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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: 10:50 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, May 13, 2024

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State Board of Auctioneer Examiners
May 13, 2024

BOARD MEMBERS:

Gerald A. Rader, AU, Chairman, Professional Member
Arion R. Claggett, Acting Commissioner, Bureau of
Professional and Occupational Affairs
Sherman E. Hostetter Jr., AU, Professional Member
Nevin B. Rentzel, AU, Professional Member
Daniel A. Trace, AU, Secretary, Professional Member
Paul D. Edger, Esquire, Senior Deputy Attorney
General in Charge, on behalf of Hayley Dull,
Consumer Protection Agent, Office of Attorney
General
Thomas L. Abruzzese, Trading Assistant

BUREAU PERSONNEL:

Shawn J. Jayman, Esquire, Board Counsel
J. Karl Geschwindt, Esquire, Senior Prosecutor and
Board Prosecution Liaison
Terrie Kocher, Board Administrator
Andrew LaFratte, MPA, Deputy Policy Director,
Department of State

ALSO PRESENT:

Ryan Gonder, Esquire, McNees Wallace & Nurick LLC
Jessica Kemmerer, Government Affairs, Pennsylvania
Auctioneers Association
Stephanie Dunkerley
Angelica Hardy
Rachel Wilbur-Adams, Sargent's Court Reporting
Service, Inc.

1 ***

2 State Board of Auctioneer Examiners

3 May 13, 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 May 13, 2024. Gerald A. Rader, AU, Chairman,
15 Professional Member, called the meeting to order at
16 10:50 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. A quorum was
21 present.]

22 ***

23 Introduction of Attendees

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

1 ***

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

5 Mr. Jayman also noted the Board entered into
6 Executive Session for the purpose of conducting
7 quasi-judicial deliberations on a number of matters
8 currently pending before the Board and to receive
9 advice of counsel.]

10 ***

11 Approval of minutes of the January 8, 2024 meeting

12 CHAIRMAN RADER:

13 Moving on to approval of the minutes.

14 The first item is the draft of the
15 January 8 minutes. We've all had the
16 opportunity to review the minutes prior
17 to this. Any additions, subtractions,
18 or correction?

19 MR. HOSTETTER:

20 I move to accept the minutes.

21 CHAIRMAN RADER:

22 Motion made to accept the January 8
23 minutes.

24 MR. RENTZEL:

25 I will second.

1 MS. KOCHER:

2 Gerald Rader, aye; Arion Claggett, aye;
3 Sherman Hostetter, aye; Daniel Trace,
4 aye; Paul Edger, abstain; Thomas
5 Abruzzese, abstain; Nevin Rentzel, aye.

6 [The motion carried. Paul Edger and Thomas Abruzzese
7 abstained from voting on the motion.]

8 ***

9 Report of Board Prosecution

10 [J. Karl Geschwindt, Esquire, Senior Board
11 Prosecutor, on behalf of Jonathan Zurinskas, Esquire,
12 Board Prosecution Liaison, informed Board members
13 that Jonathan Zurinskas will be the new Auction Board
14 liaison but is currently on military leave.

15 Mr. Geschwindt provided a report from
16 prosecution members March 1 to May 9, 2024. He noted
17 prosecution issued three citations, closed six files
18 without formal action, closed three files for
19 administrative reasons, issued one warning letter,
20 and closed three cases because the complaints were
21 withdrawn.

22 Mr. Hostetter asked whether prosecution could
23 place the Status of Cases Report for the State Board
24 of Auctioneer Examiners in their information packet
25 every month, so the Board could track potential

1 problems.

2 Mr. Geschwindt requested a copy of the report to
3 see what it entails and offered to prepare the report
4 following his review of the information.]

5 ***

6 Report of Board Counsel - Final Adjudication and
7 Order

8 MR. JAYMAN:

9 Number 2 on the agenda. Based on
10 Executive Session deliberations, I
11 believe the Chair would entertain a
12 motion to adopt the Final Adjudication
13 and Order in the matter of BPOA v.
14 Marianne C. Hunnell, Case No. 19-64-
15 012406.

16 MR. TRACE:

17 So moved.

18 MR. HOSTETTER:

19 Second.

20 MS. KOCHER:

21 Gerald Rader, aye; Arion Claggett, aye;
22 Sherman Hostetter, aye; Daniel Trace,
23 aye; Nevin Rentzel, aye; Thomas
24 Abruzzese, abstain; Paul Edger, aye.

25 [The motion carried. Thomas Abruzzese abstained from

1 voting on the motion.]

2

3 Report of Board Counsel - Proposed Adjudications and
4 Orders

5 MR. JAYMAN:

6 Number 3 on the agenda. Based on
7 Executive Session deliberations, I
8 believe the Chair would entertain a
9 motion to modify the Proposed
10 Adjudication and Order in the Matter of
11 BPOA v. Franklin Kirk Stevens IV, Case
12 No. 19-64-016077.

13 MR. TRACE:

14 So moved.

15 MR. RENTZEL:

16 Second.

17 MS. KOCHER:

18 Gerald Rader, aye; Arion Claggett, aye;
19 Sherman Hostetter, no; Nevin Rentzel,
20 aye; Daniel Trace, aye; Paul Edger,
21 aye; Thomas Abruzzese, abstain.

22 [The motion carried. Sherman Hostetter opposed the
23 motion. Thomas Abruzzese abstained from voting on
24 the motion.]

25

1 MR. JAYMAN:

2 Number 4 on the agenda. Based on
3 Executive Session deliberations, I
4 believe the Chair would entertain a
5 motion to direct Board Counsel to draft
6 an Adjudication and Order addressing
7 exceptions consistent with discussion
8 in the Matter of BPOA v. Dale Alan
9 Hamilton and Eagle Hall, Case Nos. 19-
10 65-012099 & 22-64-015248.

11 CHAIRMAN RADER:

12 Is there a motion?

13 MR. HOSTETTER:

14 So moved as modified per Executive
15 Session.

16 MR. RENTZEL:

17 I'll second that.

18 MS. KOCHER:

19 Gerald Rader, aye; Arion Claggett, aye;
20 Sherman Hostetter, aye; Nevin Rentzel,
21 aye; Daniel Trace, aye; Paul Edger,
22 aye; Thomas Abruzzese, abstain.

23 [The motion carried. Thomas Abruzzese abstained from
24 voting on the motion.]

25

1 Report of Board Counsel - Regulations
2 [Shawn J. Jayman, Esquire, Board Counsel, on behalf
3 of Marc Farrell, Esquire, Regulatory Counsel, noted
4 Act 41 regulations were almost completed and will be
5 considered for final approval at the Independent
6 Regulatory Review Commission's June 20, 2024 public
7 meeting.

8 Mr. Jayman also noted Act 88 still needed a
9 little bit of work but was at the top of Mr.
10 Farrell's list.]

11 ***

12 Report of Board Counsel - Application - Auction
13 School Course of Study - Commonwealth University

14 MR. JAYMAN:

15 Regarding number 7 on the agenda, based
16 upon discussions in Executive Session,
17 it is my understanding the Board Chair
18 would entertain a motion to table this
19 application to gather more information
20 for Auction School Course of Study -
21 Commonwealth University.

22 CHAIRMAN RADER:

23 Do I hear a motion?

24 MR. HOSTETTER:

25 So moved.

1 CHAIRMAN RADER:

2 Second?

3 MR. TRACE:

4 Second.

5 MS. KOCHER:

6 Gerald Rader, aye; Arion Claggett, aye;
7 Sherman Hostetter, aye; Nevin Rentzel,
8 aye; Daniel Trace, aye; Paul Edger,
9 aye; Thomas Abruzzese, abstain.

10 [The motion carried. Thomas Abruzzese abstained from
11 voting on the motion.]

12 ***

13 Report of Board Counsel - Miscellaneous

14 [Shawn J. Jayman, Esquire, Board Counsel, referred to
15 the status of cases, and reported there were eight
16 active cases.]

17 ***

18 Report of Acting Commissioner

19 [Arion R. Claggett, Acting Commissioner, Bureau of
20 Professional and Occupational Affairs, informed Board
21 members that all licensees will be able to print
22 their own license on May 31, 2024, through the
23 Pennsylvania Licensing System (PALS). He noted the
24 staff will also continue to mail licenses until the
25 switch of the licensing system is completed.]

1 ***

2 Report of Board Chairperson - No Report

3 ***

4 Report of Board Administrator - 2026 & 2027 Meeting
5 Dates

6 [Terrie Kocher, Board Administrator, requested Board
7 approval for the 2026 and 2027 meeting dates.]

8 MR. HOSTETTER:

9 I'll make the motion.

10 MR. TRACE:

11 I'll second it.

12 MS. KOCHER:

13 Gerald Rader, aye; Arion Claggett, aye;
14 Sherman Hostetter, aye; Nevin Rentzel,
15 aye; Daniel Trace, aye; Paul Edger,
16 aye; Thomas Abruzzese, abstain.

17 [The motion carried. Thomas Abruzzese abstained from
18 voting on the motion.]

19 ***

20 Report of Board Administrator - 2024 NAA Conference

21 [Terrie Kocher, Board Administrator, asked whether
22 any Board members wished to attend the National
23 Auction Association (NAA) Conference & Show in
24 Pittsburgh July 23-27, 2024. Mr. Hostetter noted
25 that he would like to attend the meeting.]

1 CHAIRMAN RADER:

2 Do I hear a motion?

3 MR. RENTZEL:

4 I'll make the motion.

5 MR. TRACE:

6 Second.

7 MS. KOCHER:

8 Gerald Rader, aye; Arion Claggett, aye;
9 Sherman Hostetter, aye; Nevin Rentzel,
10 aye; Daniel Trace, aye; Paul Edger,
11 aye; Thomas Abruzzese, abstain.

12 [The motion carried. Thomas Abruzzese abstained from
13 voting on the motion.]

14 ***

15 [Chairman Rader welcomed Thomas Abruzzese to the
16 State Board of Auctioneer Examiners.]

17 ***

18 Adjournment

19 CHAIRMAN RADER:

20 Do I hear a motion for adjournment?

21 MR. HOSTETTER:

22 So moved.

23 MR. TRACE:

24 Second.

25 CHAIRMAN RADER:

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Thank you.

[There being no further business, the State Board of Auctioneer Examiners Meeting adjourned at 11:08 a.m.]

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.

Rachel Wilbur-Adams,

Minute Clerk

Sargent's Court Reporting Service, Inc.

STATE BOARD OF AUCTIONEER EXAMINERS
REFERENCE INDEX

May 13, 2024

TIME	AGENDA
9:30	Executive Session
10:30	Return to Open Session
10:50	Official Call to Order
10:50	Roll Call of Board Members
10:51	Introduction of Attendees
10:52	Approval of Minutes
10:53	Report of Board Prosecution
10:54	Report of Board Counsel
11:02	Report of Acting Commissioner
11:04	Report of Board Administrator
11:08	Adjournment

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