONEERS.ORG AUCTIONEER



s an NAA member, you already know the importance and value of education. Now you can enjoy the freedom to update your skills and earn valuable CE credits when you want, where you want.

Now, you and your staff can enjoy **UNLIMITED ACCESS** to NAA's ever-growing library of seminars, webinars, recordings of NAA Conference & Show educational sessions and International Auctioneer Championships...

Think of what you're saving....The cost of new education alone can be over \$500, add in travel and hotel expenses and the costs can be significant.

The NAA Learning Center has packaged these educational opportunities along with the real estate seminars and other valuable educational offerings into one program, valued at over \$1,000!

ATLANTA REAL ESTATE **SEMINAR**

Getting Started Right Basics of Commercial Real Estate Ethics, Professionalism, and Legal Issues for Real Estate Auctioneers Working with Sellers

Working with Traditional Bankers Overview - Real Estate Auction Technology

Tools for Successful Auctions Successful 21st Century Real Estate Auction Marketing

Legal Issues

Marketing

Types of Auction Properties I, II, III **Environmental Issues**

CHICAGO REAL ESTATE SEMINAR

The Ever Changing World of Real **Estate Auctions**

Churches, Jails and Goldmines Residential Sales

Qualifying Prospects — Selling your Service/Walking Away Real Estate Auction Proposal

Basics Promotion and Sale of Commercial Real Estate

Bankruptcies and Foreclosures Growing your Business

ANTIQUES & COLLECTABLES AND APPRAISALS

Furniture Recognition Appraisals

BENEFIT AUCTIONS

Setting Up and Getting Benefit Auctions 2006 and 2007 Pump Up your Benefit Auction Profit!

BID CALLING

The Care of your Voice Vocal Techniques for the Dynamic Auctioneer Learn From the Champions — IAC Winners talk about Bid Calling

BUSINESS

Valuing Your Business Getting Started in the Auction Business 2007 Advanced 1031 Selling the Auction Environmental Issues 2007 Bring in More Business with **POWER Growth Strategies** Auction Day Customer Service Are You Making Money Working with Bankers How to Create an Auction Summary Report for the Seller

The Seven Irrefutable Rules of **Business Growth** The 10 "Ts" of Customer

Acquisition and Retention The Future of Opportunity: A

20/20 Vision of the Auctioneering Industry

eBay - Friend or Foe? Great Ideas for Retired (or Close) Auctioneers

Records and Trust Accounts NAF Session — Understanding

Seller Styles General Session 2006

CLERKING/CASHIERING

Cashiering Tricks and Tips

DESIGNATION SEMINARS

CAI Special Session with Dick Ruhe

Using the GPPA Template and the GE Asset Manager Program

GOVERNMENT **RELATIONS**

Government Relations

INDUSTRY FORUMS/DISCUSSIONS

Conversations with Dick Ruhe Online Panel and Roundtable Discussion

Great Ideas Forum Auction Houses-Panel Discussion

LEADERSHIP

Leadership Institute -Commanding Leadership in Times of Change Leadership Institute - Off-the-Chart Leadership Results 2007 Opening Session -Keynote Presentation: Leadership in a Time of Great Change

LEGAL

Tips and Strategies to Avoid Legal Claims

The Auctioneer's Bible — Article 2 of The Uniform Commercial Code

Ethics 2006 and 2007 Federal Laws Pertaining to

Auctions Federal Regulations Pertaining

to the Auction Business Approved for Texas Law Credit

LICENSING

Licensing Made Easier 2006 and 2007

Regular NALLOA Meeting 2006

MARKETING

The Best Affordable Technology and Marketing 2007

2007 State of the Industry Breakfast/Forum and Speaker: The Importance of the Hispanic Market, Today and Manana

Relating, Not Translating: How to Market to US Latinos

Advertising

The Best Affordable Technology and Marketing 2006

PERSONAL & PROFESSIONAL DEVELOPMENT

Staying Positive in a Negative World

Human Relations and Stress Stand Out

REAL ESTATE

Real Estate Auctions in South Africa

Changing Real Estate Markets Pitfalls Real Estate Auctioneers Must Know and Avoid

Predictable Questions asked by Real Estate Sellers and Buyers Real Estate Auctions — A 21st

Century Vision Mock Multi Parcel Auction

Auctions in South Africa

Ten Questions All Real Estate Auctioneers will be Asked to Answer

Selling Farm Land

Introduction to Multiple Tract **Estate Auctions**

The Condo Boom - Pre-**Construction Auctions**

RINGMAN TRAINING

Ringman Training Seminar

TECHNOLOGY

Innovation and Great Ideas in Technology to Improve your Auctions

Using Microsoft Office for your Business

The Best Affordable Technology and Marketing 2007

The Best Affordable Technology and Marketing 2006

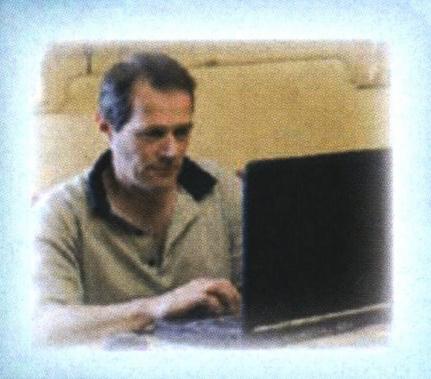
Technology 101

NAA Learning Center

ENROLLMENT FORM

To register for the NAA Learning Center, return your completed form by FAX to: (913) 894-5281 or MAIL to: NAA Education Institute, 8880 Ballentine, Overland Park, KS 66214.







The NAA Education Institute, through the NAA Learning Center, now has available conference and show educational seminars, two real estate seminars, a webinar and several online courses. You can listen to these sessions on your computer or download them to a CD, iPod, or MP3 player. Additional sessions will be added after the 2009 Conference and Show as well as additional seminars as they become available. Several sessions have video and PowerPoint presentations, as well as handouts from the sessions.

Enrolling makes access to educational sessions easy and gives you the control you need. As a subscriber you can share the education with co-workers, watch or listen when you want, and even have the opportunity to obtain CEs from certain states.

By joining the NAA Learning Center, you can attend any or all of the sessions, receive CE credits from approved states, expand your learning opportunities, and save time and money. This is not only an exceptional opportunity for you and your staff, but the Learning Center is also an outstanding value created to save you time and money.

Sessions Currently Available:

2007 Real Estate Seminar - Chicago, IL Marketing Webinar featuring Larry Mersereau

All 2007-2008 NAA Conference & Show Educational Sessions

2007 International Auctioneers Championship (IAC)

All 2006 NAA Conference & **Show Educational Sessions**

2006 International Auctioneers Championship (IAC)

2005 Real Estate Seminar — Atlanta, GA

...access seminars ALL YEAR LONG!

2008 International Auctioneers Championship (IAC)

Phone: 888-541-8084 ext. 19

or 28

Fax: 913-894-5281

NAA Members

Email: education@auctioneers.org

Web: visit www.auctioneers.org

Non-members

PAYMENT INFORMATION

NAME: _____ CHARGE (MARK ONE) O AMERICAN EXPRESS O MASTER CARD O VISA O DISCOVER

FIRM NAME: _____

MEMBER NUMBER:

PHONE:

CITY/STATE/ZIP _____ E-MAIL:

WEB SITE:

CHECK ENCLOSED: MAKE PAYABLE TO NAA ...OR...

CREDIT CARD NUMBER:

FIRM ADDRESS: _____ EXPIRATION DATE: ____

CARD HOLDER'S NAME (PLEASE PRINT)

CARD HOLDER'S SIGNATURE:



Name of Nominee			
Residence Address		Phone (
City	State		Zip Code
State Association of Nominee			
Business Information			
Name of Firm	Position	on in Firm	
Number of Associates or Partners in Busine	ess		
Business Address		Phone (
City	State		Zip Code
Personal and Family Information			
Spouse's Name			
Does spouse participate in the auction	profession?	JYes □No	
If yes, explain:			
Children (include names and ages)			
	Age		
	Age		
	Age		
Does spouse participate in the NAA Auxilia	ary? Yes	No	
Does spouse participate in the State Auxilia	ry?	No	
General Professional Information			
How long has the nominee been associated	with auction	business?	
What percentage of the nominee's time is a			
How long has the nominee been a member			
Has the nominee specialized in any particular	lar field of au	ctioneering?	es □No
If Yes, name:			



List educational background of the nominee, including offices held current and past:					
List regular auctions conducted, if any, and/or any special individual auctions conducted that brought attention and credit to the auction profession:					
		om the Hall of Fame Av	have knowledge of the nominee's vard Committee may contact:		
Name		Address			
Name		Address			
Name		Address			
think each nominee should with respect to: Honesty;	d possess or have shown. High Ethical Standards;	Please reflect your pers Willingness to Share v	eral qualifications which they sonal assessment of the nominee with Others; Standing in his or NAA and the Auction Profession		
Nominations n	NAA Hall of C/O National 2 8888	f Fame Awards Committe Auctioneers Association O Ballentine	9. Mail nominations to:		
C 1 11 / 1		Park, KS 66214			
Submitted by (please print					
Residence Address					
City	State	Zip	Code		

Nomination recommended by (state association) _

The Michael Jackson auction is slated for April 21.

From animals to a pop star

Auction Network to feature Art for Animals event and singer Michael Jackson auction

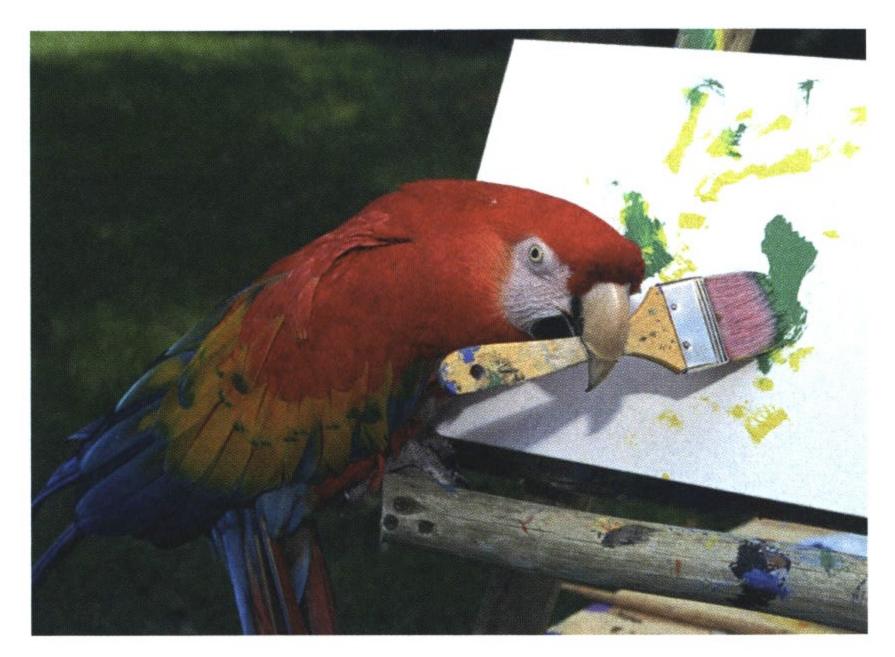
February means cold weather, but things are heating up at Auction Network! This month brought the 51st Annual Grammy Awards Live Charity Auction, benefiting MusiCares. Live from sunny Los Angeles on February 6, this star-studded evening represented over 70 years of music history from early jazz greats to rock n' roll legends.

There was an amazing array of choices to bid on. Auction Network viewers had the opportunity to own a stage-played guitar from David Bowie or Eric Clapton, or a pair of sunglasses owned and worn by Roy Orbison. There was also an extensive collection of Rolling Stones and Beatles memorabilia.

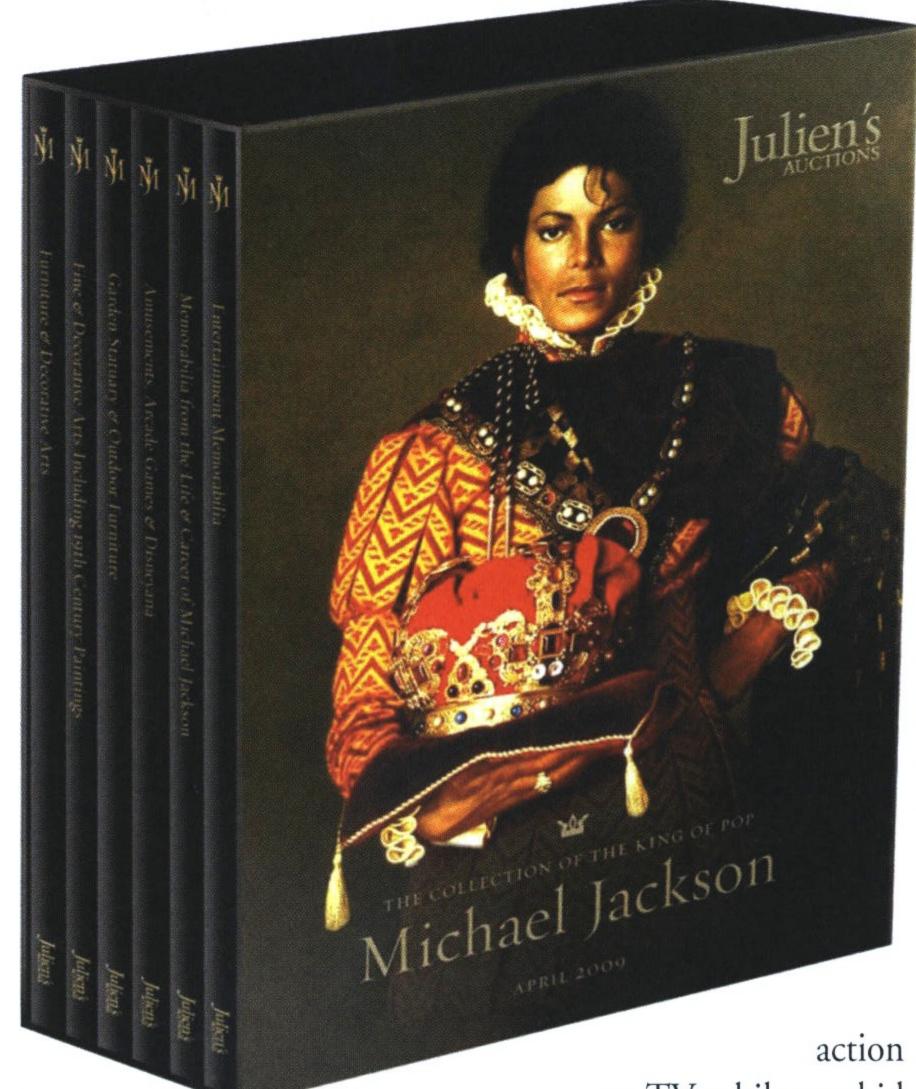
And the best part about this auction is that it really helped others. MusiCares provides financial assistance and addiction recovery

services for music artists in medical, financial, or personal crisis. Auction Network viewers were a part of this important auction by bidding on these one-of-a-kind collectibles, and helping people in need.

Auction Network makes it easy for you to place your bids early for any of our auctions by logging onto www.auction-network.com. It's simple to register, and it's free! Check our website for more exciting auctions coming up in the next few weeks such as our Art For Animals Auction to benefit zoos and aquariums across America, or the big five-day Michael Jackson "King of Pop" auction slated for April 21. You can also find local listings in your area where you can catch all the



Paintings by this penguin and parrot are among items to be sold at the Art for Animals auction.



on TV, while you bid live, real-time on the Internet.

While you are on our site at auctionnetwork.com, remember we'll remind you ahead of time of any auctions you have registered for. We'll also confirm all your bids you make prior to the auction, and even let you know if you've been outbid. That way you have a chance to bid again and possibly win the item you have your eye on.

On the Auction Network site you can also take a look at past auctions and the interesting backstories surrounding the items up for bid. And we provide historic sales data on similar items you may be bidding on. Auction Network is your one-stop

destination for all things auction.

Whether you're looking for fine wine, livestock, or Hollywood collectibles, Auction Network has an auction that will interest you. We have a very busy 2009 lined up that will bring a huge increase in the number of live auctions you can see at Auction Network. It's going to be a fun and interesting year for both

sellers and buyers on Auction Network, where you can watch, bid and win!

The Auction Industry Software Authority

Online or in person...
On the road or at home...
Large auction or small...
Whatever you sell and wherever you are...
CUS has the right system for you!

More auction firms use CUS than any other system to sell any type of asset in every corner of the world.

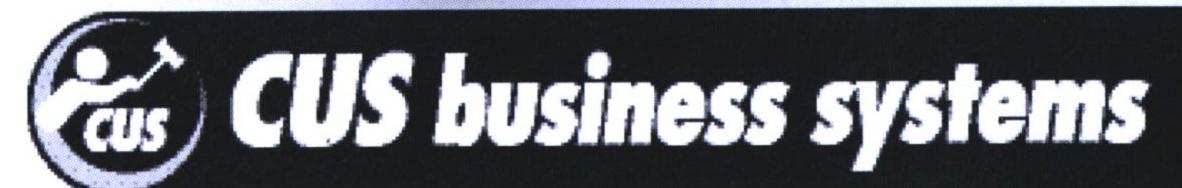
Online and traditional auctions in one complete system

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The most powerful inventory management in the industry

CUS puts it all together for the professional auctioneer!





www.cus.com

When strategic plans fail Avoid these six dangers to help your company's strategic plan succeed

By Ron Price

Ron Price is the founder and CEO of Price Associates, a company dedicated to helping business leaders and entrepreneurs solve problems, identify solutions and implement change in strategy and performance. Ron is also the author of "Finding Hidden Treasures," a series of essays with action steps to aid readers in mining their own inner talents. For more information, visit www.Price-Associates.com or call 866-442-0556.

For any business, strategic planning is a necessity. It's the key to looking to the future and creating a direction intentionally as opposed to simply reacting to the marketplace.

But, surveys show that over 50 percent of executives are dissatisfied with the results they get from their strategic planning. So while think strategic planning is necessary, they don't fully realize the benefits they were hoping to attain from it.

HERE ARE SIX REASONS WHY MOST STRATEGIC PLANS FAIL.

- 1. Lack of focus. Often, people get lost in the semantics of defining their vision, mission, and values. They spend so much time and effort trying to understand what those terms mean and how they fit together that by the time they have it all figured out, they're mentally fatigued. As a consequence, once they get to the actual plan creation and implementation, they're just trying to get it done. Their energy is drained and now they're in survival mode, which is never a good mindset for strategic planning.
- 2. Lack of energy/resources. Some people run out of energy or resources before they can get to a practical plan. For example, one company got halfway through their plan and then abandoned it. When asked why, they said that they spent their entire budget and ran out of money. So sometimes strategic planning doesn't work



because the company hasn't done the right kind of allocation and alignment of resources for a comprehensive process.

- 3. Lack of understanding. Other people confuse strategic planning with operational planning. That is, they focus on financial numbers, looking at what the numbers were for the past three years and then extrapolating from that. As a result, the planning becomes just a matter of establishing financial targets and budgets into the future rather than having a dynamic debate about the larger strategic issues that could be impacting the organization in the future. These people neglect what has changed since the last time they met, what's changing now, and what might change in the future. They're stuck in the accountant's mindset. And while numbers are important, when they dominate the planning process, they're not being strategic.
- 4. Lack of accountability. Sometimes the strategic planning process becomes too political. There's too much turf protecting. It becomes a time when people have to give

- reasons why their plan didn't work in the past. That's when the blame game starts and people become defensive. As a result, the group cannot deal with the real issues at hand. So no matter what plan they come up with, they're not going to have the muscle to execute on that plan because the bigger issues are still pending. When the process becomes too political and too driven by special interest, then it breaks down.
- 5. Lack of follow up. Many times strategic planning fails because even though the actual plan is complete, there's little or no follow up to ensure that the plan is executed. They get the plan created and in a notebook, but they put it on the shelf and never look at it again. The plan never gets integrated throughout the organization.
- 6. Lack of flexibility. Finally, strategic plans don't work because the circumstances change and the plan becomes obsolete. It may have been a great plan at the time it was created, but things change in the environment. The fact is that the

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strategy can be right today but wrong tomorrow because of external factors. So for a strategic plan to work, you have to somehow build into that process a mechanism for reviewing and adapting the plan as circumstances change.

PHASES TO SUCCESSFUL STRATEGIC PLANNING.

1. The first phase is intuitive thinking, and it has more of an emotional attachment to it. This first phase answers the bigger questions such as, "Why are we in business? Who are our customers? What do they want from us? What do they get from us? What matters most to us? What are the values that we want to drive the way we do our business? Where do we see our company going in the future?" These are big picture, intuitive, and often emotionally loaded questions. At the beginning of the strategic planning process people need the opportunity to deliberately and thoughtfully think about how to respond to those questions.

2. The second phase is long-range planning. Instead of being intuitive, it becomes very analytical. It's about understanding such things as where your company fits in the marketplace, what your strengths are as an organization, where your limitations are, and how you relate to customers and competitors.

3. The third phase is operational planning. This is when you get very practical and specific. Based on your intuition and your analysis, you now cover specific issues that you uncovered. During this phase it's a matter of understanding what you really have the bandwidth to do, so you don't over-commit yourself. For those things that you do commit to, now is the time to develop your plan for implementing and executing on those issues with excellence, which includes understanding who is responsible for what, what guidelines they're going to be functioning under, what resources they're going to have available to them, and what milestones or review points you need to have along the way to make sure

everyone is staying on schedule.

You need to establish how you'll change as the external circumstances change, and establish a clear understanding of what consequences will be of failure or success.

CREATE YOUR FUTURE TODAY

Realize that you can't work on all three planning phases at the same time.

Each phase builds upon the last to give you the proper focus and mindset to make your strategic planning successful. When you think about strategic planning in phases and as an ongoing process rather than an event, you weave your strategy into the organization's culture. And that's when progress really happens-when your strategic, long-range, and operational planning are a normal part of the way the business functions every day. Only then can your company get the results that a successful strategic plan delivers.



real estate. industrial. bu



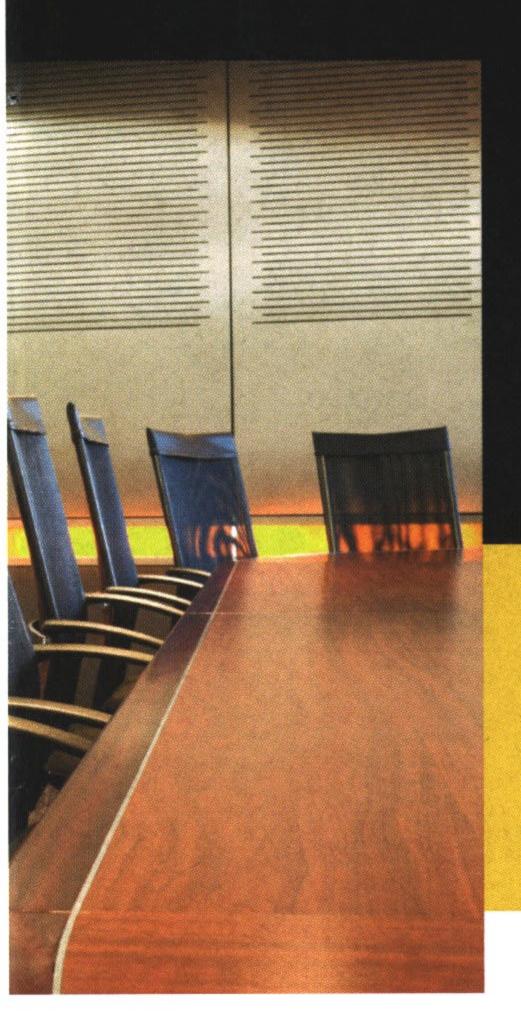


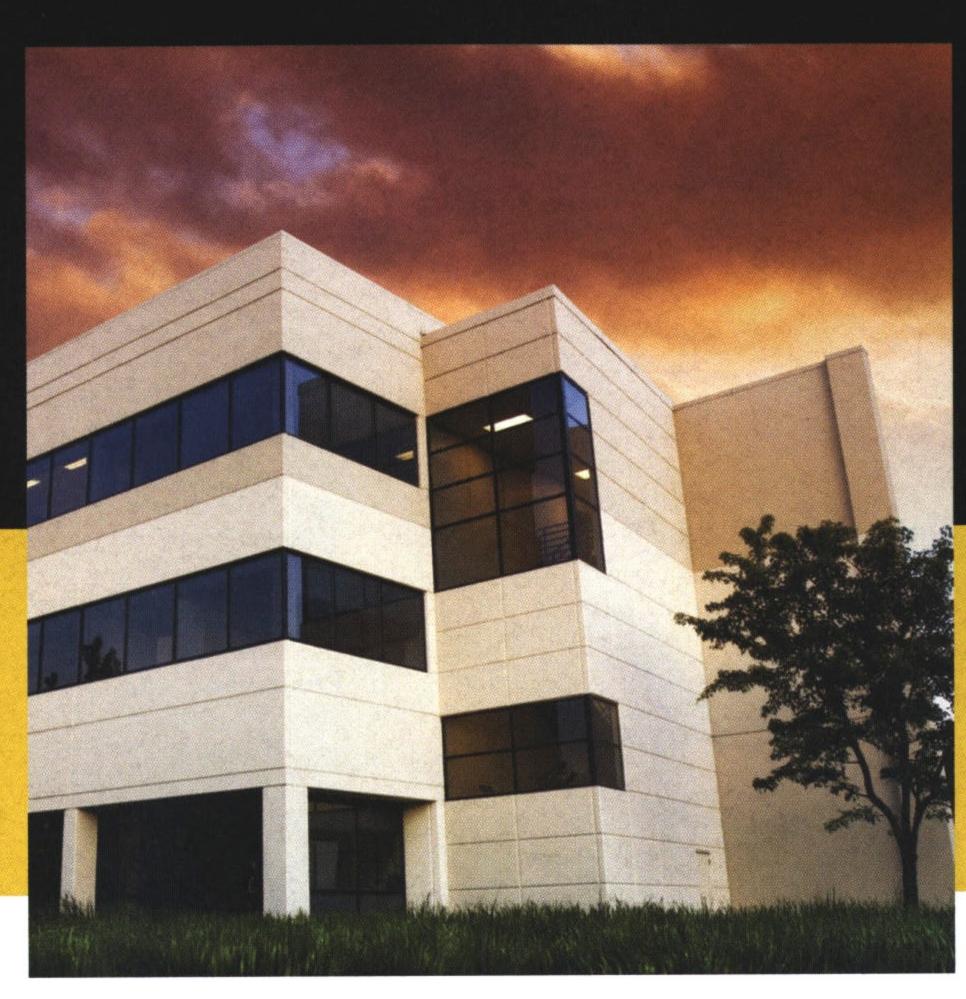


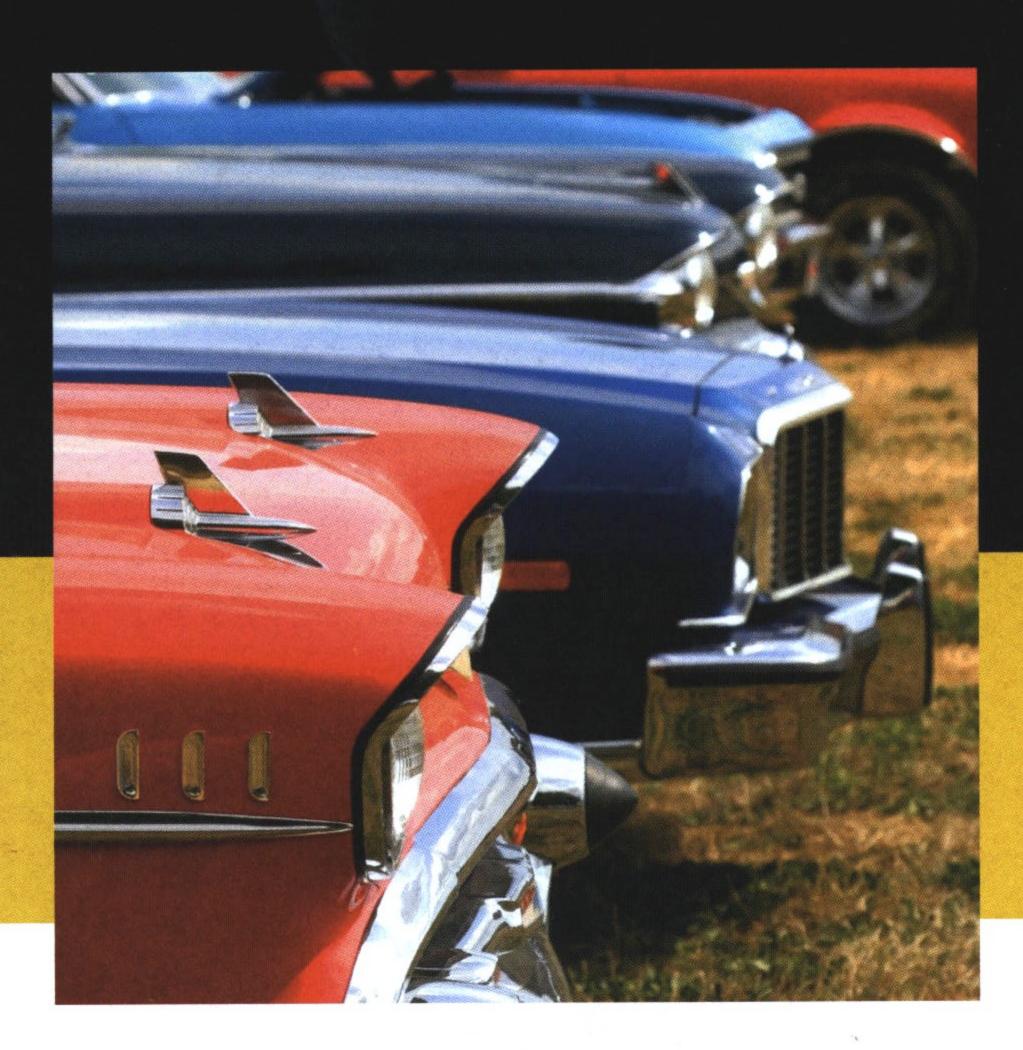
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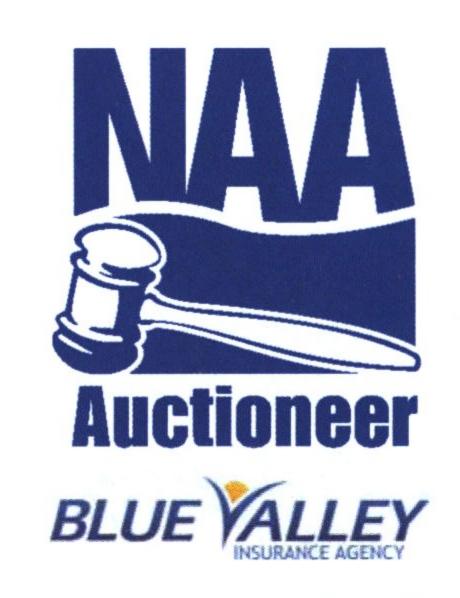


1-877-456-LIVE (5483) Do you Have Workers' Comp Insurance 3

NAA Workers' Compensation

For a quote, visit Blue Valley Insurance's web site at www.bvia.com.

msuramee





The Hartford has been in business over 195 years and has an A+ rating from A.M. Best.

NAA's new deviated Workers' Compensation insurance program can cover your auctioneering business and is offered through The Hartford Insurance Group.

"Deviated" means a better price is available than can normally be obtained by other programs. Workers' Compensation insurance covers expenses incurred by an employee who is injured on the job, such as lost time and medical expenses.

The NAA program is available for contract Auctioneers and any company with one or more employees. The NAA encourages auction company owners, managers and contract Auctioneers to examine this new program.

When contract Auctioneers work for a client company today, often the client will require the contract Auctioneer to carry their own Workers' Compensation insurance.

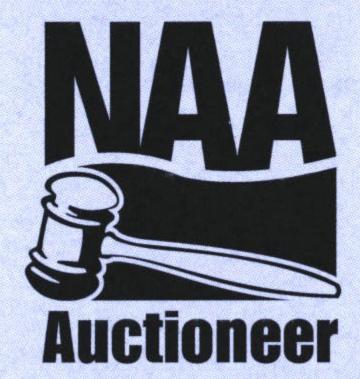
States require employers to carry Workers' Compensation if they have a certain number of employees, which varies by state. Usually it is five or more, but in some hazardous occupations it can be one employee.

If an employee is hurt on the job, the employee can sue your company and you can end up paying much more than the insurance premiums would have cost you.

For specific questions, please contact

- Lea Rowland (lea@bvia.com)
- T.J. Obringer (tj@bvia.com)
- Pam Snyder (pam@bvia.com)

or call Blue Valley Insurance Agency at (913) 451-0020.



NAA Education Institute

Upcoming Education Programs Listed by Event

2009

The NAA Education Institute provides Auctioneers with the information they need to be more successful. From designation and certificate programs to Conference & Show and specialized seminars, a wide array of educational opportunities abound for those willing to invest in their own success.

Visit the NAA website today for detailed class descriptions and registration information for the programs listed below.

CAL	Cortific	ad Aucti	oneers	nstitute
UAI	CEILIII	Eu Auch		Houte

March 22-27, 2009

Bloomington, IN

Appraiser As Expert Witness

April 24, 2009 July 13, 2009 August 28, 2009 December 11, 2009

Chicago, IL Overland Park, KS Portland, OR Las Vegas, NV

Real Estate Seminar

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Atlanta, GA Benefit Auctioneer Specialist

April, 2009 July 11-13, 2009 October 19-21, 2009

Seattle, WA Overland Park, KS Atlanta, GA

Designation Classes

Accredited Auctioneer Real Estate April 19-24, 2009

> July 8-13, 2009 August 23-28, 2009

December 6-11, 2009

Certified Estate Specialist

February 23-25, 2009 July 11-13, 2009 August 17-19, 2009

Charleston, SC Overland Park, KS Portland, OR

Auction Technology Specialist

February 23-26, 2009 July 10-13, 2009

September 21-24, 2009

Las Vegas, NV

Overland Park, KS

Overland Park, KS

Charleston, SC Phoenix, AZ

Graduate Personal Property Appraiser

April 20-24, 2009 July 9-13, 2009 August 24-28, 2009 December 7-11, 2009

Chicago, IL Overland Park, KS Portland, OR Las Vegas, NV

Graduate Personal Property Appraiser M&E

February 23-24, 2009

St. Louis, MO

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Are you interested in bringing NAA Education to your area? Call 913.541.8084, ext. 28 Check the NAA website, www.auctioneers.org, for changes and additions.

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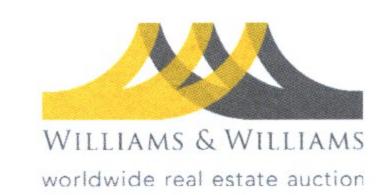
First-Timers and Mentors Breakfast

NAA Credit Card Program www.auctioneers.org



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Williams & Williams www.williamsauction.com



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IAC, IJAC, and IRC Competition Clerking

Auction Flex www.auctionflex.com



NAA Marketing Competition Awards Reception

USA Today www.usatoday.com





Opening Night Event

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Association
www.moauctioneers.org

Kansas Auctioneers Association www.kansasauctioneers.com



Opening Session

National Auctioneers Foundation www.auctioneers.org



IAC, IJAC, and IRC Item Catalogs

Auction X-Press www.auctionxpress.com

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On your best (business) behavior Customer service behaviors that can boost your bottom line

By Joe Takash

Joe Takash is founder of Victory Consulting, and a business consultant who specializes in management, leadership and communications. He helps clients build morale, results and profits through relationships. Visit www.joetakash.com.

Your business behaviors can win you clients or lose clients. Here are top behaviors that you should apply with passion and consistency.

- 1. Make a great first impression: Start paying attention to how people greet you. Do they convey warmth and enthusiasm? Do they ask questions and show interest in you? This is what sets the tone for profitable relationships.
- 2. Be a name-learning machine: Ask people's names. When you forget immediately, (which we all do), ask again. Then create associations like "Donna from Detroit" or "Stan the man." Write names down. Use them while speaking to people.

Most of all, practice the name-game everywhere. You'll get in great name shape.

- 3. Be a fantastic listener: Most people are lousy listeners. Ask open-ended questions so you can practice silence. Do not interrupt or finish peoples' sentences. Show nonverbal attentiveness. Paraphrase what others said to show respect and gain accurate understanding. Show emotional support and empathy by trying to understand their perspective. Most of all, be fully engaged. Excellent listening is not just smart business, it says a lot about your character.
- 4. Create common ground: This is when you and others can relate to each other because of a shared interest or experience. When people have things in common, seeds of trust are planted, friendliness and comfort are accelerated. Get great at asking questions that lead to sharing information like, "So John, where are you from originally?" "Did you do anything fun last weekend?"
- 5. Show constant appreciation: Send thank you cards every week. Fact: If you don't send handwritten thank you notes to customers or clients who give you business (regularly!), you are losing money. Taking time to show gratitude is about class on a personal level and it creates a bonding that shows concern on a professional level.
- 6. Apologize and admit fault: Be willing to say, "I'm sorry that I spoke to you like that" or "Team, before we start this meeting, I need to admit fault over how I handled a client situation." Remember, your best relationships are not built. They are rebuilt.
- 7. Be positively contagious: Use positive words, choose to look for the best in others, walk with confidence, speak with a genuine passion and treat people with dignity. Your behaviors are what count most. Play to win.



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Welcome new members!

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Melvin Edward Richards M.E.R. Services Inc 17314 Croom Rd Brandywine, MD 20613 (301) 704-7367

I graduated from The Texas Auction Academy in March of 2008 where a representative came in and discussed your organization. I was so new to the business that I researched your website and found it to be a wonderful resource for me as a new Auctioneer. The education alone is amazing, let alone the national recognition that comes with it. NAA even has a mentor

board which I will use. Overall, the education, programs and publications are excellent! I specialize in real estate auctions (land, ranch, residential and commercial) along with benefit auctions and estates. I look forward to utilizing all that NAA has to offer!



Jennifer "Danni" Gunn Broker Owner/Appraiser/Auctioneer Rocky Mountain Ranch Land & Auction Divide, CO.

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I'm a returning member to NAA. I have been a member in the



past. I returned to the association because my traditional real estate business is going to be off in 2009 and 2010, and my real estate auction business should be strong for the next few years. I sell real estate only at public auction.

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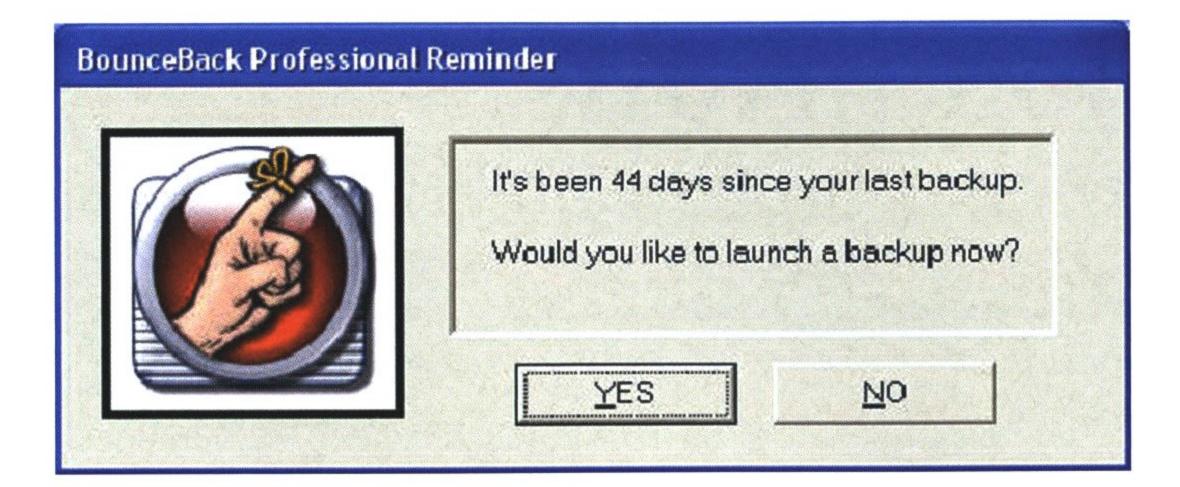
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Affordable ways to back up your computer hard drive

Gregg Marshall, CPMR, CSP, is president of Rep Connection Inc. He can be reached by e-mail at gmarshall@repconnection.com, or visit his LinkedIn profile at http://www.linkedin.com/in/greggmarshall.

100 million hard drives fail every year. I've had my share, including one on Christmas Eve. When was the last time you backed up your computer hard drive, meaning save all the information in a safe location where you could retrieve it in case your computer's central storage space gets erased, damaged or corrupted? Do you need to backup your laptop, your home desktop computer, your work personal computer?

500 gigabyte external USB drives are selling for \$99 to \$129 on sale (Amazon has one LaCie Desktop Hard Disk 301285U 500 GB USB 2.0 External Hard Drive). That's enough to back up a notebook and most people's desktop computers. A USB drive is a piece of hardware that inserts into a USB port, a slot on the side or back of a computer.

My favorite backup software is CMS Products' BounceBack Professional (\$79, www.cmsproducts.com). While Windows has a built-in backup program, BB Pro can create a backup drive that can be simply installed to replace a failed drive (obviously you can't put a 3.5-inch hard drive into a notebook).

What I really like about BB Pro is it's the ultimate "nagware." You tell it how often you want to back up and it will nag you to plug in that external drive and do your backups.

So really, when was the last time you backed up?

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Accelerate auction profits New book quotes Auctioneers who had their

revenues revved-up by business consultants

By Steve Baska, editor

Business consultants Joe Calhoon and Bruce Jeffrey, both of Kansas City, MO, have advised many auction company owners in recent years on how to improve their companies. At least two of those auction firm success stories are included in the new book "On the Same Page: How to Engage Employees and Accelerate Growth," by Calhoon and Jeffrey.

The authors outline their program for success, called "PriorityAdvantage." They say the program is comprised of "four distinct leadership practices that have been developed in the crucible of growing, entrepreneurial business." The four elements are: PriorityPrinciples (seven ideas to engage employees and accelerate growth), PriorityPlanning (six elements of a dynamic business growth plan), PriorityAchievement (six keys to higher achievement), and PriorityRenewal (five accelerators of renewal).

While the details of each section are too lengthy to cover in this review, they include things like setting a company vision, measuring objectives and providing effective leadership. The authors present their ideas in simple, persuasive language and provide concrete examples of how the ideas have worked in real companies. Here are two auction company examples explained in the book:

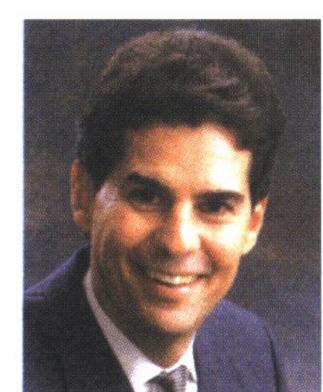
the introduction---"Miedema Companies (founded by Sid Miedema, Sr., Sid Miedema, Jr. CAI, and Scott Miedema of Byron Center, MI) is a marketplace leader providing traditional and online auctions, as well as business liquidation services. Before their team got on the same

New Book

Title: "On the Same Page: How to Engage Employees and Accelerate Growth."

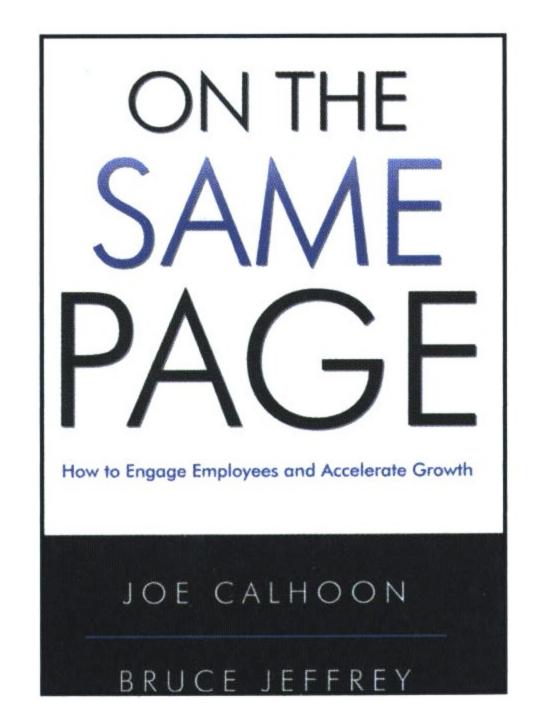
Authors: Joe Calhoon and Bruce Jeffrey. Publisher: Insight Publishing, Sevierville, TN.

Price: \$19.95 for electronic version \$24.95 for hardback at www.priorityadvantage.com





Bruce Jeffrey



page: employees were disengaged, revenue growth was stagnant, profits were minimal, the owners had become disenchanted. Now they are on the same page. Within two years, the company experienced a turnaround: dramatic employee engagement had measurably improved, revenues were up more than 50 percent, profits had increased dramatically (and were being shared with the employees), the owners were delighted with the progress and their promising future."

Joe Calhoon

From page 25, Vision chapter---"During a recent meeting, Joe Wilson (CAI), President of Wilson Auctioneers (of Hot Springs, AR), leaned back in his chair, looked at the ceiling, and after a long pause declared an inspired vision to his team. 'You know what I really want us to become?,' he asked. 'I want us to be the finest real estate auctioneers in Arkansas.' This is Joe's passion. It played to his strengths, and it provided value to his marketplace. The entire team resonated with Joe's vision. Then Joe involved his team in achieving a detailed plan to make that vision a reality. In the next year, the team at Wilson Auctioneers in Hot Springs, Arkansas doubled their revenues."

For more information or to order the book, go to www.priorityadvantage.com or call 816-285-8144.

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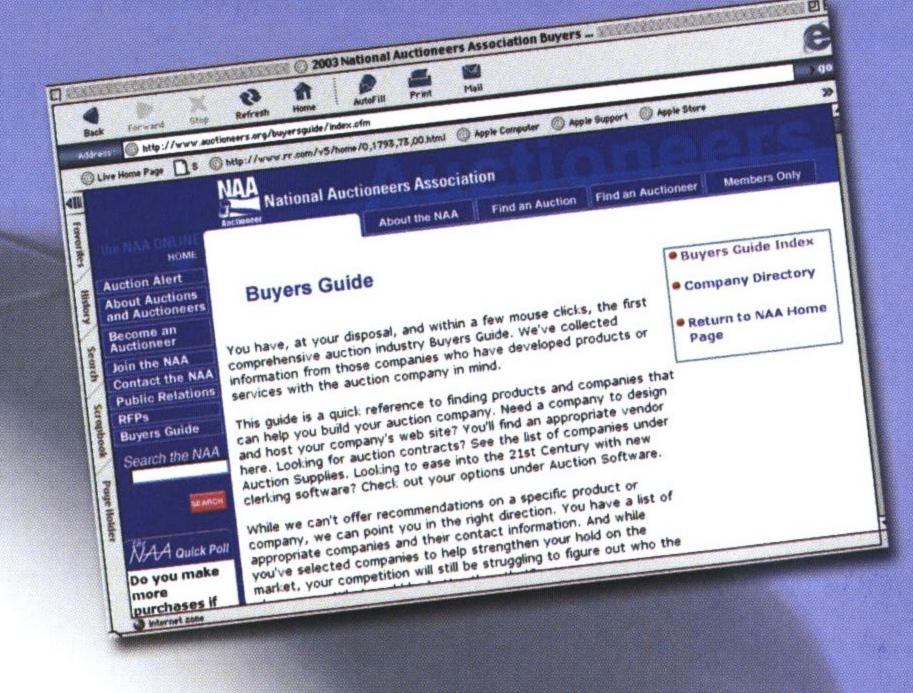
Trailers

Management Companies

Stop spending time searching...

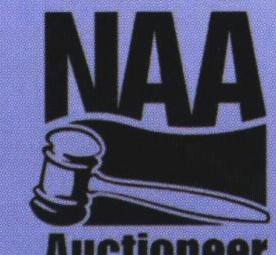
its all here!

Whatever you need to make your business profitable, we have it listed on the NAA buyers Guide. The NAA Buyers Guide is a comprehensive resource directory of auction industry vendors and services aimed at helping your business run more smoothly and increase revenues. It's like a mini resource center for auction professionals. It might be compared to a phone directory, but it's much more valuable because it's industry focused and provides a full description of each company's products and services. For your convenience, company web site links are provided at the click of a mouse. Auctioneers can access it 24-hours-a-day online through the NAA web site, www.auctioneers.org. It is just one more way that the NAA is committed to providing valuable services to its membership.



the NAA's

BUYES GUIGE at www.auctioneers.org



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Thanks to United Country for hosting a great educational & networking opportunity." seminar was absolutely outstanding. opportunity. "The United Country Auction Services

Robert A. Doyle CAI, ISA, CES, O United Country -Pleasant Valley, Absolute Auctions & Realty, Inc. Pleasant Valley, NY

"United Country Auction Services has the most powerful office building tools I have ever seen, and truly represents the word 'Family' to the fullest. United Country always makes me feel like I can do anything I set my mind to."

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