

**CHAPTER 04 – COMMISSION FOR AUCTIONEERS**

**SUBCHAPTER 4A - AUCTIONEERS COMMISSION**

**SECTION .0100 - RULES OF ORGANIZATION**

|                          |                                    |
|--------------------------|------------------------------------|
| <b>21 NCAC 04A .0101</b> | <b>DEFINITIONS</b>                 |
| <b>21 NCAC 04A .0102</b> | <b>BOARD: DESCRIPTION: OFFICES</b> |
| <b>21 NCAC 04A .0103</b> | <b>MAILING ADDRESS</b>             |
| <b>21 NCAC 04A .0104</b> | <b>PURPOSE</b>                     |

*History Note:* Authority G.S. 85B-1 to 85B-8;  
Eff. February 1, 1976;  
Readopted Eff. December 19, 1977;  
Amended Eff. July 1, 1983;  
Repealed Eff. November 1, 1984.

**21 NCAC 04A .0105      RULE-MAKING AND ADMINISTRATIVE HEARING PROCEDURES**

*History Note:* Authority G.S. 85B-3(f); 85B-8; 150A et seq.;  
Eff. July 1, 1982;  
Repealed Eff. November 1, 1984.

**SECTION .0200 - RULE-MAKING**

|                          |                                   |
|--------------------------|-----------------------------------|
| <b>21 NCAC 04A .0201</b> | <b>PROPOSED RULES</b>             |
| <b>21 NCAC 04A .0202</b> | <b>PETITIONS FOR RULE CHANGES</b> |
| <b>21 NCAC 04A .0203</b> | <b>DISPOSITION OF PETITIONS</b>   |
| <b>21 NCAC 04A .0204</b> | <b>REASONS FOR RULE</b>           |

*History Note:* Authority G.S. 85B-3(f); 150A-11(1); 150A-12(3); 150A-15;  
Eff. February 1, 1976;  
Readopted Eff. December 19, 1977;  
Repealed Eff. July 1, 1982.

**SECTION .0300 - DECLARATORY RULINGS**

|                          |                                      |
|--------------------------|--------------------------------------|
| <b>21 NCAC 04A .0301</b> | <b>PETITION</b>                      |
| <b>21 NCAC 04A .0302</b> | <b>FORM AND CONTENTS OF PETITION</b> |
| <b>21 NCAC 04A .0303</b> | <b>DISPOSITION OF PETITION</b>       |
| <b>21 NCAC 04A .0304</b> | <b>APPLICABILITY OF RULING</b>       |

*History Note:* Authority G.S. 85B-3(f); 150A-11(1); 150A-17;  
Eff. February 1, 1976;  
Readopted Eff. December 19, 1977;  
Repealed Eff. July 1, 1982.

**SECTION .0400 - APPLICATION FOR LICENSE**

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|--------------------------|-------------------------------|
| <b>21 NCAC 04A .0401</b> | <b>ELIGIBILITY FOR FILING</b> |
| <b>21 NCAC 04A .0402</b> | <b>FORMS</b>                  |
| <b>21 NCAC 04A .0403</b> | <b>FILING AND FEES</b>        |

**21 NCAC 04A .0404 PAYMENT OF APPLICATION FEES**

*History Note:* Authority G.S. 85B-3; 85B-4; 85B-5; 85B-6;  
Eff. February 1, 1976;  
Amended Eff. November 17, 1977;  
Readopted Eff. December 19, 1977;  
Amended Eff. February 1, 1984; July 1, 1983;  
Repealed Eff. November 1, 1984.

**21 NCAC 04A .0405 SURETY BONDS**

*History Note:* Authority G.S. 85B-3(f); 85B-4(f);  
Eff. February 1, 1976;  
Readopted Eff. December 19, 1977;  
Repealed Eff. February 1, 1984.

**SECTION .0500 - EXAMINATIONS**

- 21 NCAC 04A .0501 TIME AND PLACE**
- 21 NCAC 04A .0502 SUBJECT MATTER**
- 21 NCAC 04A .0503 RE-EXAMINATION**
- 21 NCAC 04A .0504 EXAM REVIEW**
- 21 NCAC 04A .0505 EXAMINATION PAPERS AND CONTENTS**

*History Note:* Authority G.S. 85B-3(f); 85B-4(d); 85B-6;  
Eff. February 1, 1976;  
Readopted Eff. December 19, 1977;  
Amended Eff. July 1, 1983;  
Repealed Eff. November 1, 1984.

**SECTION .0600 - LICENSING**

- 21 NCAC 04A .0601 CHARACTER**
- 21 NCAC 04A .0602 LICENSE NUMBER**
- 21 NCAC 04A .0603 LICENSE RENEWAL: PENALTY FOR NONRENEWAL**
- 21 NCAC 04A .0604 LAPSED LICENSE**
- 21 NCAC 04A .0605 APPRENTICE AUCTIONEER**
- 21 NCAC 04A .0606 PAYMENT OF LICENSE FEES**
- 21 NCAC 04A .0607 DUPLICATE LICENSE FEE**
- 21 NCAC 04A .0608 GENERAL GROUNDS FOR DISCIPLINE**
- 21 NCAC 04A .0609 ONLY EXCEPTION ALLOWING UNLICENSED BID CALLERS**

*History Note:* Legislative Objection Lodged Eff. June 29, 1983;  
Statutory Authority G.S. 85B-3(f); 85B-4(a),(c); 85B-8(a)(1);  
Eff. February 1, 1976;  
Readopted Eff. December 19, 1977;  
Amended Eff. July 1, 1983; January 1, 1983; November 1, 1978;  
Curative Amended Eff. September 7, 1983;  
Repealed Eff. November 1, 1984.

**SECTION .0700 - SCHOOLS OF AUCTIONEERING**

**21 NCAC 04A .0701      APPLICATION FOR COURSE APPROVAL**  
**21 NCAC 04A .0702      REQUIREMENTS FOR APPROVAL/MINIMUM STANDARDS**  
**21 NCAC 04A .0703      CERTIFICATION OF COURSE COMPLETION**

*History Note:*    Authority G.S. 85B-3(f); 85B-4(d);  
                          Eff. February 1, 1976;  
                          Readopted Eff. December 19, 1977;  
                          Amended Eff. February 1, 1984;  
                          Repealed Eff. November 1, 1984.

**21 NCAC 04A .0704      RECORDS MUST BE MAINTAINED**  
**21 NCAC 04A .0705      GROUNDS FOR APPROVAL: SUSPENSION OF REVOCATION**

*History Note:*    Authority G.S. 85B-3(f);  
                          Eff. February 1, 1984;  
                          Repealed Eff. November 1, 1984.

#### **SECTION .0800 - GENERAL AUCTIONEERING**

**21 NCAC 04A .0801      DISPLAY OF LICENSE**  
**21 NCAC 04A .0802      CHANGE OF ADDRESS OR BUSINESS NAME**  
**21 NCAC 04A .0803      ADVERTISING**  
**21 NCAC 04A .0804      DISPUTES**

*History Note:*    Authority G.S. 85B-3(f); 85B-7(a);  
                          Eff. February 1, 1976;  
                          Readopted Eff. December 19, 1977;  
                          Amended Eff. July 1, 1983;  
                          Repealed Eff. November 1, 1984.

#### **SECTION .0900 - CONTESTED CASES**

**21 NCAC 04A .0901      FORM AND PREPARATION OF COMPLAINTS**  
**21 NCAC 04A .0902      REQUEST FOR A HEARING**  
**21 NCAC 04A .0903      NOTICE OF HEARING**  
**21 NCAC 04A .0904      FAILURE TO REQUEST OR APPEAR FOR HEARING**  
**21 NCAC 04A .0905      FILING ANSWERS**  
**21 NCAC 04A .0906      INTERVENTION**  
**21 NCAC 04A .0907      SUBPOENAS**

*History Note:*    Authority G.S.85B-3(f);85B-8(c); 150A-12(d); 150A-23; 150A-23(d); 150A-25(b);  
                          150A-27;  
                          Eff. February 1, 1976;  
                          Readopted Eff. December 19, 1977;  
                          Repealed Eff. July 1, 1982.