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STATE OF WISCONSIN
BEFORE THE AUCTIONEER BOARD

IN THE MATTER OF THE DISCIPLINARY	:	
PROCEEDINGS AGAINST	:	
	:	FINAL DECISION AND ORDER
TERRANCE L. ENGEL,	:	
RESPONDENT.	:	ORDER 0000 475
	:	

Division of Enforcement Case File # 08 AUC 010

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

Terrance L. Engel
W12451 County Road A
Crivitz, WI 54114

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

PROCEDURAL HISTORY

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 Auctioneer Board (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. Respondent Terrance L. Engel was licensed in the State of Wisconsin as an Auctioneer, having license # 52-2383. That license was first granted to him on 06/16/2006 and expired on 12/14/2008. The most recent address on file with the Department of Regulation and Licensing for Mr. Engel is W12451 County Road A, Crivitz, WI 54114.

2. On August 21, 2007, Mr. Engel entered into an auction contract with George and Mary Peterson. The contract did not include Mr. Engel's registrant number, business address, telephone number, or a statement as to whether the registrant may purchase goods at the auction.

The auction was held on September 15, 2007, after which a number of items were sold to Mr. Engel's staff. On September 19, 2007, Mr. Engel provided a cashier's check for the sold items which was not drawn from a trust account.

3. Terrance L. Engel stopped practicing as an auctioneer and shut down Bibs Auction, his auctioneer company, due to a lack of business in the area. Therefore, he wishes to resolve this case (# 08 AUC 010) by voluntarily surrendering his personal auctioneer license (#52-2383), including the right to renew that license or seek relicensure in the future.

4. In resolution of this matter, Respondent Terrance L. Engel consents to the entry of the following Conclusions of Law and Order.

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. By the conduct described in paragraph 2 of the Findings of Fact, Terrance L. Engel violated Wis. Admin. Code §§ RL 124.02 and 125.035 by failing to comply with the written contract requirements and failing to maintain a trust account.

3. Therefore, Terrance L. Engel is subject discipline pursuant to Wis. Stat. § 480.24(2)(b) and (j).

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that:

1. The VOLUNTARY SURRENDER of the Auctioneer license and of the right to renew the Auctioneer license of Respondent Terrance L. Engel (license #52-2383) is hereby ACCEPTED.

2. Respondent Terrance L. Engel shall not apply to renew or reinstate his Wisconsin Auctioneer license.

3. Terrance L. Engel shall not practice or attempt to practice as an auctioneer in the State of Wisconsin without being licensed in Wisconsin.

4. Violation of any of the terms of this Order may be construed as conduct imperiling public health, safety and welfare. In its discretion the Board may, in the alternative, impose additional conditions and limitations or other additional discipline for a violation of any of the terms of this Order.

5. This Order is effective on the date of its signing.

Dated this 19th day of October, 2010.

WISCONSIN AUCTIONEER BOARD

By: Pat McNamara
PM