

## Pre-Licensing/Pre-Education Frequently Asked Questions

**What is the most important application response concern?** Be thorough and honest. Incorrect or incomplete response information can and does cause license applications to be denied.

**What other application issue frequently creates problems?** Failure to realize that the word ever means **EVER**. *(The exception is that subsequently expunged criminal history information does not need to be disclosed.)*

**Will a criminal record keep me from being approved for an auctioneer or auction firm license?** Possibly, but each application is reviewed on its own merits, and on a case-by-case basis. Further, any criminal history-based denial decision can only come following consideration and analysis of the factors listed in N.C.G.S. 93B-8.1 (b)(b1) and N.C.G.S. 85B-3.2(d).

**I happen to have some criminal record issues in my past. Prior to beginning any education or sending in a license application, is there a way that I can learn if my particular situation will preclude me from being issued a license?** YES. Information regarding a predetermination can be found at [www.ncalb.org](http://www.ncalb.org) or by contacting NCALB staff.

**Do I have to complete auctioneering school before seeking a predetermination decision from the Board?** No. If you suspect that your criminal history may ultimately keep you from being approved for a license, you may want to request a predetermination decision from the Board prior to investing the time, energy, and expense involved in attending auction school.

**Why does the application ask about financial matters?** Upon being issued a license, auctioneers are permitted to assume the fiduciary duty of being trusted with the property (and proceeds from the sale of property) of their auction clients.

**Will adverse financial information in my past preclude me from being approved for a license?** Possibly. The Board assesses the past and current status of applicants and may deny licensure upon determination that a demonstrated lack of financial responsibility exists.

**Do I have to provide a credit report?** The Board may require a current credit report in certain circumstances, including bankruptcies, unsatisfied judgments, and worthless check criminal convictions.

**Can I get a pre-determination decision regarding financial issues from the Board regarding financial issues prior to submitting a license application?** No. North Carolina law requires occupational licensing boards to make criminal history-based predetermination decisions when requested, but not for any other reason.

**If my application is not approved by the Board, is there any opportunity to appeal that decision?** Yes. Any applicant whose license application has initially been denied has 30 days from the date of notification to request a formal administrative hearing before the Board. This is an opportunity to challenge information, present evidence, present witnesses, and offer testimony prior to the Board reaching any final agency decision.



North Carolina Auctioneers Licensing Board  
108 Ber Creek Drive  
Fuquay-Varina, NC 27526

## **PREDETERMINATION OF LICENSURE**

An individual with a criminal history may petition a board at any time, including before an individual starts or completes any mandatory education or training requirements, for a predetermination of whether the individual's criminal history will likely disqualify the individual from obtaining a license.

For instructions on requesting a predetermination, please contact the office at (919) 567-2844 or email [info@ncalb.org](mailto:info@ncalb.org).

Pursuant to House Bill 770, which was ratified on June 28, 2019, Occupational Licensing Boards have the power to deny a license due to a criminal conviction pursuant to 93B-8.1(b)(b1). However, the following factors must be considered:

- (1) The level and seriousness of the crime.
- (2) The date of the crime.
- (3) The age of the person at the time of the crime.
- (4) The circumstances surrounding the commission of the crime, if known.
- (5) The nexus between the criminal conduct and the prospective duties of the applicant as a licensee.
- (6) The prison, jail, probation, parole, rehabilitation, and employment records of the applicant since the date the crime was committed.
- (6a) The completion of, or active participation in, rehabilitative drug or alcohol treatment.
- (6b) A Certification of Relief granted pursuant to NCGA 15A-173.2.
- (7) The subsequent commission of a crime by the applicant.
- (8) Any affidavits or other written documents, including character references.



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108 Ber Creek Drive  
Fuquay-Varina, NC 27526  
www.ncalb.org  
info@ncalb.org

## OUT OF STATE APPLICATION FOR AUCTION FIRM

### GENERAL INSTRUCTIONS

READ *North Carolina Auctioneer Laws, Rules and Regulations*: N.C.G.S. 85B, 21 NCAC 4B. These are available on the Board's website at [www.ncalb.org](http://www.ncalb.org).

READ CAREFULLY each provision of the application and the instructions. The application must be properly completed, signed, notarized, accompanied by all required documents, proper fees, and dated no more than **thirty (30) days** prior to when your application is received by the office of the North Carolina Auctioneer Licensing Board (NCALB). It must be received, not postmarked, in the NCALB Office on, or before the Board deadline date established by the Board (dates enclosed). If any part of the application is incorrect or incomplete, or if required attachments are not included, the application may be returned, resulting in a delay in the licensing process.

**The applicant on the auction firm application must be the owner, if the business is a sole proprietorship; a partner, if a partnership; an officer of the corporation, if incorporated; or a member manager, if a limited liability company.**

Type or print legibly in ink, and mail the completed application to the Board office. Application may not be submitted by email or fax.

**Remember to enclose a check made payable to the North Carolina Auctioneer Licensing Board (NCALB). The application fee is non-fundable. Please note that it is a violation of 21 NCAC 4B .0404 to submit a check to the Board in payment of required fees, which is returned unpaid.**

If applying for an Auction Firm License with a non-auctioneer as a designated person, a firm exam is required pursuant to N.C.G.S. 85B-4(g). This office will contact you either by email (preferred method) or phone regarding scheduling and other exam information. If you are an auctioneer licensed in NC, you are exempt from the firm exam.

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### Required Application Attachments:

- Required Fees. See Out of State Auction Firm License Application Instructions for details.
- Copy of each director(s), officer(s), partner(s), and/or designated person(s) high school diploma or proof of equivalency, college diploma or transcript from high school or college. You must be 18 years old and have graduated from high school or equivalent pursuant to N.C.G.S. 85B-4(b).
- Fingerprint Card and Authority For Release of Information Form. See Out of State Auction Firm License Application Instructions for details.
- A copy of any applicable certified Articles of Incorporation, Articles of Organization, Assumed Name Certificate, or Partnership Agreement.
- Written detailed statement for questions #22 through #28 if you answered "YES." **Complete details must be given. Attach a separate statement.**
- Security Information Form.
- Employee Classification Form.
- Letter of Good Standing. See Out of State Auction Firm License Application Instructions for details.

## Out of State Auction Firm License Instructions

### ***FINGERPRINT RESULTS MUST BE RECEIVED BY THE NCALB PRIOR TO ANY LICENSE BEING ISSUED.***

**NOTE:** *If you currently hold an active North Carolina Auctioneer License or are already affiliated with a an active auction firm, you do not have to provide documents listed in 1 and 2 below, nor submit the fingerprint card processing fee.*

1. A copy of each director(s), officer(s), partner(s), and/or designated person(s) high school diploma or proof of equivalency. The NCALB will only accept a GED or high school diploma issued by accredited institutions. A college diploma, high school transcript or college transcript is acceptable.
2. Fingerprint card, Fee, and Authority For Release of Information Form pursuant to N.C.G.S. § 85B-3.2; Each director(s), officer(s), partner(s), and/or designated person(s) is required to complete an **Authority for Release of Information form, a fingerprint card, and pay the processing fee to this Board.** The fingerprints must be obtained by a law enforcement agency, such as the Police Department or Sheriff's Office. Each relevant person and the official taking the fingerprints must complete the card. ***The fingerprint lines/ridges must be clearly visible. This card may be obtain from your local Police Department or Sherriff's Office.***

### **DO NOT FOLD THE FINGERPRINT CARD**

(You may obtain a fingerprint card at a Sherriff Office or Police Department)  
(FORM—FD-258)

3. Proper fees, as required by 21 NCAC 4B.0202;

(a) Firm with auctioneer as designated person	\$250.00
(\$50 application fee, \$150 license fee, \$50 recovery fund fee)	
(b) Real Estate Firm with broker as designated person	\$250.00
(\$50 application fee, \$150 license fee, \$50 recovery fund fee)	
(c) Firm with non-auctioneer as a designated person	\$300.00
(\$50 application fee, \$50 examination fee, \$150 license fee, \$50 recovery fund fee)	
<b><i>Fingerprint print processing fee:</i></b>	<b>\$38.00</b>
4. A copy of any applicable certified Articles of Incorporation, Articles of Organization, Partnership Agreement or Assumed Name Certificate.
5. Social Security Information Form.
6. Employee Classification Form.
7. An original letter of good standing (license status) from each and every Board and Commission where the applicant firm and each officer(s), director(s), partner(s) and/or designated person(s) holds a valid auctioneering license of any type, if applicable. The letter(s) shall be dated no more than 30 days prior to the NCALB office receiving your application.
8. Two letters of credit reference that must be dated no more than 30 days prior to when the NCALB office receives your application (One must be from a banking institution).

## **RESTRICTIONS AND EXAMINATION REQUIREMENTS**

Authority to transact business under a firm license is limited to the person or persons so designated in the application. The designated person or persons are required to satisfactorily pass a written examination on the Auctioneer Law and Rules. A currently licensed North Carolina auctioneer who is the designated person is not required to take the auction firm examination.

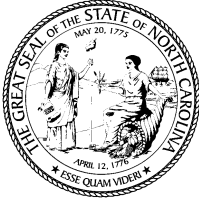
Licensed real estate brokers and real estate firms are exempt from the examination so long as they are involved in the selling of real property only (no personal property) at auction, and provided that they employ or associate themselves with a licensed auctioneer (requires Firm License) to handle those aspects of the transactions peculiar to the auctioneer profession.

## **ESCROW ACCOUNT REQUIREMENTS**

N.C.G.S. § 85B-7.1 Handling Clients Funds of the Auctioneers Law, and 21 NCAC 4B .0603 of the Rules and Regulations specifies the requirements concerning escrow accounts. Money, which has come into your possession through an auction sale, which is payable to the auctioneer or firm, and any portion that belongs to others, may not be commingled with your own under any circumstances N.C.G.S. § 85B-8(a)(7). In addition, such funds must be deposited in a trust or escrow account in a bank or savings and loan association **located in North Carolina**, within three business days of receiving the funds. Funds, which are disbursed to the seller on auction day, are not subject to the escrow account requirements; however, the Law and Rules specify certain record keeping requirements.

# NORTH CAROLINA AUCTIONEER LICENSING BOARD

## APPLICATION for AUCTION FIRM LICENSE



108 Ber Creek Drive  
Fuquay-Varina, N.C. 27526  
Voice (919) 567-2844  
Fax (919) 567-2865  
E-mail [info@ncalb.org](mailto:info@ncalb.org)  
Website: [www.ncalb.org](http://www.ncalb.org)

FOR BOARD USE ONLY

License Issued Date _____		License # _____	
Board Initials _____		_____	
_____		_____	
FEES		FIRM EXAM: Yes _____ No _____	
Application Fee	_____	Date	Grade
Examination Fee	_____	_____	_____
License Fee	_____	_____	_____
Background Fee	_____	_____	
Recovery Fund	_____	Hold Until July 1st	
Total Fees	_____	Yes	_____

**TYPE OR PRINT IN INK (Do not use pencil)\*\*PRINT ONE-SIDED\*\*DO NOT STAPLE**

(1) Indicate type of license desired:

- ☐ Firm with auctioneer as designated person – Fee \$250.00 [ \$50.00 Application; \$150.00 License; \$50.00 Recovery Fund]
- ☐ Real Estate firm with broker as designated person – Fee \$250.00 [ \$50 Application; \$150.00 License; \$50.00 Recovery Fund]
- ☐ Firm with non-auctioneer as designated person – Fee \$300.00 [ \$50.00 Application; \$50.00 Examination, \$150.00 License; \$50.00 Recovery Fund]

(2) Name of Firm

(3) Firm's Physical address

Street Address	City	State	Zip (9-digit if known)
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(4) Mailing Address  
(if different from above)

P.O. Box or Street Address	City	State	Zip (9-digit if known)
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(5) Firm's Business Phone

(      )

(6) Firm's Email Address

(7) Firm's Website Address

(8) Applicant's Name

First	Full Middle Name	Last
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(9) Applicant's Residence

Street Address	City	State	Zip (9-digit if known)
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(10) Applicant's Mailing address  
(if different from above)

P.O. Box or Street Address	City	State	Zip (9-digit if known)
----------------------------	------	-------	------------------------

(11) Legal Resident of

State	County	Country
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(12) Date of Birth

Mo.	Day	Yr.
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(13) Home Phone

(      )

(14) Cell Phone

(      )

- (15) Is Applicant the sole owner of Auction Firm? ☐ Yes ☐ No
- (16) Is Applicant applying for a firm license for a partnership? ☐ Yes ☐ No  
 (If "yes", indicate names of all partners in the space provided in #18 below. Include each partner's name, home address, phone number, title if applicable, and signature. Also include a copy of the Partnership Agreement with the application and/or if applicable, Assume Name Certificate.
- (17) Is Applicant applying for a firm license for a corporation or LLC? ☐ Yes ☐ No  
 (If "yes", indicate names and titles of all current Directors and Officers in the space provided in #18 below. For each person named, include, home address, phone number, and signature. Also include a copy of the Articles of Incorporation or Articles of Organization with the application and/or, if applicable, Assumed Name Certificate.
- (18) List below the appropriate information requested from questions #16 and #17 (attach additional sheet if necessary):

Printed Name	Signature		Title	
Street Address or Rural Highway Number	City	State	Zip (9-digit if known)	Phone Number

Printed Name	Signature		Title	
Street Address or Rural Highway Number	City	State	Zip (9-digit if known)	Phone Number

Printed Name	Signature		Title	
Street Address or Rural Highway Number	City	State	Zip (9-digit if known)	Phone Number

Printed Name	Signature		Title	
Street Address or Rural Highway Number	City	State	Zip (9-digit if known)	Phone Number

- (19) Designated Person(s) - Each firm must designate the person or persons authorized to conduct business in North Carolina on behalf of the firm. Such authority is limited to the designated person(s) only (they are not required to be principals of the firm). Provide the name of each designated person, include their home address, phone number, signature, and indicate if the person is an auctioneer or a real estate broker. Refer to page 4 of this application to determine if the auction firm examination will be required. Attach an additional sheet if necessary.

Printed Name	Signature		Auctioneer or Real Estate Broker and License #	
Street Address or Rural Highway Number	City	State	Zip (9-digit if known)	Phone Number

Printed Name	Signature		Auctioneer or Real Estate Broker and License #	
Street Address or Rural Highway Number	City	State	Zip (9-digit if known)	Phone Number

Printed Name	Signature		Auctioneer or Real Estate Broker and License #	
Street Address or Rural Highway Number	City	State	Zip (9-digit if known)	Phone Number

- (20) Has each partner, Officer, Director or Designated Person graduated from high school or obtained a GED?  
☐ Yes ☐ No

- (21) Have you or any principal or designated person of the firm ever held any type of auction license in any state, including North Carolina? If "yes", indicate below and provide a Letter of Good Standing from each state(s), except NC in which you are currently licensed. (attach additional sheet if needed,):
- ☐ Yes      ☐ No
- Name                      Type of License                      License Number      State      From mo./yr.      To mo./yr.


- Yes      No
- (22) Have you or any principal or designated person ever been denied an auctioneer or auction firm license or any other business or professional license of any type in N.C. or any other state or jurisdiction? ..... ☐      ☐  
(If "yes", attach a separate statement giving **complete** details.)
- (23) Have you or any principal or designated person ever had an auctioneer or auction firm license suspended, revoked or surrendered, or have you ever been disciplined by the licensing authorities in N.C. or any other state or jurisdiction, or is there any such action pending against you in connection with any auctioneer or auction firm license you hold? ..... ☐      ☐  
(If "yes", provide a copy of the licensing agency's order, if applicable, and attach a separate statement giving **complete** details.)
- (24) Have you or any principal or designated person ever had any other business or professional license suspended, revoked, or surrendered in N.C. or any other state or jurisdiction, or is there any disciplinary action pending against you in connection with any other license that you hold? ..... ☐      ☐  
(If "yes", attach a separate statement giving **complete** details.)
- (25) Have you or any principal or designated person ever been **charged or arrested** with a criminal offense (other than minor traffic offenses; **DUI/DWI are not minor traffic offenses**)? ..... ☐      ☐  
(If "yes", attach a separate statement giving **complete** details.)
- (26) Have you or any principal or designated person ever been **convicted** of any criminal offense (other than minor traffic offenses; **DUI/DWI are not minor traffic offenses**) or is there any criminal charge now pending against you? ..... ☐      ☐  
(If "yes", attach a separate statement giving **complete** details.)
- (27) Are there any unpaid judgements of debt now outstanding against you or any principal or designated person? .... ☐      ☐  
(If "yes", provide name of creditor, amount, date, current balance, and a **complete** explanation.)
- (28) Have you or any principal or designated person ever been discharged in bankruptcy or are currently a debtor in a bankruptcy proceeding? ..... ☐      ☐  
(If "yes", provide a copy of the bankruptcy order discharging you from debts, or bankruptcy petition if pending. Also, provide a **complete** explanation.)
- (29) **Character Endorsement** – We, the undersigned, do hereby certify to the North Carolina Auctioneer Licensing Board that we reside in the community in which the applicant resides (or has resided); that we are not related to the applicant; that we are not presently nor do we propose to be associated with the applicant in the auction business; that the applicant is well known to us individually; and that he or she is of good moral character and bears a good reputation for honesty, truthfulness and integrity.

1. \_\_\_\_\_  
(Printed name of endorser)

\_\_\_\_\_  
(Signature of endorser)

\_\_\_\_\_  
(Address)                      (City)                      (State)

\_\_\_\_\_  
(Phone)                      (Occupation)

\_\_\_\_\_  
(Company)

How long have you known the applicant? \_\_\_\_\_

In what capacity? \_\_\_\_\_

2. \_\_\_\_\_  
(Printed name of endorser)

\_\_\_\_\_  
(Signature of endorser)

\_\_\_\_\_  
(Address)                      (City)                      (State)

\_\_\_\_\_  
(Phone)                      (Occupation)

\_\_\_\_\_  
(Company)

How long have you known the applicant? \_\_\_\_\_

In what capacity? \_\_\_\_\_

- (30) Licenses are issued in the firm's name as you have indicated in item #2 of this application. If you plan to advertise and conduct auction business under any other name, trade name, or assumed name, you must file such name(s) with the Board pursuant to 21 NCAC 4B/0601. List known names below:

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- (31) **All licenses expire June 30<sup>th</sup> each year**, regardless of the date of issuance [N.C.G.S. 85B-4(e)]. Your application will be reviewed at the next regularly scheduled monthly meeting of the Board (following examination, if applicable) and, if approved, your license will be issued immediately after that meeting. Applicants should indicate their preference below:

☐ Issue license as soon as possible. ☐ Hold license until beginning of next fiscal year (July 1<sup>st</sup>).

- 
- (32) **This affidavit to be executed by applicant before a notary public:**

The undersigned, in making this application to the North Carolina Auctioneer Licensing Board, swears (or affirms):

1. That he/she is the applicant named herein;
2. That he/she has read and understands the North Carolina Auctioneer Licensing Law and the Rules and Regulations of the Licensing Board;
3. That he/she agrees to abide by the North Carolina Auctioneers Law and Rules;
4. That he/she is authorized by the other principals to make this application on their behalf as to bind them to any term, conditions, rules or regulations as may be imposed by Rule, Statue or Agreement with the Board;
5. That the answers and information contained herein are true to the best of his/her knowledge and belief;
6. That he/she understands that any omissions, inaccuracies or failure to make full disclosures may be deemed sufficient reason to deny permission to take an examination or to deny a license or to withhold renewal of or suspend or revoke a license issued by the Board;
7. That he/she understands that the Board may make such inquiry and investigation concerning the applicant's, any principal's and any designated person's character, record and background as the Board deems necessary, and said applicant further agrees to furnish any additional information or documentation requested by the Board.

**Signature of applicant:**

Sworn and Subscribed to before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_

\_\_\_\_\_  
(Name of Notary Public)

\_\_\_\_\_  
(Signature of Notary Public)

My Commission Expires \_\_\_\_\_

County \_\_\_\_\_ State \_\_\_\_\_

*(AFFIX SEAL)*

**IMPORTANT**

**All information must be completed on the fingerprint card in order for the card to be processed by the State Bureau of Investigation. Any omission will result in the card being returned to the applicant for completed information and having to be resubmitted!**

**AUTHORITY FOR RELEASE OF INFORMATION FORM**

I authorize the North Carolina Department of Justice through the STATE BUREAU OF INVESTIGATION to perform a fingerprint search of the State's criminal history record file and, if applicable, a fingerprint search of the FEDERAL BUREAU OF INVESTIGATION'S files for a national criminal history record check in connection with my application for licensure by the **North Carolina Auctioneer Licensing Board - State and Federal - NCGS143B-937 and 85B-3.2**. I understand my rights to complete or challenge the accuracy of the information contained in the FBI identification record. The procedures for obtaining a change, correction, or update of an FBI identification records are set forth in Title 28, CFR, 16.34.

**LAST NAME**

**FIRST**

**MIDDLE**

**MAIDEN**

\_\_\_\_\_  
(Print or Type)

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**SOCIAL SECURITY NUMBER**  
(Optional\*)

**DOB**

**SEX**

**RACE**

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

I understand that the North Carolina State Bureau of Investigation, and its officials and employees shall not be held legally accountable in any way for providing this information to the above named agency, and I hereby release said agency and persons from any and all liability which may be incurred as a result of furnishing such information. I further understand that the agency cannot provide a HARD COPY of the results of this criminal history record check to me.

\*Disclosure of social security number is entirely voluntary and not required. If disclosed, the social security number will be utilized to assist with accurate identification/exclusion of possible criminal history records.

**Applicant's Signature**

\_\_\_\_\_

**Date**

\_\_\_\_\_

**Board use only:**

OCA #NCAUCT0000—NC Auctioneer Licensing Board

FINGERPRINT PROCESSING FEE — \$38.00  
(State & Federal)

\_\_\_\_\_



## ***North Carolina Auctioneer Licensing Board***

### **Public Notice Statement**

*Required by N.C.Gen. Stat. § 143-764(a)(5), effective December 31, 2017*

Any worker who is defined as an employee by N.C. Gen. Stat. §§ 95-25.2(4)(NC Department Of Labor), 143-762(a)(3) (Employee Fair Classification Act), 96-1(b)(10)(Employment Security Act), 97-2(2)(Workers' Compensation Act), or 105-163.1(4)(Withholding; Estimated Income Tax for Individuals) shall be treated as an employee unless the individual is an independent contractor. Any employee who believes that the employee has been misclassified as an independent contractor by the employee's employer may report the suspected misclassification to the Employee Classification Section with the North Carolina Industrial Commission.

Employee Classification Section  
North Carolina Industrial Commission  
1233 Mail Service Center  
Raleigh, NC 27699-1233  
Telephone: (919) 807-2582  
Fax: (919) 715-0282  
Email: [emp.classification@ic.nc.gov](mailto:emp.classification@ic.nc.gov)

Employee misclassification is **defined** as avoiding tax liabilities and other obligations imposed by Chapter 95, 96, 97, 105, or 143 of the North Carolina General Statutes by misclassifying an employee as an independent contractor. [*N.C. Gen. Stat. § 143-762(5)*]

I certify that I have read the Public Notice Statement above and that I understand it.

#### **(Check one of the following)**

I have not been investigated \_\_\_\_\_ / I have been investigated \_\_\_\_\_ for employee misclassification and have attached the results of the investigation to this application/renewal.

Printed Name of Applicant: \_\_\_\_\_

Signature of Applicant: \_\_\_\_\_

Date: \_\_\_\_\_

## SOCIAL SECURITY NUMBER INFORMATION

The purpose of the Board collecting your number is to positively identify you among credit history documents and other documents and records where the social security number has been used for identification. This is a requirement pursuant to N.C.G.S. 93B-14.

Applicant's Printed Name	Applicant's Signature	Applicant's Social Security Number ____
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If you are applying for an auction firm license, please provide this form to each Director, Officer, Partner, and/or Designated Person for their disclosure of their social security number.

Applicant's Printed Name	Applicant's Signature	Applicant's Social Security Number ____
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Applicant's Printed Name	Applicant's Signature	Applicant's Social Security Number ____
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Applicant's Printed Name	Applicant's Signature	Applicant's Social Security Number ____
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Applicant's Printed Name	Applicant's Signature	Applicant's Social Security Number ____
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Applicant's Printed Name	Applicant's Signature	Applicant's Social Security Number ____
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Applicant's Printed Name	Applicant's Signature	Applicant's Social Security Number ____
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Applicant's Printed Name	Applicant's Signature	Applicant's Social Security Number ____
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Applicant's Printed Name	Applicant's Signature	Applicant's Social Security Number ____
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## DESIGNATION OF AGENT FOR THE SERVICE OF PROCESS

KNOW ALL MEN BY THESE PRESENTS:

The undersigned, being an applicant for licensure as a non-resident Auctioneer, Apprentice Auctioneer, a principal or designated person for an Auction Firm, or an Auction Firm, of the State of North Carolina, does hereby irrevocably designate and appoint the Executive Director, North Carolina Auctioneer Licensing Board, State of North Carolina, as his, her, or its agent for the purpose of accepting service of any and all processes issued by any court located within the State of North Carolina, as well as service of all pleadings and other papers, relating in any way to any action, suit or legal proceeding arising out of or pertaining to his, her, or its duties or responsibilities as a non-resident Auctioneer, Apprentice Auctioneer, a principal or designated person for an Auction Firm, or an Auction Firm, in the State of North Carolina. The undersigned further consents, stipulates and agrees that any lawful process served upon the aforesaid agent shall have the same legal force and validity as if served upon the undersigned personally within the State of North Carolina, and that the authority contained herein shall continue in force and effect so long as any liability against the undersigned remains outstanding in the State of North Carolina.

\_\_\_\_\_  
Signature of Applicant (or)  
Principal or Designated Person of Applicant Firm

\_\_\_\_\_  
Print Name of Auction Firm  
(if applicable)

State of \_\_\_\_\_ County of \_\_\_\_\_

This will certify that \_\_\_\_\_  
(Type or Print Applicant's, Principal's, or Designated Person's Name)

personally appeared before the undersigned Notary in and for the above-named County and State on this date and acknowledged the execution of the foregoing instrument to be the voluntary act and deed of such applicant for the purposes therein set forth.

Sworn and Subscribed to before me this \_\_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_\_ .

\_\_\_\_\_  
(Name of Notary Public)

\_\_\_\_\_  
(Signature of Notary Public)

My Commission Expires \_\_\_\_\_

**(AFFIX SEAL)**

### ADDITIONAL REQUIREMENT FOR AUCTION FIRMS IF APPLICATION IS FOR A CORPORATION:

\_\_\_\_\_  
(Corporate Secretary's Name)

\_\_\_\_\_  
(Corporate Secretary's Signature)

**(AFFIX CORPORATE SEAL)**



# North Carolina Auction Firm Examination Information

The examination was designed to determine if the designated person has a working knowledge of the Auctioneer Law and Rules. The examination involves a possible score of 100 points; with a required minimum score of 75 points to pass the examination.

Authority to transact business under a firm license is limited to the person or persons so designated in the application. The designated person or persons are required to satisfactorily pass a written examination on the Auctioneer Law and Rules **prior** to being licensed. A licensed auctioneer who is the designated person for a firm is not required to take the auction firm examination.

Licensed real estate brokers and real estate firms are exempt from the auction firm examination so long as they are involved in the selling of real property only at auction, and provided that they employ or associate themselves with a licensed auctioneer to handle those aspects of the transactions peculiar to the auctioneer profession.

The auction firm examination is given in Fuquay-Varina at the Board's offices. The office will contact you regarding the auction firm exam information upon receipt of the firm application, supporting documents, and fees. If you have any questions, you may contact the staff at (919)567-2844.

All applications and supporting documentation are subject to the approval of the Licensing Board.

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## INFORMATION THAT MAY BE HELPFUL IN PREPARING FOR THE EXAMINATION

1. Be thoroughly familiar with the North Carolina Auctioneers Law and the North Carolina Auctioneer Licensing Board Rules and Regulations. There are available on the Board's website at [www.ncalb.org](http://www.ncalb.org).
2. On the Board's website under Resources is a video titled "**Tips for Taking the Designated Person/Auction Firm Exam**" that is very helpful as well as other informative information.
3. An applicant should have sufficient educational background to be able to read with comprehension.
4. Prior experience as an apprentice auctioneer, or any experience gained by working at auctions as a clerk, cashier, or groundman will be helpful.

Persons experienced in the sale of goods or real estate at auction may be a helpful source of information.

## EXAMPLES OF QUESTIONS ON THE AUCTION FIRM EXAMINATION

### THE EXAMINATION INCLUDES MULTIPLE CHOICE AND LISTING QUESTIONS AS FOLLOWS:

Darken the appropriate letter on the answer sheet that represents your choice. Examples:

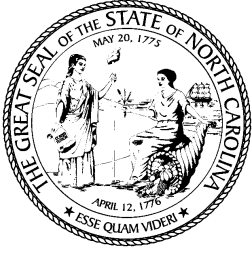
1. The Auctioneer Licensing Board may deny, suspend, or revoke a license upon which of the following grounds?
  - a) violation of any provision of Chapter 85B of the General Statutes
  - b) failure to possess truth, honesty and integrity
  - c) violation of any federal or state statute or rule relating to the auctioneering profession
  - d) any of these grounds
2. The annual fee to renew an auction firm license is:
  - a) \$100.00
  - b) \$150.00
  - c) \$175.00
  - d) \$200.00
3. In order to conduct an auction in North Carolina, a licensee must first have a written agreement with the owner of the property to be sold. The licensee is required to do which of the following:
  - a) the agreement must contain the terms and conditions upon which the auctioneer received the goods for sale
  - b) provide the owner with a signed copy of the agreement
  - c) keep at least one copy of the agreement for his own records for two years from the date of the agreement
  - d) all of the above are required by the licensee
4. If an auction is conducted "with reserve":
  - a) the auctioneer must sell to the highest bidder, regardless of price
  - b) a retraction of a bid automatically revives a previous bid
  - c) the auctioneer may withdraw the goods at any time prior to the announcement of completion of sale
  - d) the auctioneer must announce the "reserve" amount

### Listing:

Place the correct answer in the appropriate space on your answer sheet. Examples:

1. The Auctioneer Law requires that written agreements of auction sales be maintained by the licensee for what period of time?
2. List two violations of the Auctioneers Law or Rules that can serve as grounds for suspension or revocation of an auctioneer's/auction firm's license.
3. Licenses that have been lapsed for more than how many months may not be renewed?
4. The Auctioneer Recovery Fund must maintain a minimum level of what amount for recovery and guaranty purposes?

Answers will be found in the NC Auctioneers Law and North Carolina Auctioneer Licensing Board Rules and Regulations, N.C.G.S. 85B, 21 NCAC 4B, and Uniform Commercial Code (UCC) § 25.2.328 Sale by Auction.



# Board Meeting Dates

## North Carolina Auctioneer Licensing Board

108 Ber Creek Drive, Fuquay-Varina, North Carolina 27526  
Voice (919) 567-2844 Fax (919) 567-2865  
[www.ncalb.org](http://www.ncalb.org)

All Application materials are required to be submitted prior to the Application deadline. Be advised that all completed applications are presented to the Auctioneer Licensing Board for review and approval. Licenses are not issued until approval by the Board. Individuals taking the auctioneer licensing exam should follow the examination filing schedule when making application. Board meeting dates are subject to change.

### Board Meeting Dates:

January 12, 2026 ((Monday)  
February 9, 2026 (Monday)  
March 9, 2026 (Monday)  
April 13, 2026 (Monday)  
May 11, 2026 (Monday)  
June 8, 2026 (Monday)  
July 13, 2026 (Monday)  
August 10, 2026 (Monday)  
September 14, 2026 (Monday)  
October 12, 2026 (Monday)  
November 9, 2026 (Monday)  
December 14, 2026 (Monday)

### Application Deadline Dates:

December 30, 2025 (Tuesday)  
January 28, 2026 (Wednesday)  
February 25, 2026 (Wednesday)  
March 31, 2026 (Tuesday)  
April 29, 2026 (Wednesday)  
May 27, 2026 (Wednesday)  
June 30, 2026 (Tuesday)  
July 29, 2026 (Wednesday)  
September 1, 2026 (Tuesday)  
September 30, 2026 (Wednesday)  
October 28, 2026 (Wednesday)  
December 2, 2026 (Wednesday)