

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN

BEFORE THE AUCTIONEER BOARD

IN THE MATTER OF THE DISCIPLINARY :
PROCEEDINGS AGAINST :
 : **FINAL DECISION AND ORDER**
DION G. ABADI & :
UNDER THE HAMMER, : **LS0210282AUC**
RESPONDENTS. :

Division of enforcement Investigations 01AUC004 and 02AUC002

The parties to this action for the purpose of Wis. Stats. sec. 227.53 are:

Dion G. Abadi
4260 Olde Mill LN
Atlanta, GA 30342

Under The Hammer
3097 Piedmont Rd. NE
Atlanta, GA 30305

Wisconsin Auctioneer Board
P.O. Box 8935
Madison, WI 53708-8935

Department of Regulation and Licensing
Division of Enforcement
P.O. Box 8935
Madison, WI 53708-8935

The parties in this matter agree to the terms and conditions of the attached Stipulation as the final disposition 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. **Dion G. Abadi** ("Abadi"), date of birth 06/12/71, is licensed in the State of Wisconsin as an auctioneer, having license # 52-2009. This license was first granted to him on 03/08/01. Abadi's most recent address on file with the Department of Regulation and Licensing is 4260 Olde Mill Ln. Atlanta, GA 30342

2. **Under The Hammer** is licensed in the State of Wisconsin as an auction company, having license # 53-231. This license was first granted on 04/05/00. Under The Hammer's most recent address on file with the Department of Regulation and Licensing is 3097 Piedmont Rd. NE. Atlanta, GA 30305

3. At all times relevant to the facts set forth below Abadi was the owner of Under The Hammer.

4. An advertisement appeared in the Wisconsin State Journal, published in Madison Wisconsin, on March 1, 2002. The advertisement stated "**PUBLIC AUCTION, ONE DAY ONLY Sunday March 3rd 1:00 PM.**" The advertisement did not include the name or trade name of an auctioneer or auction company responsible for the auction. The advertisement did not include a statement that the auctioneer is a "registered Wisconsin auctioneer". A copy of the Wisconsin State Journal advertisement as it appeared on March 1, 2002, is attached as **Exhibit 1** and is incorporated herein by reference.

CONCLUSIONS OF LAW

1. The Wisconsin Auctioneer Board has jurisdiction to act in this matter pursuant to sec. 480.24, Wis. Stats., and is authorized to enter into the attached Stipulation pursuant to sec. 227.44(5), Wis. Stats.

2. Respondents **DION G. ABADI & UNDER THE HAMMER** have violated:

a. Wis. Stats. secs. 480.20(1) and (2), 480.24(2)(j), and Wis. Adm. Code secs. RL 123.03(1) and (2) by failing to include the name or trade name of an auctioneer responsible for the auction and by failing to include a statement that the auctioneer is a "registered Wisconsin auctioneer."

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED, that the attached Stipulation is hereby accepted.

IT IS FURTHER ORDERED, that Respondents **DION G. ABADI & UNDER THE HAMMER**, license # 52-2009 and license # 53-231, be, and hereby are, **REPRIMANDED**.

IT IS FURTHER ORDERED, that Respondent **DION G. ABADI** pay a forfeiture in the amount of \$500.00 within 30 days of the date of this Order. Payment shall be made by **certified check or money order**, payable to the Wisconsin Department of Regulation and Licensing and sent to: **Department Monitor, Division of Enforcement, Department of Regulation and Licensing , PO Box 8935, Madison, WI 53708-8935.**

IT IS FURTHER ORDERED, that in the event Respondent **DION G. ABADI** fails to pay the \$500.00

forfeiture within the time and manner as set forth above, then and in that event, and without further notice to the Respondent **DION G. ABADI** his auctioneer's license shall be suspended without further hearing and without further Order of the Board, and said suspension shall continue until the full amount of said forfeiture has been paid to the Department of Regulation and Licensing and his failure to pay the forfeiture shall be considered a violation of this Order by the Board.

IT IS FURTHER ORDERED, that files 01AUC004 & 02AUC002 be, and hereby are, closed.

Dated this 28th day of October, 2002.

WISCONSIN AUCTIONEER BOARD

Richard Lust

A member of the Board