21 NCAC 04B .0405 INVOLVEMENT IN COURT ACTION OR ADMINISTRATIVE HEARING

(a) All auctioneers, apprentice auctioneers, and auction firms, including their principals and designated person(s), shall report to the Board all criminal arrests for, charges of, or convictions of a misdemeanor that has as an element dishonesty, deceit, fraud, or misrepresentation, or any arrests, charges, or convictions of any felony. Convictions include findings of guilt, guilty pleas, and pleas of nolo contendere. The Board shall receive written notice of any such arrest, charge, or criminal conviction within 30 days of the occurrence of any or all of these events.

(b) All auctioneers, apprentice auctioneers, and auction firms, including their principals and designated person(s), shall report to the Board all civil suits involving them that are based upon any allegation of gross negligence, dishonesty, fraud, misrepresentation, or incompetency, or that in any way involve an auction sale or a transaction related to an auction matter or auctioneering. The Board shall receive written notice of any such civil suit within 30 days of the date the complaint in the suit is served on the defendant in the action, or the date a pleading containing one or more of these allegations is served on a party.

(c) All auctioneers, apprentice auctioneers, and auction firms, including their principals and designated person(s), shall report to the Board all administrative proceedings commenced against them that involve any potential revocation or suspension of, or other disciplinary action against, any auction license or auctioneer license that they hold in another state. The Board shall receive written notice of any such administrative proceeding within 30 days of the date the auctioneer, apprentice auctioneer, or auction firm, including its principals and designated person(s), is notified of the administrative proceeding.

History Note: *Authority G.S. 85B-3.1; 85B-4;*
Eff. November 1, 1984;
Amended Eff. April 1, 2001; January 1, 1995; April 1, 1989;
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