

901:8-2-03

**Auctioneer license procedure; deposit or return of license.**

(A) Applications for the auctioneer exam and license are available by mail upon request and on the department's website: ~~www.ohioagriculture.gov~~.

(B) Name and address.

(1) The name listed on the application shall be identical to the name under which the applicant intends to conduct all auction activities. If the applicant intends to use any name other than the applicant's personal name, the name must be registered either as a fictitious or trade name with the secretary of state pursuant to section 1329.01 of the Revised Code.

(2) The address of applicant for licensing purposes shall be the permanent physical business address of the applicant. Post office boxes are not acceptable. All records required under Chapter 4707. of the Revised Code and the rules adopted ~~under it thereunder~~ shall be maintained at the business address listed on the application.

~~(C) Photograph. A photograph of the applicant, measuring two inches by two inches, taken not more than sixty days prior to the date of the examination shall be filed with each application.~~

~~(D) Examination.~~

~~(1) If qualified, the applicant shall be notified of the date, time and place of the examination. If the applicant fails to appear for the scheduled examination, the twenty-five dollar examination fee shall be forfeited and the application materials and license fee shall be returned.~~

~~(2)(C) Examination.~~ The applicant must pass both the written and oral examinations to be issued a license. The applicant must answer seventy-five per cent of the questions correctly to pass the written examination. The Ohio auctioneers commission shall administer and grade the oral examination. The applicant must score seventy points in order to pass the oral examination. The commission shall notify the department if the applicant has passed or failed the examination. The oral examination grading rubric may be found in appendix A to this rule.

~~(E)(D)~~ Identification card. Licensees shall carry ~~their~~the license identification card at all times ~~they are when~~ engaged in any auction activity. ~~The identification card shall be produced and produce the identification card~~ upon request to any person that has been solicited by the licensee, any law enforcement officer, and to any representative of the department.

~~(F) The license shall be immediately returned to the department if it becomes void or invalid, for any reason.~~

~~(G)~~(E) Licensees may apply to place their license on deposit, in accordance with section 4707.091 of the Revised Code, for a term not to exceed two years. The licensee shall return the wall license and pocket identification card with the application.

- (1) If the auctioneer is under the financial responsibility requirement, placing a license on deposit does not waive this requirement, nor does ~~it~~the period while on deposit count toward the ~~three year~~three-year requirement.
- (2) No licensee shall ~~place their license~~be placed on deposit in an attempt to avoid an action taken against ~~their~~that license under section 4707.15 of the Revised Code.

Effective: 9/23/2021

Five Year Review (FYR) Dates: 8/25/2020 and 09/23/2026

CERTIFIED ELECTRONICALLY

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Certification

09/13/2021

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Date

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Rule Amplifies: 4707.07, 4707.10, 4707.11

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