

901:8-2-05

~~Duration of license and notification of changes~~
Duration of auctioneer and special auctioneer license and notification changes .

(A) ~~Period issued. All licenses are valid only for persons to whom issued and expire annually on the last day of June of each year. Licensing year for auctioneers and special auctioneers:~~

(1) Every person licensed as an auctioneer and special auctioneer in the State of Ohio shall be issued a license on a biannual basis according to the following schedule:

(a) Beginning licensing year July 1, 2005 persons who make application for a license for the first time or renewal pursuant to Chapter 4707 of the Revised Code, and their last name begins with the letters A-J and X-Z shall, if they qualify, be issued a two year license expiring on June 30 of odd numbered years thereafter. Persons with the last name beginning with the letters A-J and X-Z making application for a new license within a biennium period shall, if qualified, be issued a license for the unexpired period of the biennium. The licensing fee for the biannual license shall be two hundred dollars. If a person is issued a license anytime in the first year of the biennium he shall be required to pay the two hundred dollar licensing fee. However, if a person makes application and qualifies anytime in the second year of the biennium the licensing fee shall one hundred dollars. If a person does not renew by July 1 of odd numbered years, but does so before September first of that year he/she shall be required to pay the licensing fee and a late fee in the amount of one hundred dollars.

(b) Beginning licensing year July 1, 2005 those persons making application for the first time or renewal with a last name that begins with the letter K-W shall, if they qualify, be issued a one year license that expires on June 30, 2006, and shall pay one hundred dollars in a licensing fee. If a person is issued a license at any time in the licensing year beginning July 1, 2005 the person shall pay the one-hundred dollar licensing fee. If a person does not renew by July 1, 2005 but does so before September 1, 2005 the person shall be required to pay the licensing fee and a late fee in the amount of one hundred dollars. In the licensing year beginning July 1, 2006 and even years thereafter those persons with a last name that begins with the letter K-W and making initial application or renewal application and qualifying for a license and/or renewal shall be issued a two year license which shall expire biannually on June 30 of even numbered years. The licensing fee for any biannual license issued to a qualified person with a last name starting with a letter of K-W shall pay a fee of two hundred dollars if licensed during the first year of the biennium. If a person is issued a new license in the second year of the biennium than the licensing fee is one hundred

dollars.

- (B) Changes requiring reapplication and new license. The changes listed below cause a license previously issued to become invalid and require that the licensee notify the ~~division~~ department of agriculture and apply for and obtain a new license prior to conducting any further auction activities. Upon notification and payment of a ten-dollar fee, the ~~division~~ department of agriculture shall issue a new license. Change from one form of business organization to another:
- (1) Upon incorporation or change from a corporation to another form of business organization.
 - (2) Upon sale of partnership, sole proprietorship or corporation to other parties.
 - (3) Upon increase or decrease in the number of partners or change of partners in a partnership.
- (C) Changes requiring notification ~~of division~~ to the department of agriculture. The changes listed below cause a license previously issued to become invalid and require that the licensee notify the ~~division~~ department of agriculture and return the license to the ~~division~~ department of agriculture. A new application is not required. Upon notification and payment of a ten-dollar fee, the division shall issue a new license.
- (1) Any changes in the officers or controlling interest in a corporation.
 - (2) Change in the trade name or name under which licensee is doing business.
 - (3) Change in the permanent business location.
- (D) Application procedure for new license due to change. Subject to one of the events listed in paragraph (B) of this rule, an Application application should be made at least ten days prior to the change in order to provide for adequate processing time by the ~~division~~ department of agriculture and issuance of a new license. Except for the changes listed in paragraph (C) of this rule, the application shall be processed as a new application. The license previously issued shall be returned and cancelled prior to issuance of any new license.
- (E) Termination of apprentice. A sponsoring auctioneer who intends to terminate an apprentice auctioneer serving under ~~him~~ the sponsor shall give such apprentice written notice thereof, by certified mail, return receipt requested, at least ~~thirty~~ ten days prior to the date of termination. A copy of said notice shall be mailed, by

certified mail, to the ~~division of licensing,~~ department of agriculture along with the apprentice's license, at the same time that such notice has been mailed to the apprentice auctioneer.

~~(F) Change of sponsor. Any apprentice who intends to change sponsor shall submit a new application endorsed by the new sponsor pursuant to rule 1301:4-3-02 of the Administrative Code. Credit shall be given toward requirements for auctioneer's license for any time served or sales which the apprentice helped conduct, if the change in sponsor is made within two years of separation from previous sponsor.~~

(F) Any partnership or association licensed as an auctioneer which intends to terminate its association with an individual auctioneer who is an agent of the partnership or association, shall notify the department of agriculture and the auctioneer by certified mail, return receipt requested, not less than thirty days prior to the date of termination.

Effective: 07/01/2004

R.C. 119.032 review dates: 03/24/2004 and 07/01/2009

CERTIFIED ELECTRONICALLY

Certification

06/04/2004

Date

Promulgated Under: 119.03
Statutory Authority: 4707.10(A), 4707.19
Rule Amplifies: 4707.10, 4707.19
Prior Effective Dates: 6/16/66, 11/6/78, 9/15/82,
10/8/01, 6/26/03