

# WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN  
BEFORE THE AUCTIONEER BOARD  
IN THE MATTER OF  
DISCIPLINARY PROCEEDINGS AGAINST

HARRY DAVIS & COMPANY,  
RESPONDENT

FINAL DECISION AND ORDER  
LS0003274AUC

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**Division of Enforcement Case No. 95 AUC 026**

The parties to this action for the purposes of section 227.53 of the Wisconsin statutes are:

*Harry Davis & Company  
1725 Boulevard of the Allies  
Pittsburgh, PA 15219*

*Auctioneer Board  
PO Box 8935  
Madison, WI 53708-8935*

*Department of Regulation and Licensing  
Division of Enforcement  
PO Box 8935  
Madison, WI 53708-8935*

The parties in this matter agree to the terms and conditions of the attached Stipulation as the final decision of this matter, subject to the approval of the Board. The Board has reviewed this Stipulation and considers it acceptable.

Accordingly, the Board in this matter adopts the attached Stipulation and makes the following:

FINDINGS OF FACT

1. Harry Davis & Company, 1725 Boulevard of the Allies, Pittsburgh, PA 15219, [Respondent] is duly licensed as an auction company in the state of Wisconsin (license #144). This license was granted on September 12, 1995.
2. On or about September 12, 1995, Respondent submitted its application for a certificate of registration as an auction company in Wisconsin. On its application, Respondent inadvertently answered "No" to the following question: "Has any licensing or other credentialing authority ever taken any disciplinary action against the individual owner, the auction company, or any of its officers, partners or directors, including but not limited to, any warning, reprimand, suspension, probation limitation or revocation?" A true and correct copy of this application is attached to this document as Exhibit A. Exhibit A is incorporated by reference into this document.
3. The representation by Respondent of no prior disciplinary history referred to in paragraph 2 above is incorrect. In December 1985, the North Carolina Auctioneer Licensing Board suspended the North Carolina licenses of both Martin I. Davis and Harry Davis & Company for a period of six [6] months, which had been forgotten by staff filling out the application. A true and correct copy of the December 18, 1985 Orders of the North Carolina Auction company Licensing Board is attached to this document as Exhibit B [Martin I. Davis] and Exhibit C [Harry Davis & Company]. Exhibits B and C are incorporated by reference into this document.
4. In resolution of this matter, Respondent consents to entry of the following Conclusions of Law and Order.

**CONCLUSIONS OF LAW**

Based on the conduct referred to above, Harry Davis & Company has violated sec. 480.24(2)(a), Stats. and Wis. Admin. Code §§ RL 126.02(2) and (10).

**ORDER**

NOW, THEREFORE, IT IS HEREBY ORDERED that:

1. Within ninety (90) days from date of this Order, the Respondent shall pay to the Department of Regulation and Licensing a FORFEITURE in the sum of ONE THOUSAND FIVE HUNDRED dollars [\$1,500.00].
2. Within ninety (90) days from date of this Order, the Respondent shall pay to the Department of Regulation and Licensing partial COSTS of the investigation and prosecution of this action in the sum of TWO HUNDRED FIFTY dollars [\$250.00].
3. All payments submitted pursuant to this Order shall be made by certified check or money order, payable to the Wisconsin Department of Regulation and Licensing and submitted to the Department Monitor, C/O Division of Enforcement, PO Box 8935, Madison, WI 53708-8935
4. Prior to renewal of its Wisconsin registration, Respondent must submit acceptable documentation of compliance with the requirements of sec. 480.16, Stats. and Wis. Admin. Code ch RL 125, including but not limited to filing a notification of trust account and consent to audit [Wis. Admin. Code §RL 125.08].
5. This Order shall become effective upon the date of its signing.

AUCTIONEER BOARD

By

Richard O. Lust

March 27, 2000

Member of the Board

Date