

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

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

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

MEETING OF:

**STATE BOARD OF AUCTIONEER EXAMINERS**

TIME: 10:30 a.m.

Held at

**PENNSYLVANIA DEPARTMENT OF STATE**

2525 North 7th Street

CoPA HUB, Eaton Conference Room

Harrisburg, Pennsylvania 17110

as well as

**VIA MICROSOFT TEAMS**

Monday, January 8, 2024



1 \*\*\*

2 State Board of Auctioneer Examiners

3 January 8, 2024

4 \*\*\*

5 [Pursuant to Section 708(a)(5) of the Sunshine Act,  
6 at 9:30 a.m. the Board entered into Executive Session  
7 with Shawn J. Jayman, Esquire, Board Counsel, to have  
8 attorney-client consultations and for the purpose of  
9 conducting quasi-judicial deliberations. The Board  
10 returned to open session at 10:30 a.m.]

11 \*\*\*

12 The regularly scheduled meeting of the State  
13 Board of Auctioneer Examiners was held on Monday,  
14 January 8, 2024. Gerald A. Rader, AU, Chairman,  
15 Professional Member, called the meeting to order at  
16 10:30 a.m.

17 \*\*\*

18 Roll Call of Board Members

19 [Gerald A. Rader, AU, Chairman, Professional Member,  
20 requested a roll call of Board members.]

21 \*\*\*

22 Introduction of Attendees

23 [Terrie Kocher, Board Administrator, provided an  
24 introduction of attendees.]

25 \*\*\*

1 [Shawn J. Jayman, Esquire, Board Counsel, noted the  
2 meeting was being recorded and continued  
3 participation constituted consent to be recorded.

4 Mr. Jayman also noted the Board entered into  
5 Executive Session with Board Counsel to have  
6 attorney-client consultations and for the purpose of  
7 conducting quasi-judicial deliberations.]

8

\*\*\*

9 Approval of minutes of the November 13, 2023 meeting

10 CHAIRMAN RADER:

11 The first item is the draft of the  
12 November 13 minutes. Having reviewed  
13 the minutes prior to our meeting today,  
14 are there any corrections or additions?

15 MR. HOSTETTER:

16 I move to accept the minutes.

17 CHAIRMAN RADER:

18 Is there a second?

19 MR. TRACE:

20 Second.

21 MS. KOCHER:

22 Gerald Rader, aye; Arion Claggett, aye;  
23 Sherman Hostetter, aye; Nevin Rentzel,  
24 aye; Daniel Trace, aye; Hayley Dull,  
25 aye.

1 [The motion carried unanimously.]

2 \*\*\*

3 Appointment - Annual Prosecution Division  
4 Presentation

5 [Carlton Smith, Esquire, Deputy Chief Counsel,  
6 Prosecution Division, informed Board members that he  
7 assumed his role in March 2023 when Carolyn  
8 DeLaurentis was promoted to the executive deputy  
9 chief counsel position and provided a brief history  
10 of his professional background.

11 Mr. Smith presented the 2023 Prosecution  
12 Division's Annual Report for the State Board of  
13 Auctioneer Examiners. He reported just under 2,200  
14 active licensees and 85 opened cases, which is  
15 slightly down from 2022 at 91. He noted 130 open  
16 cases that includes cases opened during this year and  
17 carryovers from previous years. He stated 50 cases  
18 were closed with an average of 369 days to close a  
19 case from the time the complaint is received until  
20 disposition. He also reported 12 Act 48 fines, 4  
21 voluntary surrenders, 18 cases where prosecution was  
22 not warranted, and 14 administrative closings.

23 Mr. Smith provided a detailed breakdown of the  
24 top three types of opened cases and include 23  
25 unprofessional conduct cases, 22 for practicing on a

1 lapsed license, and 19 for unlicensed practice  
2 activity. He explained that one case could show up  
3 as two or three different categories and is why the  
4 number of opened cases does not always add up.

5 Mr. Smith stated priority cases go to the top of  
6 the list for investigators to obtain evidence and  
7 interview witnesses, noting the main category is  
8 sexual misconduct-type cases. He reported opening 1  
9 case for the Board in 2023.

10 Mr. Hostetter requested a case update for every  
11 Board meeting.

12 Mr. Smith offered to generate a report through  
13 the (Pennsylvania Licensing System (PALS) for every  
14 Board meeting. He asked whether Board members had  
15 anything they would like prosecution to pay  
16 particular attention to in terms of opening up cases  
17 or in terms of investigating cases, and the Board had  
18 nothing at this time.

19 Mr. Smith also reported a decrease in the number  
20 of Bureau of Professional and Occupational Affairs  
21 (BPOA) complaints for all boards and commissions from  
22 22,000 in 2022 to 19,000 in 2023.

23 Mr. Hostetter asked for Mr. Smith's opinion of  
24 the Board's efficiency and where they fall within all  
25 of the boards.







1 MR. JAYMAN:

2 Item 4 on the agenda. Based on  
3 Executive Session deliberations, I  
4 believe the Chairperson would entertain  
5 a motion to issue the Final  
6 Adjudication and Order in the Matter of  
7 Collectors Auction Company, LLC, Case  
8 No. 23-64-010542.

9 CHAIRMAN RADER:

10 Do I have a motion?

11 MR. TRACE:

12 I make the motion.

13 MR. HOSTETTER:

14 Second.

15 MS. KOCHER:

16 Gerald Rader, aye; Arion Claggett, aye;  
17 Sherman Hostetter, aye; Nevin Rentzel,  
18 aye; Daniel Trace, aye; Hayley Dull,  
19 aye.

20 [The motion carried unanimously.]

21 \*\*\*

22 MR. JAYMAN:

23 Item 5 on the agenda. Based on  
24 Executive Session deliberations, I  
25 believe the Chairperson would entertain

1 a motion to issue the Final  
2 Adjudication and Order in the Matter of  
3 Kenneth L. Rivenburg Jr., Case Nos. 20-  
4 64-008246 & 20-64-009971.

5 MR. HOSTETTER:

6 So moved.

7 MR. TRACE:

8 Second.

9 MS. KOCHER:

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

14 [The motion carried unanimously.]

15 \*\*\*

16 Report of Board Counsel - Miscellaneous

17 [Shawn J. Jayman, Esquire, Board Counsel, noted 10  
18 current open cases before the Board.]

19 \*\*\*

20 Report of Acting Commissioner - No Report

21 \*\*\*

22 Report of Board Chairperson

23 [Gerald A. Rader, AU, Chairman, Professional Member,  
24 addressed the Pennsylvania Auctioneers Association's  
25 Conference and Trade Show January 9-12 at the

1 Sheraton Harrisburg-Hershey in Harrisburg. He  
2 mentioned there would be a fun auction on Thursday  
3 and a bid calling contest on Wednesday.]

4 \*\*\*

5 Report of Board Administrator - No Report

6 \*\*\*

7 [Sherman E. Hostetter Jr., AU, Professional Member,  
8 thanked Mr. Rentzel, on behalf of the Board, for his  
9 years of service as Chairman. He also welcomed and  
10 thanked Chairman Rader.]

11 \*\*\*

12 Adjournment

13 CHAIRMAN RADER:

14 Is there a motion for adjournment?

15 MR. HOSTETTER:

16 So moved.

17 MR. RENTZEL:

18 Second.

19 CHAIRMAN RADER:

20 Thank you.

21 \*\*\*

22 [There being no further business, the State Board of  
23 Auctioneer Examiners Meeting adjourned at 10:54 a.m.]

24 \*\*\*

25

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

CERTIFICATE

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



Derek Richmond,  
Minute Clerk  
Sargent's Court Reporting  
Service, Inc.

STATE BOARD OF AUCTIONEER EXAMINERS  
REFERENCE INDEX

January 8, 2024

TIME	AGENDA
9:30	Executive Session
10:30	Return to Open Session
10:30	Official Call to Order
10:30	Roll Call of Board Members
10:31	Introduction of Attendees
10:33	Approval of Minutes
10:33	Appointment - Carlton Smith, Deputy Chief Counsel, Prosecution Division, Annual Prosecution Division Report
10:47	Report of Board Prosecution
10:50	Report of Board Counsel
10:53	Report of Board Chair
10:54	Adjournment