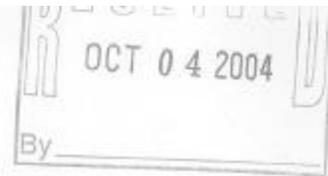




COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF STATE
BUREAU OF PROFESSIONAL AND OCCUPATIONAL AFFAIRS
STATE BOARD OF AUCTIONEER EXAMINERS
P. O. BOX 2649
HARRISBURG, PENNSYLVANIA 17105



Tammy Radel
Board Administrator

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October 1, 2004

Ohio Department of Agriculture
Division of Enforcement - Auctioneer Program
8995 East Main Street, Building 1
Reynoldsburg, OH 43068-3399

Dear State Auctioneer Commission Members:

At the September 13, 2004, meeting of the Pennsylvania State Board of Auctioneer Examiners the Board discussed the reciprocity agreement between Pennsylvania and Ohio for the licensing of auctioneers and apprentice auctioneers. In the reciprocal agreement between our states it indicates:

"WHEREAS, Section 12 further provides that the non-resident auctioneer or apprentice auctioneer is only permitted to sell at auction in the Commonwealth whatever the property laws of his state permit non-resident auctioneers and apprentice auctioneers to sell at auction; and"

"RESOLVED: That an Ohio auctioneer or apprentice auctioneer licensed in the Commonwealth by reciprocity is not permitted to sell real estate at auction in this Commonwealth under the authority granted by this reciprocal auctioneer license."

The Board has been informed that Pennsylvania auctioneers have expressed concern over the practice of Ohio auctioneers conducting real estate auctions in Pennsylvania while Pennsylvania auctioneers, as noted in the Ohio Revised Code, are not permitted to conduct real estate auctions in Ohio without also holding an Ohio real estate broker's license.

4707.021. Sale of real property at auction.

Only a real estate broker who is licensed under Chapter 4735. of the Revised Code and who is licensed as an auctioneer under this chapter may contract for the sale of real property at auction. A real estate broker who is licensed under Chapter 4735. of the Revised Code but who is not licensed as an auctioneer under this chapter may contract for the sale of real property only if either of the following applies:

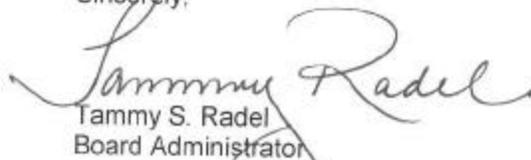
- (A) The auctioneer who conducts the auction is a salesperson licensed under Chapter 4735 of the Revised Code and is associated with the real estate broker who contracts for the sale of the real property.***
- (B) The real estate broker enters into a cooperative agreement with another real estate broker licensed under Chapter 4735. of the Revised Code with whom an auctioneer licensed under this chapter is associated and the auctioneer conducts the auction.***

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The Board wanted to bring this to your attention in the hopes that this information could be distributed to the Ohio auctioneer community so that they are reminded of this long-standing restriction, which is an essential component of the reciprocity agreement between our states.

If you have any questions or need further clarification on this matter, please do not hesitate to contact me.

Sincerely,



Tammy S. Radel
Board Administrator

cc: Kenyon B. Brown, Chairman
Sabina Howell, Board Counsel

Ohio Auctioneers Association
17 South High Street
Suite 200
Columbus, OH 43215-3458