

**ILLINOIS DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION (IDFPR)
DIVISION OF REAL ESTATE (DRE)**

AUCTION ADVISORY BOARD

OPEN MINUTES

Date: October 26, 2021

Call to Order: 11:01 a.m. – Thomas Walsh - Chairperson

Illinois Department of Financial and Professional Regulation (IDFPR)/Division of Real Estate (DRE)

Location: This meeting was held remotely via interactive webinar and/or telephonically because the Governor of the State of Illinois has issued a disaster declaration related to public health concerns and an in-person meeting is not practical or prudent because of the disaster described in that declaration, and because the Secretary of the Illinois Department of Financial and Professional Regulation has determined pursuant to the provisions of Section 7 of the Open Meetings Act that an in-person meeting is not practical or prudent because of a disaster.

Board Members Present: Jessica Doerr-Berger, Kelly T. Frank, Gwendolene Newton, Carol Spracklen, Brian A. Swartz, Thomas Walsh

Staff Members Present: Adrienne Levatino – Associate General Counsel, Jeremy Reed - Chief of Licensing and Education, Geetu Naik – Chief of Prosecutions, Hector Rodriguez – Chief of Investigations, Debra Malinowski – Real Estate Administration and Disciplinary Board Liaison, Susan Sigourney – Auction Board Liaison

TOPIC	DISCUSSION	ACTION
<p>Call to Order</p>	<p>Chairperson Thomas Walsh called the meeting to order and he read a mandatory statement regarding the Open Meetings Act. <i>This meeting is being conducted by audio or video conference without the physical presence of a quorum of the members because the Governor of the State of Illinois has issued a disaster declaration related to public health concerns and an in-person meeting is not practical or prudent because of the disaster described in that declaration. This meeting is further being conducted by audio or videoconference because the Secretary of the Illinois Department of Financial and Professional Regulation has determined pursuant to the provisions of Section 7 of the Open Meetings Act that an in-person meeting is not practical or prudent because of a disaster. All votes will be conducted by roll call, so each member's vote on each issue can be identified and recorded.</i></p> <p style="text-align: center;">Attendance Taken: Jessica Doerr-Berger – present Kelly T. Frank – present Gwendolene Newton – present Carol Spracklen - present Brian Swartz – present Thomas Walsh - present</p> <p>Adrienne Levatino informed the Board that the Chicago staff of the Department has moved to a new facility at 555 West Monroe Street in Chicago. Ms. Levatino explained this location is very close to Union Station and the Ogilvie Transportation Center. Ms. Levatino also reminded the Board that it is imperative to have a current and valid State ID badge because visitors will be announced and escorted to the fifth floor when in-person meetings resume.</p>	<p>The meeting was called to order at 11:01 a.m.</p>

	<p>Regarding when in-person meetings will resume, Adrienne Levatino explained we are operating under Section 7 of the Open Meetings Act which requires that in order for meetings to be conducted remotely, there are two conditions that must be met – the Existence of a gubernatorial proclamation/disaster proclamation and the finding by the Secretary of IDFPR determines that in person meetings are not feasible. Ms. Levatino explained we are on a month to month schedule because we do not know if the Governor is going to renew this disaster proclamation until he makes that decision.</p>	
<p>Review and Approval of Open Minutes:</p>	<p>The Board reviewed the Open Minutes from the August 24, 2021 Auction Advisory Board meeting.</p> <p style="text-align: center;">Roll Call Vote Taken: Jessica Doerr-Berger – yes Kelly T. Frank – yes Gwendolene Newton – yes Carol Spracklen - abstained Brian Swartz – yes Thomas Walsh - yes</p>	<p>A motion was made by Swartz and seconded by Doerr-Berger to approve the Open Minutes as presented from the August 24, 2021 Auction Advisory Board meeting. The motion carried by roll call vote.</p>
<p>Public Comments</p>	<p>There were no public comments.</p>	
<p>Licensing and Education Report</p>	<p>The 2021 Licensing Report for activity conducted in September was presented and discussed. A copy of the report is attached to and made part of these minutes. Jeremy Reed discussed the Auction License Report.</p> <p>Jeremy Reed explained the Springfield Division of Real Estate area is being re-modeled at this time, therefore, his staff continues working remotely from their homes due to the COVID – 19 Pandemic and this remodel. Mr. Reed explained there will be a few staff members in the Springfield office.</p>	

	<p>Mr. Reed explained there is a system upgrade currently in process and eventually renewals will be done on the same online portal that real estate uses for their license management. Mr. Reed explained online remote proctoring is available for real estate exams and hopefully this will be available for auction exam candidates in the future.</p>	
Investigations Report	<p>The 2021 Auction Investigations Report through the month of September was presented and distributed. A copy of the report is attached to and made a part of these minutes.</p> <p>Mr. Rodriguez explained there are 40 Auction cases pending in Investigations and we have received two new Auction cases in July.</p>	
Prosecutions Report	<p>The 2021 Auction Prosecutions Report through the month of September was presented and distributed. A copy of the report is attached to and made part of these minutes.</p> <p>Geetu Naik, Chief of Prosecutions, explained there are 3 cases pending in Prosecutions at time.</p>	
Formal Hearing Schedule	<p>There were no formal hearings scheduled.</p>	
Old Business	<p>There was no old business to discuss.</p>	
New Business:	<p>The Board re-elected Thomas Walsh as the Chairperson of the Auction Advisory Board.</p> <p>Roll Call Vote taken: Jessica Doerr-Berger – yes Kelly T. Frank – yes Gwendolene Newton – yes</p>	<p>A motion was made by Frank and seconded by Doerr-Berger to re-elect Thomas Walsh as the</p>

	<p>Carol Spracklen - yes Brian Swartz – yes Thomas Walsh - yes</p>	<p>Chairperson of the Auction Advisory Board. The motion carried by roll call vote.</p>
<p>Motion to go into Closed Session</p>	<p>Roll Call Vote taken: Jessica Doerr-Berger – yes Kelly T. Frank – yes Gwendolene Newton – yes Carol Spracklen - yes Brian Swartz – yes Thomas Walsh - yes</p>	<p>A motion was made by Swartz and seconded by Doerr-Berger to go into Closed Session pursuant to Section 2 (c) (4) and (15) of the Open Meetings Act at 11:19 a.m. The motion carried by roll call vote.</p>
<p>Closed Session</p>	<p>The Board reviewed the August 24, 2021 Closed Minutes.</p> <p>The Board deliberated on pending enforcement actions.</p>	
<p>Motion to go into Open Session</p> <p>Approval of August 24, 2021 Closed Minutes</p>	<p>Roll Call Vote taken: Jessica Doerr-Berger – yes Kelly T. Frank – yes Gwendolene Newton – yes Carol Spracklen- yes Brian Swartz – yes Thomas Walsh - yes</p> <p>Roll Call Vote taken: Jessica Doerr-Berger – yes Kelly T. Frank – yes Gwendolene Newton – yes Carol Spracklen - abstained Brian Swartz - yes Thomas Walsh - yes</p> <p>Roll Call Vote taken: Jessica Doerr-Berger – yes Kelly T. Frank – yes Gwendolene Newton – yes Carol Spracklen - yes Brian Swartz - yes Thomas Walsh - yes</p>	<p>A motion was made by Doerr-Berger and seconded by Frank to go into Open Session at 11:25 a.m. The motion carried by roll call vote.</p> <p>A motion was made by Swartz and seconded by Doerr-Berger to approve the Auction Advisory Board Closed Minutes from the August 24, 2021 minutes. The motion carried by roll call vote.</p> <p>A motion was made by Swartz and seconded by Frank to ratify the Board’s actions taken in Closed Session which includes Thomas Walsh authorizing his electronic signature on the Non-Disciplinary Order presented in Closed Session.</p>

<p>Recommendations</p> <p>The Board signed no Findings of Fact, Conclusions of Law and Recommendations to the Director</p> <p>Orders</p>	<p>There were no cases for the Board to deliberate during Closed Session.</p> <p>One Non-Disciplinary Order was reviewed and discussed in Closed Session</p> <p>The Board received a report of the final actions by the Director of the following Consent Order previously signed by the Board: 2021-01405 Cole Starodub/Industrico Auctions LLC</p>	<p>The motion carried by roll call vote.</p> <p>The Board signed one Non-Disciplinary Order.</p>
<p>Adjournment</p>	<p>Roll Call Vote taken: Jessica Doerr-Berger – yes Kelly T. Frank – yes Gwendolene Newton – yes Carol Spracklen - yes Brian Swartz - yes Thomas Walsh - yes</p> <p>The next meeting is scheduled for December 2021.</p>	<p>There being no further business to discuss, a motion was made by Doerr-Berger and seconded by Spracklen to adjourn at 11:28 a.m. The motion carried by roll call vote.</p>

Licensing Report

YTD - thru October 1, 2021

Prepared by Jeremy N Reed

Filtered By

- Board = AUCTIONEER
- START DATE = 01/01/2021
- END DATE = 10/01/2021

10/18/2021 at 4:23:06 PM

Profession	ProfessionDescription	Sponsor_Chg	Applications	Initial_lic	Transitions	Renewals	Active_Licenses
440	Licensed Auctioneer	2	0	0	0	42	284
441	Licensed Auctioneer	9	42	39	0	121	695
444	Licensed Auction Firm	2	15	13	0	21	170
445	Licensed Auction CE School	0	0	0	0	0	5
446	Licensed Auction CE Course	0	0	1	0	0	45
Totals		13	57	53	0	184	1,199

Illinois Auctioneer Examination

	ALL EXAMINEES	REPEATERS	FIRST TIMERS
TOTAL NUMBER TESTED	53	14	39
TOTAL NUMBER PASSED	37 69.81 %	12 85.71 %	25 64.10 %
TOTAL NUMBER FAILED	16 30.19 %	2 14.29 %	14 35.90 %

AUCTION PROSECUTIONS REPORT 2021

September

	Pending Open Cases	Formal Complaints Filed	New Cases Rec'd / reopen	3 months or less	cases over 3 months	cases over 6 months	cases over 9 months	cases over 12 months	cases over 24 months	CLOSED	CLOSED Admin	CLOSED Admin Warn Letter	Closed CE with memo	CLOSED Formal Order	CLOSED: Consent Order	CLOSED : Non-Disc Order	IL Inc Tax	Child Support	Motion for Rehearing filed	
JANUARY	6	0	2	2	3	1	0	0	0	1	0	0	0	0	0	0	0	0	0	1
FEBRUARY	7	0	1	3	3	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0
MARCH	4	1	0							3	0	1	0	0	2	0	0	0	0	0
APRIL	6	0	2	2	2	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0
MAY	4	2	0	2	2	0	0	0	0	2	0	1	0	0	0	1	0	0	0	0
JUNE	4	0	1	0	2	2	0	0	0	1	1	0	0	0	0	0	0	0	0	0
JULY	4	0	0	0	2	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0
AUGUST	3	0	0	0	1	2	0	0	0	1	0	0	0	0	1	0	0	0	0	0
SEPTEMBER	3	0	1	1	0	2	0	0	0	1	0	0	0	1	0	0	0	0	0	0
OCTOBER										0										
NOVEMBER										0										
DECEMBER										0										
TOTAL		3	7							9	1	2	0	1	3	1	0	0	0	1