

# WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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**STATE OF WISCONSIN  
BEFORE THE AUCTIONEER BOARD**

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**IN THE MATTER OF THE DISCIPLINARY** :  
**PROCEEDINGS AGAINST** :  
: **FINAL DECISION AND ORDER**  
**BRIAN C. CRAIG D/B/A** :  
**BRIAN CRAIG AUCTION SERVICE** :  
**RESPONDENT.** : **LS0610241AUC**

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Division of Enforcement Case File # 05 AUC 025

The parties to this action for the purpose of Wis. Stat. § 227.53 are:

Brian C. Craig d/b/a  
Brian C. Craig Auction Service  
N5526 Piske Rd.  
Bangor, WI 54614

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

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. **Brian C. Craig d/b/a Brian C. Craig Auction Service** is a licensed auctioneer in the State of Wisconsin, license # 52-216, which was first granted on 03/01/95. Mr. Craig's most recent address on file with the Department of Regulation and Licensing is N5526 Piske Rd., Bangor, WI 54614.
2. On January 1, 2005, Brian Craig's auctioneer license expired and was not renewed by him until March 24, 2006.
3. During the time Mr. Craig's license was expired he was actively practicing as an auctioneer.
4. On or about September 19, 2005, Mr. Craig called an auction for Gertrude Craig, his great aunt, in Sparta, WI.
5. Gertrude Craig maintains that she never saw or signed an auction contract with Brian Craig.
6. While Brian Craig maintains that he did have a written contract for the sale of Gertrude Craig's household goods and furniture, he was unable to produce a copy of the contract when asked for one during the course of the Department's investigation.

## CONCLUSIONS OF LAW

1. The Wisconsin Auctioneer Board has jurisdiction to act in this matter pursuant to Wis. Stat. § 480.24 and the Wisconsin Auctioneer Board is authorized to enter into the attached Stipulation pursuant to Wis. Stat. § 227.44(5).
2. Brian C. Craig d/b/a Brian C. Craig Auction Service has violated:
  - a. Wis. Stat. §§ 480.08(1)(a) and 480.24(2)(j) by practicing as an auctioneer without having a valid Wisconsin auctioneer license between January 1, 2005, and March 24, 2006.
  - b. Wis. Stat. § 480.14(1), and Wis. Admin. Code § RL 124.02, by failing to contract properly for the auction held for Gertrude Craig.

## ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that:

1. **Brian C. Craig, d/b/a Brian C. Craig Auction Service**, auctioneer's license #52-216, is hereby **REPRIMANDED**.
2. **Brian C. Craig, d/b/a Brian C. Craig Auction Service** shall, within 90 days of the date of this Order, pay **FORFEITURE** in the amount of \$1,000.00.
3. **Brian C. Craig, d/b/a Brian C. Craig Auction Service** shall, within 60 days of the date of this Order, pay **COSTS** of this proceeding in the amount of \$580.00.
4. Payment of costs, as well as forfeitures, shall be made by certified check or money order, made payable to the Wisconsin Department of Regulation and Licensing, and mailed to:

Department Monitor  
Division of Enforcement  
Department of Regulation and Licensing  
P.O. Box 8935  
Madison, WI 53708-8935  
Telephone (608) 261-7904  
Fax (608) 266-2264
5. Violation of any of the terms of this Order may be construed as conduct imperiling public health, safety and welfare and may result in a summary suspension of Respondent's license. In its discretion the Department may, in the alternative, impose additional conditions and limitations or other additional discipline for a violation of any of the terms of this Order.
6. This Order is effective on the date of its signing.

WISCONSIN AUCTIONEER BOARD

By: Patrick J. McNamara  
A Member of the Board

10/24/06  
Date