

SECTION .0200 - APPLICATION FOR LICENSE

21 NCAC 04B .0201 APPLICATION FORMS

(a) Auctioneer. Each applicant for an auctioneer license shall make application on a form prescribed by the Board, which may be obtained from the Board using the information in Rule .0102 of this Subchapter.

- (1) The application form requires:
 - (A) the applicant's legal name;
 - (B) the applicant's physical, postal mail, and email addresses;
 - (C) the applicant's telephone number(s);
 - (D) the county, state, and country of the applicant's legal residence;
 - (E) the applicant's social security number;
 - (F) the applicant's date of birth;
 - (G) the applicant's qualification for licensure as set forth in G.S. 85B-4(b);
 - (H) the places of residence within the previous five years for the applicant;
 - (I) the applicant's current employment (if any);
 - (J) any places of employment within the previous five years for the applicant;
 - (K) two character endorsements for the applicant;
 - (L) any doing business names for the applicant; and
 - (M) the applicant's notarized signature.
- (2) This application shall be submitted to the Board and shall be accompanied by:
 - (A) one forward facing, 2" x 2" color photograph of the applicant's head and shoulders taken within the previous six months for identification;
 - (B) the completed fingerprint cards provided by a law enforcement agency and the form signed by the applicant consenting to the check of the criminal history and to the use of fingerprints and other identifying information;
 - (C) a copy of the applicant's high school diploma or proof of equivalency;
 - (D) an employee classification form provided by the Board;
 - (E) the applicable fees, as set forth in 21 NCAC 04B .0202; and
 - (F) documentation of required auctioneer schooling or auctioneer experience, as follows:
 - (i) Applicants who base their application upon their completion of a school of auctioneering with its curriculum and instructors approved by the Board as set forth in 21 NCAC 04B .0500 shall submit a final transcript. If the applicant has completed this school more than the five years preceding the date of his or her application, the applicant shall submit documentation of the applicant's lawful participation in auctions within the two years preceding the date of application. The above-referenced participation in auctions is defined as "Auctioneering" as set forth in G.S. 85B-1(8); or
 - (ii) Applicants who base their application upon their successful completion of an apprenticeship shall submit a log maintained and completed during the apprenticeship period that lists the hours and dates when they obtained apprenticeship experience, with each entry being verified and signed by their supervising auctioneer(s). At least 100 hours of experience during the apprenticeship two-year period shall be obtained. Not less than 25 of the total hours accumulated shall be attributable to bid calling. Not less than 50 hours shall be attributable to working as a ring person, drafting and negotiating contracts, evaluating merchandise, advertising, clerking, and cashiering, with not less than five hours of accumulated experience documented for each activity. An apprentice who applies for an auctioneer license under this Part shall submit his or her application and supporting documentation and obtain a passing score on the auctioneer exam prior to the expiration of his or her apprentice auctioneer license.

(b) Non-Resident Reciprocal Auctioneer. Each non-resident applicant for an auctioneer license who applies for a North Carolina license pursuant to G.S. 85B-5 shall make application on a form prescribed by the Board, as set forth in Paragraph (a) of this Rule. This form shall be submitted to the Board and shall be accompanied by:

- (1) one forward facing, 2" x 2" color photograph of the applicant's head and shoulders taken within the previous six months for identification;

- (2) the completed fingerprint cards provided by a law enforcement agency and the form signed by the applicant consenting to the check of the criminal history and to the use of fingerprints and other identifying information;
- (3) a copy of the applicant's high school diploma or proof of equivalency;
- (4) an employee classification form provided by the Board;
- (5) the applicable fees, as set forth in 21 NCAC 04B .0202;
- (6) a statement of good standing from the licensing board or Commission of each jurisdiction where the applicant holds an auctioneer, apprentice auctioneer, or auction firm license; and
- (7) irrevocable consent of the applicant that service to the Board shall be sufficient service of process for actions against the applicant by a resident of this State arising out of his or her auctioneering activities with notarized signature and notarial seal affixed.

(c) **Apprentice Auctioneer.** Each applicant for an apprentice auctioneer license shall make application on a form prescribed by the Board, as set forth in Paragraph (a) of this Rule. This form shall be submitted to the Board and shall be accompanied by:

- (1) one forward facing, 2" x 2" color photograph of the applicant's head and shoulders taken within the previous six months for identification;
- (2) the completed fingerprint cards provided by a law enforcement agency and the form signed by the applicant consenting to the check of the criminal history and to the use of fingerprints and other identifying information;
- (3) a copy of the applicant's high school diploma or proof of equivalency;
- (4) an employee classification form provided by the Board;
- (5) the applicable fees, as set forth in 21 NCAC 04B .0202;
- (6) the signature, as designated on the apprentice applicant form, of the licensed auctioneer(s) who will be supervising the apprentice auctioneer; and
- (7) a written statement of each proposed supervisor's background and experience in the auction profession, including the number and types of auctions conducted or participated in annually, as set forth in 21 NCAC 04B .0403.

(d) **Auction Firms.** An applicant for an auction firm shall be a principal within the firm. Each applicant for an auction firm license shall make application on a form prescribed by the Board, which may be obtained from the Board using the information in Rule .0102 of this Subchapter.

- (1) The application form requires:
 - (A) the firm's legal name, and any assumed names or trade names;
 - (B) the firm's type of business entity;
 - (C) the names, addresses, telephone numbers, and titles of each owner, officer, and partner of the firm;
 - (D) the firm's physical, postal mail, and email addresses;
 - (E) the firm's website address (if any);
 - (F) the firm's telephone number(s);
 - (G) the applicant's name, which shall be an owner of the firm;
 - (H) the applicant's physical, postal mail, and email addresses;
 - (I) the county, state, and country of the applicant's legal residence;
 - (J) the applicant's social security number;
 - (K) the applicant's qualification for licensure as set forth in G.S. 85B-4(b);
 - (L) the designated person(s) of the firm as set forth in G.S. 85B-4(g) and 21 NCAC 04B .0607;
 - (M) two character endorsements for the applicant; and
 - (N) the applicant's notarized signature.
- (2) This form shall be submitted to the Board and shall be accompanied by:
 - (A) each of the principal's and proposed designated person's of the auction firm completed fingerprint cards provided by a law enforcement agency and the form signed by each consenting to the check of the criminal history and to the use of fingerprints and other identifying information;
 - (B) a copy of each principal's and proposed designated person's high school diploma or proof of equivalency;
 - (C) the applicable fees, as set forth in 21 NCAC 04B .0202;

- (D) a certified copy of any applicable Articles of Incorporation, Articles of Organization, Partnership Agreement, or Assumed Name Certificate; and
- (E) a statement of good standing from the licensing board or Commission of each jurisdiction where the applicant firm and any principal and proposed designated person of such firm holds an auctioneer license of any type; and
- (F) an employment classification form provided by the Board.

*History Note: Authority G.S. 85B-1; 85B-3.1; ; 85B-3.2; 85B-4; 85B-5;
Eff. November 1, 1984;
Amended Eff. April 1, 1996; January 1, 1995; June 1, 1991;
Temporary Amendment Eff. January 1, 2000;
Amended Eff. May 1, 2006; April 1, 2001;
Readopted Eff. July 1, 2020.*