

ARTICLE 2. AUCTIONEER COURSES AND INITIAL EDUCATION COURSE PROVIDERS

Rule 1. Definitions; General Provisions

812 IAC 2-1-1 Scope

Authority: IC 25-6.1-2-5
Affected: IC 25-6.1-3-2

Sec. 1. (a) This article establishes requirements for the education of applicants for auctioneer licensure and establishes requirements for auction instruction pursuant to IC 25-6.1-3-2.

(b) The definitions in this rule apply throughout this article. (*Indiana Auctioneer Commission; 812 IAC 2-1-1; filed Jul 3, 1996, 5:00 p.m.: 19 IR 3088; readopted filed Jul 18, 2002, 12:24 p.m.: 25 IR 4221; readopted filed Sep 26, 2008, 10:48 a.m.: 20081015-IR-812080335RFA*)

812 IAC 2-1-2 "Course session" defined

Authority: IC 25-6.1-2-5
Affected: IC 25-6.1

Sec. 2. "Course session" means a particular course of auction instruction conducted by an approved course provider. (*Indiana Auctioneer Commission; 812 IAC 2-1-2; filed Jul 3, 1996, 5:00 p.m.: 19 IR 3088; readopted filed Jul 18, 2002, 12:24 p.m.: 25 IR 4221; readopted filed Sep 26, 2008, 10:48 a.m.: 20081015-IR-812080335RFA*)

812 IAC 2-1-3 Violations of statute and rules

Authority: IC 25-6.1-2-5
Affected: IC 4-21.5-3; IC 4-21.5-4; IC 25-6.1

Sec. 3. (a) Failure of an approved course provider to comply with the provisions of this article shall subject it to denial of course provider approval or revocation or suspension of course provider approval as appropriate.

(b) If an approved course provider fails to meet the requirements for course provider approval renewal established in 812 IAC 2-2-4 and 812 IAC 2-2-5, the renewal shall be denied.

(c) Under subsections (a) through (b), auction schools shall be responsible for the actions of their employees and other agents.

(d) Notices of denials of course provider approval or renewals and administrative review of such denials are governed by IC 4-21.5-3-4 and IC 4-21.5-3-7.

(e) Institution of proceedings to revoke or suspend course provider approval is governed by IC 4-21.5-3-8. Emergency suspensions may be issued, where appropriate, under IC 4-21.5-4. (*Indiana Auctioneer Commission; 812 IAC 2-1-3; filed Jul 3, 1996, 5:00 p.m.: 19 IR 3088; readopted filed Jul 18, 2002, 12:24 p.m.: 25 IR 4221; readopted filed Sep 26, 2008, 10:48 a.m.: 20081015-IR-812080335RFA*)

812 IAC 2-1-4 Revocation, suspension, or denial of renewal of course provider approval; completion of courses

Authority: IC 25-6.1-2-5
Affected: IC 25-6.1

Sec. 4. In the event it suspends, revokes, or denies renewal of course provider approval, the commission may, at its discretion, allow any course already in progress to be completed. (*Indiana Auctioneer Commission; 812 IAC 2-1-4; filed Jul 3, 1996, 5:00 p.m.: 19 IR 3084; readopted filed Jul 18, 2002, 12:24 p.m.: 25 IR 4221; readopted filed Sep 26, 2008, 10:48 a.m.: 20081015-IR-812080335RFA*)

812 IAC 2-1-5 Application for course provider approval; content

Authority: IC 25-6.1-2-5
Affected: IC 25-6.1

Sec. 5. (a) Any auction school seeking approval as a course provider shall make written application for approval and shall submit such documents, statements, and forms as required by the commission, and as may be reasonably necessary to establish

whether the school complies with the requirements of this article.

(b) The application shall state the name and address of the school's owner.

(c) The application shall list all instructors who will be teaching the course and include evidence that they comply with the qualifications established in 812 IAC 2-3-2. (*Indiana Auctioneer Commission; 812 IAC 2-1-5; filed Jul 3, 1996, 5:00 p.m.: 19 IR 3089; readopted filed Jul 18, 2002, 12:24 p.m.: 25 IR 4221; readopted filed Sep 26, 2008, 10:48 a.m.: 20081015-IR-812080335RFA*)

Rule 2. Approved Course Providers; General Requirements

812 IAC 2-2-1 Facilities

Authority: IC 25-6.1-2-5

Affected: IC 25-6.1

Sec. 1. (a) The premises, equipment, and facilities of the approved course provider shall comply with all local, city, county, and state regulations, such as fire, building, and sanitation codes.

(b) Approved course providers shall prohibit the serving or obtaining of alcoholic beverages in the classroom and any other area that the student would have access to during the time class is in session, including breaks, such as the restroom and hallways.

(c) Subsection (b) shall not be interpreted to prohibit the use of facilities (such as hotels, motels, and convention centers) where alcoholic beverages are sold in separate rooms. (*Indiana Auctioneer Commission; 812 IAC 2-2-1; filed Jul 3, 1996, 5:00 p.m.: 19 IR 3089; readopted filed Jul 18, 2002, 12:24 p.m.: 25 IR 4221; readopted filed Sep 26, 2008, 10:48 a.m.: 20081015-IR-812080335RFA*)

812 IAC 2-2-2 Student fees; cancellation of course sessions

Authority: IC 25-6.1-2-5

Affected: IC 25-6.1

Sec. 2. (a) An approved course provider shall not charge a fee to students for seminars or other courses offered in preparation for the state licensing examination. This applies to students who are currently enrolled in a course or have completed a course within the past thirty (30) days.

(b) The cost of textbooks, supplemental texts, and required materials shall be included in the course fee. Disclosure of the full cost of the course (including tuition, books, and required materials) must be made to the student before enrollment.

(c) Each approved course provider shall establish a refund policy, which is included in all printed material related to the offering of the course. The refund policy shall be available for review and acceptance by the student at the time of enrollment.

(d) If a course session is canceled, the course provider must notify all individuals who have enrolled in it at least three (3) days in advance of the first scheduled class. (*Indiana Auctioneer Commission; 812 IAC 2-2-2; filed Jul 3, 1996, 5:00 p.m.: 19 IR 3089; readopted filed Jul 18, 2002, 12:24 p.m.: 25 IR 4221; readopted filed Sep 26, 2008, 10:48 a.m.: 20081015-IR-812080335RFA*)

812 IAC 2-2-3 Course records

Authority: IC 25-6.1-2-5

Affected: IC 25-6.1

Sec. 3. Each approved course provider must maintain records of students who successfully complete and pass the course of study for a minimum of two (2) years. The records must include:

(1) attendance records;

(2) examination score records;

(3) student course evaluations; and

(4) duplicate copies of completion certificates or the ability to reproduce duplicate completion certificates.

(*Indiana Auctioneer Commission; 812 IAC 2-2-3; filed Jul 3, 1996, 5:00 p.m.: 19 IR 3089; readopted filed Jul 18, 2002, 12:24 p.m.: 25 IR 4221; readopted filed Sep 26, 2008, 10:48 a.m.: 20081015-IR-812080335RFA*)

812 IAC 2-2-4 Renewal of course provider approval

Authority: IC 25-6.1-2-5
Affected: IC 25-6.1

Sec. 4. The approval of course providers expires on February 28 of each even-numbered year. To obtain renewal of course provider approval, the school must submit a letter requesting such renewal to the commission by January 1 of each even-numbered year. (*Indiana Auctioneer Commission; 812 IAC 2-2-4; filed Jul 3, 1996, 5:00 p.m.: 19 IR 3090; readopted filed Jul 18, 2002, 12:24 p.m.: 25 IR 4221; readopted filed Sep 26, 2008, 10:48 a.m.: 20081015-IR-812080335RFA*)

812 IAC 2-2-5 Review and investigation of approved course providers

Authority: IC 25-6.1-2-5
Affected: IC 25-6.1

Sec. 5. (a) As a requirement for renewal, an approved course provider may be required to provide specific information, answer questions, and/or appear before the commission or its designee for the purpose of determining compliance with this article.

(b) The commission or its designee may, at any time, review and/or investigate any matter concerning any course, or applicant for course provider approval to determine compliance with this article.

(c) The method of review shall be determined by the commission in each case and will generally consist of the following:

(1) Consideration of information available from federal, state, and/or local agencies, private organizations or agencies, or interested persons.

(2) Conferences with the school director and other representatives of the school involved or with former students of the school.

(d) The commission may require a background check on school personnel, including a criminal history check. (*Indiana Auctioneer Commission; 812 IAC 2-2-5; filed Jul 3, 1996, 5:00 p.m.: 19 IR 2090; readopted filed Jul 18, 2002, 12:24 p.m.: 25 IR 4221; readopted filed Sep 26, 2008, 10:48 a.m.: 20081015-IR-812080335RFA*)

Rule 3. Instructors

812 IAC 2-3-1 Instructors; compliance with rule required

Authority: IC 25-6.1-2-5
Affected: IC 25-6.1

Sec. 1. All instructors employed by approved course providers must meet the requirements of this rule. (*Indiana Auctioneer Commission; 812 IAC 2-3-1; filed Jul 3, 1996, 5:00 p.m.: 19 IR 3090; readopted filed Jul 18, 2002, 12:24 p.m.: 25 IR 4221; readopted filed Sep 26, 2008, 10:48 a.m.: 20081015-IR-812080335RFA*)

812 IAC 2-3-2 Instructors; qualifications

Authority: IC 25-6.1-2-5
Affected: IC 25-6.1

Sec. 2. Each instructor shall possess at least one (1) of the following minimum requirements:

(1) A minimum of five (5) years of experience as an instructor in an establishment that offered auction instruction prior to July 1, 1996, or an auction school approved by the commission, or a combination of both.

(2) A bachelor's degree from an accredited college or university and a minimum of two (2) years of experience in the auction business.

(3) A minimum of five (5) years of experience as an auctioneer.

(4) A juris doctor or equivalent from an accredited law school, and a minimum of two (2) years of experience in the subject matter to be taught in the course.

(5) Two (2) years of experience as a qualified instructor or professor in the business, finance, or economics department of an accredited college or university.

(*Indiana Auctioneer Commission; 812 IAC 2-3-2; filed Jul 3, 1996, 5:00 p.m.: 19 IR 3090; readopted filed Jul 18, 2002, 12:24 p.m.: 25 IR 4221; readopted filed Sep 26, 2008, 10:48 a.m.: 20081015-IR-812080335RFA*)

812 IAC 2-3-3 Instructors; prohibitions

Authority: IC 25-6.1-2-5
Affected: IC 25-6.1

Sec. 3. An approved course provider is prohibited from hiring, or retaining in its employ, an instructor who:

- (1) has had his or her auctioneer license revoked or suspended by any jurisdiction;
- (2) has obtained or used, or attempted to obtain or use, in any manner, Indiana auctioneer licensing examination questions to be used on future examinations unless authorized by law;
- (3) has been convicted of a crime, which has a direct bearing on the individual's ability to competently instruct, including, but not necessarily limited to, violations of auction laws and abuse of fiduciary responsibilities;
- (4) has falsely certified hours of attendance or grades for any student; or
- (5) unless allowed by law, has refused to appear and/or testify under oath at any hearing held by the commission.

(Indiana Auctioneer Commission; 812 IAC 2-3-3; filed Jul 3, 1996, 5:00 p.m.: 19 IR 3090; readopted filed Jul 18, 2002, 12:24 p.m.: 25 IR 4221; readopted filed Sep 26, 2008, 10:48 a.m.: 20081015-IR-812080335RFA)

Rule 4. Conduct of Courses

812 IAC 2-4-1 Auctioneer courses; hours of classroom instruction

Authority: IC 25-6.1-2-5
Affected: IC 25-6.1

Sec. 1. (a) An auctioneer course shall consist of at least eighty (80) hours of classroom instruction.

(b) Each auctioneer course shall be conducted on at least ten (10) different days with a maximum of eight (8) hours of instruction per day.

(c) The examinations required under section 4(a) of this rule may not count toward the hours required by subsection (a).

(Indiana Auctioneer Commission; 812 IAC 2-4-1; filed Jul 3, 1996, 5:00 p.m.: 19 IR 3090; errata filed Sep 23, 1996, 3:00 p.m.: 20 IR 333; readopted filed Jul 18, 2002, 12:24 p.m.: 25 IR 4221; readopted filed Sep 26, 2008, 10:48 a.m.: 20081015-IR-812080335RFA)

812 IAC 2-4-2 Breaks

Authority: IC 25-6.1-2-5
Affected: IC 25-6.1-3-2

Sec. 2. Any amount of time allotted to breaks may not be counted toward the eighty (80) hours of actual instruction required by IC 25-6.1-3-2. *(Indiana Auctioneer Commission; 812 IAC 2-4-2; filed Jul 3, 1996, 5:00 p.m.: 19 IR 3091; readopted filed Jul 18, 2002, 12:24 p.m.: 25 IR 4221; readopted filed Sep 26, 2008, 10:48 a.m.: 20081015-IR-812080335RFA)*

812 IAC 2-4-3 Attendance

Authority: IC 25-6.1-2-5
Affected: IC 25-6.1

Sec. 3. (a) All attendance shall be in the same course session and may not be cumulative.

(b) A student may not receive attendance credit for attending more than one (1) class meeting of a class other than a class in the course session to which the student is assigned. The one (1) class must cover the same material as the class missed, the make up class must be completed during the regular class session, and must be sponsored by the school in which the student is enrolled. *(Indiana Auctioneer Commission; 812 IAC 2-4-3; filed Jul 3, 1996, 5:00 p.m.: 19 IR 3091; readopted filed Jul 18, 2002, 12:24 p.m.: 25 IR 4221; readopted filed Sep 26, 2008, 10:48 a.m.: 20081015-IR-812080335RFA)*

812 IAC 2-4-4 Examinations

Authority: IC 25-6.1-2-5
Affected: IC 25-6.1

AUCTIONEER COURSES AND INITIAL EDUCATION COURSE PROVIDERS

Sec. 4. (a) Each auctioneer course shall be required to have three (3) written examinations with each examination consisting of one hundred (100) questions. A total of two hundred twenty-five (225) points from the three (3) examinations is required to pass the course.

(b) Dates of all examinations must be announced to the students at least one (1) day in advance, and examinations shall be evenly spaced throughout the course.

(c) All examinations must be administered in the scheduled class session under the supervision of the course instructor. Take home examinations may not be credited toward the required passing score in the course.

(d) The total score to pass a course must be based only on scores earned on the required in-class examinations. Class recitations and quizzes may not be used to supplement or take the place of examination grades.

(e) Total security shall be provided for all examinations prior to, during, and after administration. Questions may not be distributed to students or discussed in class in advance. Students shall be prohibited from copying an examination after it has been administered.

(f) An examination booklet and all answer sheets shall be retained by the sponsoring school for at least one (1) year. Examinations may be made available to students only for personal review in a supervised situation after the examinations have been graded and scores recorded.

(g) Examinations administered in the auction course shall not be taken from the school premises under any circumstances.

(h) Administration of make up examinations shall be at the discretion of the course instructor. If make up examinations are permitted, and the student is taking the examination prior to other students in the class, the same examination that will be used for the class shall be administered. If the student will be taking a make up examination after other students in the class, a different examination shall be used, however, the examination must cover the same subject content.

(i) Each approved course provider shall establish a written policy against cheating in its auctioneer courses. (*Indiana Auctioneer Commission; 812 IAC 2-4-4; filed Jul 3, 1996, 5:00 p.m.: 19 IR 3091; readopted filed Jul 18, 2002, 12:24 p.m.: 25 IR 4221; readopted filed Sep 26, 2008, 10:48 a.m.: 20081015-IR-812080335RFA*)

812 IAC 2-4-5 Course evaluations

Authority: IC 25-6.1-2-5

Affected: IC 25-6.1

Sec. 5. (a) Course providers are required to survey their students at the end of each course session and/or after the students have taken the state licensing examination.

(b) The survey shall include information regarding:

(1) the quality of instruction;

(2) appropriateness of materials; and

(3) other information that will properly evaluate the course.

(c) Evaluations must be made available for inspection by the commission upon request. (*Indiana Auctioneer Commission; 812 IAC 2-4-5; filed Jul 3, 1996, 5:00 p.m.: 19 IR 3091; readopted filed Jul 18, 2002, 12:24 p.m.: 25 IR 4221; readopted filed Sep 26, 2008, 10:48 a.m.: 20081015-IR-812080335RFA*)

Rule 5. Course Providers; Miscellaneous Prohibitions

812 IAC 2-5-1 Advertising

Authority: IC 25-6.1-2-5

Affected: IC 25-6.1

Sec. 1. No course provider conducting a course of study shall advertise or make any reference in its advertising, promotional material, brochures, and/or registration forms that it is endorsed, recommended, or accredited by, or affiliated with the commission. (*Indiana Auctioneer Commission; 812 IAC 2-5-1; filed Jul 3, 1996, 5:00 p.m.: 19 IR 3091; readopted filed Jul 18, 2002, 12:24 p.m.: 25 IR 4221; readopted filed Sep 26, 2008, 10:48 a.m.: 20081015-IR-812080335RFA*)

812 IAC 2-5-2 Advertising; requirements

Authority: IC 25-6.1-2-5
 Affected: IC 25-6.1

Sec. 2. (a) Course providers are prohibited from engaging in false or misleading advertising.

(b) If a course provider's advertisement contains representations concerning the number or percentage of its students who pass the commission's auctioneer examination, the course provider shall retain information, including the raw data and the calculation substantiating the accuracy of the representations, and make it available to the commission upon request.

(c) The method of calculation of passing percentage under subsection (b) shall be as follows:

(1) Advertisement must state the period for which passing percentages are reported.

(2) Percentages must be based on first-time candidates taking the state licensing examinations for the period reported.

(Indiana Auctioneer Commission; 812 IAC 2-5-2; filed Jul 3, 1996, 5:00 p.m.: 19 IR 3092; readopted filed Jul 18, 2002, 12:24 p.m.: 25 IR 4221; readopted filed Sep 26, 2008, 10:48 a.m.: 20081015-IR-812080335RFA)

812 IAC 2-5-3 Course providers; prohibitions

Authority: IC 25-6.1-2-5
 Affected: IC 25-6.1

Sec. 3. Course providers are prohibited from the following:

(1) Giving materially inaccurate or misleading information in an application for course provider approval or an annual report.

(2) Deliberately falsifying or misrepresenting any information supplied to the commission or the public.

(3) Possessing, claiming to possess, revealing, or distributing any questions used in the commission's auctioneer examination.

(4) Having substantially failed to comply with the provisions of any contract or agreement entered into with a student.

(5) Failing to allow the commission or its designee to inspect the school or its records or failing to make available such information as required by this article.

(6) Having been convicted, or one (1) of its owners having been convicted, of a crime that has a direct bearing on the course provider's ability to conduct an auction course, including, but not necessarily limited to, violation of auction laws and abuse of fiduciary responsibilities.

(7) Violating IC 25-6.1 or this title.

(8) Failing to notify the commission within thirty (30) days of the termination of its relationship with an instructor for cause.

(Indiana Auctioneer Commission; 812 IAC 2-5-3; filed Jul 3, 1996, 5:00 p.m.: 19 IR 3092; readopted filed Jul 18, 2002, 12:24 p.m.: 25 IR 4221; readopted filed Sep 26, 2008, 10:48 a.m.: 20081015-IR-812080335RFA)

Rule 6. Auctioneer Course; Subject Area Emphasis

812 IAC 2-6-1 Subject areas; number of course hours

Authority: IC 25-6.1-2-5
 Affected: IC 25-6.1

Sec. 1. (a) Auctioneer courses offered by an approved course provider must include no fewer than the minimum number of hours in each of the subject areas as listed in subsection (b).

(b) The subject areas and corresponding minimum hourly requirements for an auctioneer course are as follows:

(1) A minimum of sixty (60) hours must be accrued in the following subjects with the minimum hourly requirement for each subject being equal to the number of course hours listed:

Subject Area	Number of Course Hours
Bid calling/public speaking	8
Ethics	3
Sale advertising	5
Accounting procedures/mathematics	3
Sale summary/closing statements	3

AUCTIONEER COURSES AND INITIAL EDUCATION COURSE PROVIDERS

Firearms	2
Auction law, including sales tax law and environmental law pertaining to auctioneering	15
UCC and bulk transfers	2
Contracts and legal matters	5
Bankruptcy	2
Appraising	5
Sale preparation, set-up, and clean-up	<u>7</u>
	60

(2) A minimum of eleven (11) hours must be accrued in the following subjects, with a minimum of one (1) hour in each subject listed:

- Antiques
- Art, rugs, and jewelry
- Automobiles
- Cattle and livestock
- Computers
- Estate sales
- Farm machinery
- Furniture
- Heavy equipment
- Insurance
- Tobacco

(3) A minimum of nine (9) hours must be accrued in the following subjects, with a minimum of three (3) hours in each subject listed:

- Auction house operation
- Real estate
- Ring work

(Indiana Auctioneer Commission; 812 IAC 2-6-1; filed Jul 3, 1996, 5:00 p.m.: 19 IR 3092; readopted filed Jul 18, 2002, 12:24 p.m.: 25 IR 4221; readopted filed Sep 26, 2008, 10:48 a.m.: 20081015-IR-812080335RFA)

Rule 7. Auctioneer Course; Outline

812 IAC 2-7-1 Bid calling; public speaking

Authority: IC 25-6.1-2-5
Affected: IC 25-6.1

Sec. 1. The following are concepts that must be emphasized when teaching bid calling and/or public speaking:

- (1) Individual poise.
- (2) Command of the podium.
- (3) Body language.
- (4) Eye contact.
- (5) Voice control.
- (6) Auction chant.
- (7) Clarity and timing.

(Indiana Auctioneer Commission; 812 IAC 2-7-1; filed Jul 3, 1996, 5:00 p.m.: 19 IR 3093; readopted filed Jul 18, 2002, 12:24 p.m.: 25 IR 4221; readopted filed Sep 26, 2008, 10:48 a.m.: 20081015-IR-812080335RFA)

812 IAC 2-7-2 Ethics

Authority: IC 25-6.1-2-5
Affected: IC 25-6.1

Sec. 2. The following are concepts that must be emphasized when teaching auctioneering ethics:

- (1) Proper conduct related to advertising.
- (2) Cooperation between auctioneers.
- (3) Opening statements.
- (4) Client relationships.

(Indiana Auctioneer Commission; 812 IAC 2-7-2; filed Jul 3, 1996, 5:00 p.m.: 19 IR 3093; readopted filed Jul 18, 2002, 12:24 p.m.: 25 IR 4221; readopted filed Sep 26, 2008, 10:48 a.m.: 20081015-IR-812080335RFA)

812 IAC 2-7-3 Sale advertising

Authority: IC 25-6.1-2-5
Affected: IC 25-6.1

Sec. 3. The following are concepts that must be emphasized when teaching the advertisement of sales:

- (1) Setting an advertising budget.
- (2) The use of sale bills, brochures, and electronic media.

(Indiana Auctioneer Commission; 812 IAC 2-7-3; filed Jul 3, 1996, 5:00 p.m.: 19 IR 3093; readopted filed Jul 18, 2002, 12:24 p.m.: 25 IR 4221; readopted filed Sep 26, 2008, 10:48 a.m.: 20081015-IR-812080335RFA)

812 IAC 2-7-4 Accounting procedures/mathematics

Authority: IC 25-6.1-2-5
Affected: IC 25-6.1

Sec. 4. The following are concepts that must be emphasized when teaching accounting procedures and/or mathematics:

- (1) General record keeping for auctioneers, auction companies, and auction houses.
- (2) Escrow accounting.
- (3) Real estate math.

(Indiana Auctioneer Commission; 812 IAC 2-7-4; filed Jul 3, 1996, 5:00 p.m.: 19 IR 3093; readopted filed Jul 18, 2002, 12:24 p.m.: 25 IR 4221; readopted filed Sep 26, 2008, 10:48 a.m.: 20081015-IR-812080335RFA)

812 IAC 2-7-5 Sale summary; closing statements

Authority: IC 25-6.1-2-5
Affected: IC 25-6.1

Sec. 5. The following are concepts that must be emphasized when teaching sale summarization and closing statements:

- (1) Settlement procedures.
- (2) Required forms.

(Indiana Auctioneer Commission; 812 IAC 2-7-5; filed Jul 3, 1996, 5:00 p.m.: 19 IR 3093; readopted filed Jul 18, 2002, 12:24 p.m.: 25 IR 4221; readopted filed Sep 26, 2008, 10:48 a.m.: 20081015-IR-812080335RFA)

812 IAC 2-7-6 Firearms

Authority: IC 25-6.1-2-5
Affected: IC 25-6.1

Sec. 6. The following are concepts that must be emphasized when teaching about firearms:

- (1) Local, state, and federal laws pertaining to the sale of firearms.
- (2) Procedures for handling firearms in an auction setting.

(Indiana Auctioneer Commission; 812 IAC 2-7-6; filed Jul 3, 1996, 5:00 p.m.: 19 IR 3093; readopted filed Jul 18, 2002, 12:24 p.m.: 25 IR 4221; readopted filed Sep 26, 2008, 10:48 a.m.: 20081015-IR-812080335RFA)

812 IAC 2-7-7 Auction law

Authority: IC 25-6.1-2-5
Affected: IC 25-6.1

Sec. 7. The following must be emphasized when teaching auction law:

- (1) Local, state, and federal law as it pertains to conducting auctions.
- (2) Indiana license law (IC 25-6.1 and 812 IAC).
- (3) Sales tax law as it pertains to auctions.
- (4) Environmental law and environmental concerns pertaining to auctions or auctioneering.
- (5) Procedures for due diligence.

(Indiana Auctioneer Commission; 812 IAC 2-7-7; filed Jul 3, 1996, 5:00 p.m.: 19 IR 3093; readopted filed Jul 18, 2002, 12:24 p.m.: 25 IR 4221; readopted filed Sep 26, 2008, 10:48 a.m.: 20081015-IR-812080335RFA)

812 IAC 2-7-8 Contracts and legal matters

Authority: IC 25-6.1-2-5
Affected: IC 25-6.1

Sec. 8. The following must be emphasized when teaching contracts and legal matters:

- (1) Procedures and forms used when drawing up a contract.
- (2) Recent case law decisions involving the auction profession.
- (3) Contractual responsibilities.

(Indiana Auctioneer Commission; 812 IAC 2-7-8; filed Jul 3, 1996, 5:00 p.m.: 19 IR 3093; readopted filed Jul 18, 2002, 12:24 p.m.: 25 IR 4221; readopted filed Sep 26, 2008, 10:48 a.m.: 20081015-IR-812080335RFA)

812 IAC 2-7-9 Bankruptcy

Authority: IC 25-6.1-2-5
Affected: IC 25-6.1

Sec. 9. The following must be emphasized when teaching about bankruptcy:

- (1) Chapter 7 bankruptcy as it pertains to auctions.
- (2) Chapter 11 bankruptcy as it pertains to auctions.
- (3) Chapter 13 bankruptcy as it pertains to auctions.
- (4) Procedures for conducting auctions involving Chapter 7, Chapter 11, or Chapter 13 bankruptcy.

(Indiana Auctioneer Commission; 812 IAC 2-7-9; filed Jul 3, 1996, 5:00 p.m.: 19 IR 3094; readopted filed Jul 18, 2002, 12:24 p.m.: 25 IR 4221; readopted filed Sep 26, 2008, 10:48 a.m.: 20081015-IR-812080335RFA)

812 IAC 2-7-10 Appraising

Authority: IC 25-6.1-2-5
Affected: IC 25-6.1

Sec. 10. The following concepts must be emphasized when teaching appraising:

- (1) Requirements for personal property appraisers and real estate appraisers.
- (2) Appraising procedures.
- (3) Appraising formats.
- (4) Valuation techniques.

(Indiana Auctioneer Commission; 812 IAC 2-7-10; filed Jul 3, 1996, 5:00 p.m.: 19 IR 3094; readopted filed Jul 18, 2002, 12:24 p.m.: 25 IR 4221; readopted filed Sep 26, 2008, 10:48 a.m.: 20081015-IR-812080335RFA)

812 IAC 2-7-11 Sale preparation, set-up, and clean-up

Authority: IC 25-6.1-2-5
Affected: IC 25-6.1

Sec. 11. The following concepts must be emphasized when teaching sale preparation, set-up, and clean-up:

- (1) Practical applications.
- (2) "How to" procedures.

(Indiana Auctioneer Commission; 812 IAC 2-7-11; filed Jul 3, 1996, 5:00 p.m.: 19 IR 3094; readopted filed Jul 18, 2002, 12:24 p.m.: 25 IR 4221; readopted filed Sep 26, 2008, 10:48 a.m.: 20081015-IR-812080335RFA)

812 IAC 2-7-12 Auction house operation

Authority: IC 25-6.1-2-5
Affected: IC 25-6.1

Sec. 12. The following concepts must be emphasized when teaching auction house operation:

- (1) Accounting and bookkeeping requirements.
- (2) Consignor requirements.
- (3) Auction procedures.
- (4) Liability concerns.

(Indiana Auctioneer Commission; 812 IAC 2-7-12; filed Jul 3, 1996, 5:00 p.m.: 19 IR 3094; readopted filed Jul 18, 2002, 12:24 p.m.: 25 IR 4221; readopted filed Sep 26, 2008, 10:48 a.m.: 20081015-IR-812080335RFA)

812 IAC 2-7-13 Computers

Authority: IC 25-6.1-2-5
Affected: IC 25-6.1

Sec. 13. Knowledge and proper use of computer hardware and software specifically designed for auction purposes must be emphasized when teaching computers. *(Indiana Auctioneer Commission; 812 IAC 2-7-13; filed Jul 3, 1996, 5:00 p.m.: 19 IR 3094; readopted filed Jul 18, 2002, 12:24 p.m.: 25 IR 4221; readopted filed Sep 26, 2008, 10:48 a.m.: 20081015-IR-812080335RFA)*

812 IAC 2-7-14 Insurance

Authority: IC 25-6.1-2-5
Affected: IC 25-6.1

Sec. 14. The following concepts must be emphasized when teaching insurance:

- (1) Policy types.
- (2) Determining adequate coverage for auctions.
- (3) Case studies involving recent insurance claims involving auctions, auction companies, or auction houses.

(Indiana Auctioneer Commission; 812 IAC 2-7-14; filed Jul 3, 1996, 5:00 p.m.: 19 IR 3094; readopted filed Jul 18, 2002, 12:24 p.m.: 25 IR 4221; readopted filed Sep 26, 2008, 10:48 a.m.: 20081015-IR-812080335RFA)

812 IAC 2-7-15 Real estate

Authority: IC 25-6.1-2-5
Affected: IC 25-6.1

Sec. 15. The following concepts must be emphasized when teaching real estate:

- (1) Identification of potential auction property.
- (2) Listing procedures.
- (3) Required forms.
- (4) Proper pricing.
- (5) Advertising.
- (6) Signage.

(Indiana Auctioneer Commission; 812 IAC 2-7-15; filed Jul 3, 1996, 5:00 p.m.: 19 IR 3094; readopted filed Jul 18, 2002, 12:24 p.m.: 25 IR 4221; readopted filed Sep 26, 2008, 10:48 a.m.: 20081015-IR-812080335RFA)

812 IAC 2-7-16 Ring work

Authority: IC 25-6.1-2-5

Affected: IC 25-6.1

Sec. 16. The following concepts must be emphasized when teaching ring work:

- (1) Practical application.
- (2) Accepted procedures.
- (3) Communication techniques.
- (4) Proper conduct.

(Indiana Auctioneer Commission; 812 IAC 2-7-16; filed Jul 3, 1996, 5:00 p.m.: 19 IR 3094; readopted filed Jul 18, 2002, 12:24 p.m.: 25 IR 4221; readopted filed Sep 26, 2008, 10:48 a.m.: 20081015-IR-812080335RFA)

812 IAC 2-7-17 Other subjects; emphasis

Authority: IC 25-6.1-2-5

Affected: IC 25-6.1

Sec. 17. General categorical information, procedures pertaining to the auction of the items, and the methods of positive identification of the items must be emphasized when teaching the following subjects:

- (1) Antiques.
- (2) Art, rugs, and jewelry.
- (3) Automobiles.
- (4) Cattle and livestock.
- (5) Estate sales.
- (6) Farm machinery.
- (7) Furniture.
- (8) Heavy equipment.
- (9) Tobacco.

(Indiana Auctioneer Commission; 812 IAC 2-7-17; filed Jul 3, 1996, 5:00 p.m.: 19 IR 3094; readopted filed Jul 18, 2002, 12:24 p.m.: 25 IR 4221; readopted filed Sep 26, 2008, 10:48 a.m.: 20081015-IR-812080335RFA)

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