



FIRST QUARTER • 2020

The Illinois Auctioneer

*The road to success is
always under construction.*

PictureQuotes.com

President's Message



Illinois State Auctioneer's Association

I am writing you to introduce myself, and express my gratitude for allowing me the honor to sit as your ISAA president of 2020.

I have been active in the auction business for over 15 years, opening my own auction business in 2015. Recently, I moved my company into a brand new auction barn facility that houses real estate offices, a spacious auction barn for live auctions & events, and a restaurant. One thing that I said that I would never own is a restaurant, but somehow my fully stocked kitchen that was designed for use during our auctions, has developed into quite the thriving little business. We currently are expanding our building even further to include a larger dining room area, and kitchen. In our businesses, we have goals and visions. Many times the outcome does not end up being what we originally envisioned. Learning to see opportunities for growth, even if it is in an area that we never envisioned ourselves in, often places us right where we are supposed to be. My most recent realization of this fact, has been the restaurant. Take those chances, and seize those opportunities and possibilities.

I am a native to the Crawford/Richland County area, and work very hard to develop trusting relationships with customers and members of the community. Relationships with people are the threads that sew our business together for growth. My ultimate goal, is to make what can sometimes be stressful situations, more simple for my customers. I want to be available for you all in this same capacity. One of the most important things I desire, is for you all to feel that I am not only available for any matters that may need my attention, but also that I am accessible during a time of need.

There is much on my mind as we begin this year. Obviously, none of us could have predicted, nor have planned for the current COVID-19 crisis our country, and the auction industry is facing. With all the uncertainty, one thing I do know is that we will persevere, and get through this together. Recently, there has been much discussion as to the lengths we currently are allowed to run our auction companies, and still abide by guidelines set forth by Illinois Governor J.B. Pritzker. We currently are monitoring the IDFP for any changes that they are introducing, and will update you of any that may come. If you are holding online only auctions, please be sure that you are observing the social distancing guidelines, as this seems to be the main cause of companies being reported.

In closing, I would like to say thank you for the opportunity to serve as your President, and I am looking forward to serving you throughout this year.

Bill Burke, Auctioneer
2020 ISAA President



What have we learned from our experience with COVID 19?

I wrote this title and have been staring at it for the last hour trying to figure out the answer to the question....

It's been more than two weeks since we cancelled CAI because of the impact of the coronavirus – COVID 19. Through that experience, I've learned that people are generally kind and supportive. Cancelling this event for the first time in more than 39 years was one of the hardest decisions that any Board has had to make in NAA's history. At that point the University was not closing the Memorial Union, but we weren't sure that there would be food service available or what was happening in Bloomington. A week later, we were glad we had cancelled as the Governor issued a "shelter in place" order. We were glad that we didn't have to start, then stop and help everyone get home safely. But when we cancelled, who knew? Yet people reached out and said thank you for making this decision.

Today, our lives as we know it have changed.

And the auction industry is changing as well. Shelter in place has meant fewer -many fewer- live auctions. As stated in the March 25th edition of the State of the Auction Industry Amid COVID 19, "the nature of live auctions with large crowds is inherently contrary to current government regulations." However, people in the auction industry are getting creative.

NAA is preparing to record a new webcast tomorrow called Bid Calling in a Virtual Environment and by the time you read this, it will be part of the COVID 19 response page on auctioneers.org (PLEASE NOTE: all content is available to members AND non-members).

In the survey listed above, people are looking at new opportunities, using online auctions and new technologies, and many are making new business improvements. People are taking time spent as shelter in place to learn these new technologies and to try different things.

NAA is helping with tools and resources (webcasts,

papers, etc.) on the COVID 19 resource page. Each week more resources are added. You can learn from some of the most experienced people in the industry on how to start using online auctions, or how you can use SignUp Genius to improve your loadouts.

In late March, NAA Leadership submitted a letter in support of the CARES Act, the economic stimulus bill, passed by Congress and signed by President Trump last week. Already there are resources on NAA's COVID 19 page for you as a small business owner on what this means for you and your business. Are you a contract auctioneer? Did you know if you have lost jobs because of COVID 19 that you may be able to file for unemployment under this bill? You as a small business owner may be able to obtain loans from the Small Business Administration – some of which may be forgivable. These questions and others may have answers on the COVID 19 Resource page (auctioneers.org).

This is a time for you to investigate these resources. We know people in the auction industry are kind and supportive and creative. But we all need a little help. And if we all take time to figure it out, the auction industry will survive – in fact, it will be better than ever.

Hannes Combest

National Auctioneers Association

COVID-19 Resource Center

<https://auctioneers.org/NAA/Member-Area/naa-response-to-covid-19.aspx>

Check out this information
available to ALL Auctioneers
provided by the NAA





NATIONAL AUCTIONEERS WEEK

April 27 - May 3, 2020

Going once! Going twice! SOLD!!

National Auctioneers Day is observed every year and according to the National Auctioneers Association, it is estimated nearly a quarter-trillion dollars in goods and services are sold by professional auctioneer's each year.

A sales method over 2,000 years old, the rhythmic cadence used in The United States is uniquely American.

Thought to have developed during the Civil War, the rapidly punctuated chatter of these auctioneers not only get the job done but make it entertaining as well.

Auctioneers provide a service to both the buyer and the seller. They must maintain high standards to stay competitive.

Across the country, there are a variety of auctions from livestock and art sales to automobile and surplus auctions.



HOW TO OBSERVE

To celebrate National Auctioneers Day contact your local / state representatives and have a Proclamation signed or simply share your thoughts throughout the week about auctioneers using #NationalAuctioneersDay on Social Media.



HISTORY

While the founder of National Auctioneer Day is unknown, according to National Auctioneers Association, National Auctioneers Day has been celebrated for over 27 years. For more information on auctioneering visit (<http://www.auctioneers.org/>).

#ISAAPro



Journey From There... To Here

I am grateful to be able to share a few of my experiences from the 2020 ISAA Conference that was held this February as nobody could have predicted the wave of postponements just weeks after the show's conclusion. While the many individual events throughout the weekend made for one exceptional conference, I cannot help but reminisce through a lens clouded by our world's current health crisis. We are all affected, and we all play an important role in coming together.

My first ISAA convention was in Decatur, IL in 2016, this year's being my second. I quickly realized that I had been missing out on the comradery, support, industry tools, and entertainment. To say that I found great value in this year's conference is an understatement, and my goal now is to never miss another convention.

My path to Peoria started with a much appreciated email blast as well as a postmarked invitation that, after serious consideration, was ultimately shelved alongside my growing pile of dismissed parcels. When asked at our district meeting who was coming to the convention, I reflected upon a bungled class reunion, and my hand raised coyly among the minority of "nays". "If not now, when?" entered the conversation as a determined yet anxious plea. My once concrete factors became exposed and invalid. Several weeks later, a gentle, down-state peer called, and we spoke for several minutes; I signed up that night. Effective leadership starts at a personal level. These personal calls are going to be crucial for various reasons.

There may be no greater self-investment than conference and show. In terms of dollars, the value is overwhelmingly fair, and money seems secondary. Without detailing each individual speaker and trade exhibitor, all of whom represent our industry with great integrity, it is apparent that they offer a vast and generous pool of knowledge that is priceless. What would you like to ask an attorney? We can all afford to add a few lines to our auction contracts. How about an insurance agent, author, real estate mogul, business developer, online pioneer, or one of the country's most successful professional ringman? Out of the many tools that were shared, one is called "Google Lens." Check it out! CE classes were covered too. Call that the cherry on top. I imagine next year's topics will correlate with our nation's current events: state and local mandates, crowd control and medical knowledge, cancelation clauses/repercussions, general liability exclusions, self-employment and taxes, investments, retirement accounts, cyber security, supply scarcity, family dynamics, and general market conditions.



It is when the seatbelt is loosened, during an intermission or lunch break when anecdotal evidence, the personal testimony is abundant and naturally absorbed. We all have value to offer one another and the ISAA. Speaking of lunch and value, I had not eaten this well since the Decatur show.... sincere thanks to the hotel and civic center staff. Their lives have since been turned upside down. I also want to thank the incredibly generous donor who brought a chocolate cake to our table during the dessert auction. Your gesture of inclusivity did not go unnoticed. Before all of this, the annual board meeting displayed insightful value on another level, and leadership was on display yet again. Opportunities and challenges alike were brought to the surface and hashed out in cross examination. This is when the once reserved voices became amplified, and boisterous tones were calmed. In particular, one speech was presented concisely with passion, and another, while in good faith, went on ad nauseam until the microphone was passed. ...easy to say as a backseat driver. The door remains open. We aren't all ready to lead the pack, but I am thankful for those who are and those who have. Hey, someone has to hold the phone to record the Novice Champion Auctioneer's performance! Congrats, my friend.

Entertainment was exhibited by our very own, from the energetic, young-gun champion, reeling in bids with precision and a smile, to Kenny, "the Belvidere Bronco" selling the royal flush for big bucks at the fun auction. We're a diverse group, from square pegs and self-crowned underdogs to the victors adorned in a champion's regalia. There is a seat for you at the table. What I appreciate the most, is that when the life of the party leaves the convention stage, we draw from it, take it home, and spread it around in our communities. In order to continue to provide strength in our society, we must buoy together and keep our Association high above the waves.

James Dresen

The ByLaws Committee, upon recommendations from members, proposed the below ByLaws changes at the 2020 Annual Membership Meeting in Peoria, Illinois. These proposed changes were discussed, voted on and approved by the members in attendance at the 2020 Annual Membership Meeting:

1. Keep districts as they are currently, but group them into 3 regions: North Region, Central Region and South Region.
2. Each Region will have 2 elected Directors reflecting terms of a 4 year and 2 year commitment.
3. Reduce the number of board members to 10, which includes the 3 Officers, 2 Directors per Region and 1 at-large Director.
4. Changed the board members from District Governors to Directors.

ARTICLE IV – Districts and Regions

Section 1. District and Region Identification. The Corporation shall be divided into ten (10) districts as shown on the map incorporated herein and made a part of these Bylaws by reference. The districts will be grouped into three (3) Regions. Districts 1-4 will be the North region. Districts 5-7 will be the Central region. Districts 8-10 will be the South region.

Section 6. Directors. Each region shall be represented by two (2) elected Directors. The Board of Directors shall be made up of six (6) elected regional Directors and one (1) elected at-large Director. Directors shall serve for the term elected or until his/her successor is elected and qualified.

These changes took effect immediately and were reflected in the board elections, also held at the 2020 Annual Membership Meeting.

Joe Wieseman

ByLaws Committee

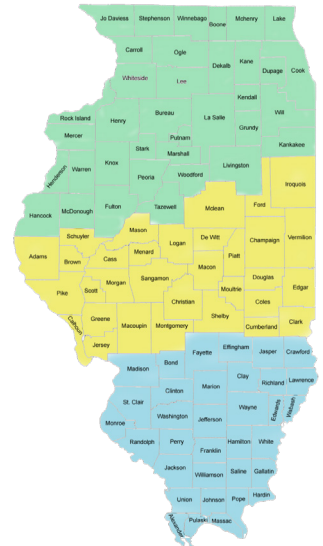


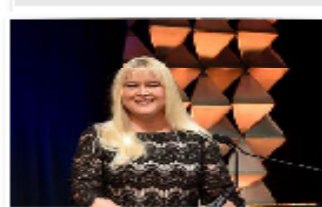
Photo Coming Soon

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Did you ever think of what your profile picture tells about you? Especially, your profile picture on a job website should be credible and show your true self because if someone doesn't know you, the first impression he / she makes about you is by looking at your picture.

- **Let Others Recognize You :** A face will help people remember you.
- **Your Photo is Your Personal Brand:** Your photo gives others clues about your personality.
- **Makes the First Impression:** If someone doesn't recognize you, seeing your picture will help them make a first impression about you.

Need to update your ISAA Membership Profile?
Ask us how....
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auctionlook@gmail.com



BOARD OF DIRECTORS



Meet Your New Board Directors

President Bill Burke
United Country Burke Auction and Realty
6451 East 1050th Ave • Robinson, IL 62454
618-553-4613 • burkauctionrealty@gmail.com

President Elect Renee Jones, CAI, AARE, BAS, CES, CAS, PRI
53 West Jackson, Suite 1757 • Chicago, IL 60604
312-852-8523 • renee@renee.com

Treasurer Joe Orwig
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Chairman Of The Board Kara Miller
Joe Ollis Real Estate & Auction
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North Region Director Dave Brooks
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309-696-1708 • dave@brooksauktionandappraisals.com

North Region Director Kenny Freeman
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Central Region Director Kerry Lenhart
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Central Region Director Wayne Mollett
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Director-At-Large Hayden Geisler
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Executive Director Cissy Tabor
PO Box 1541 • Rifle, CO 81650
312-702-2117 • isaadirector@gmail.com



I am Hayden Geisler and I am proud to say *"I am a member of the Illinois State Auctioneer Association."* I reside in Piasa, IL, and am getting married in August to my life long clerk. I am currently 27 years old, auctioneering part time and selling large John Deere equipment full time. I also like to help out on my fiancé's livestock and grain farm when I am able.

During the summer most kids were going on vacations and enjoying summer break. I would go to livestock sales with my grandpa almost every day of the week. After each auction I would come home and round up all the cows on my "carpet farm" and auction them off.

This was the beginning of my auctioneering passion. My parents kept encouraging me to continue this hobby and keep practicing, and one year I even got a karaoke machine for Christmas to learn how to bid call on a microphone. My passion for auctioneering came from a very young age and I knew from then on out, that is what I wanted to do. With the help of my grandpa, he lined up an opportunity for me to auctioneer my first benefit when I was only 13 yrs old.

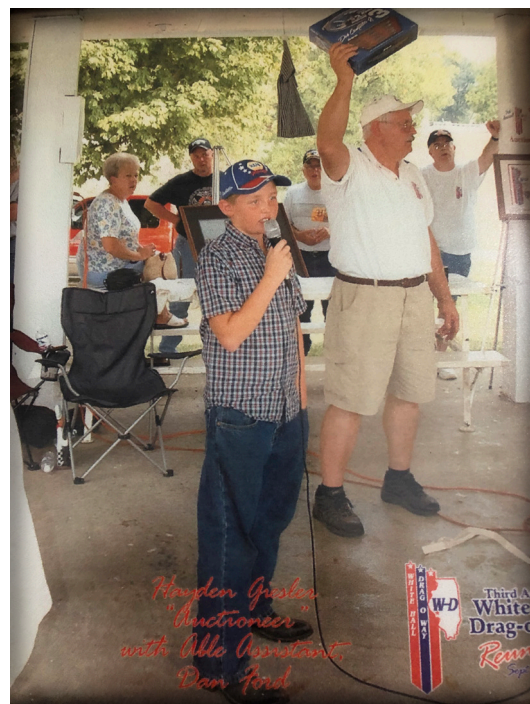
In the summer of 2012, I enrolled at the Missouri Auction School at the young age of 19. For the last 8 years, I have sold a large variety of estate sales, multiple farm close-outs, livestock, benefits and everything down to grandma's pies. I look forward to serving on the Illinois Auctioneering Association Board of Directors.

Hayden Geisler is the new,
District At Large Director



Wayne Mollett is the new,
Central Region Director

Thank you to outgoing Governors, Cody Hanold, George McCurley and Tom Walsh along with Past President Jack Wilkerson for your service.





*Experienced Leadership
for a Strong Future*

*Endorsed by the
NAA Candidate Review Committee*

Kathy Baber, CAI for NAA Director

- 1990 Auxiliary Member of the Indiana Auctioneers Association
- Served as the IAA Auxiliary President in 2000
- Served as the Convention Committee Chair for Indiana in 2004
- Began Executive Director career in 2008 with the Indiana Auctioneers Association
- Member of NAA since 2008
- Attended the Reppert Auction School and graduated in December 2012
- Earned CAI designation in 2019
- Currently manage Indiana, Ohio, New York, Virginia and the World Automobile Auctioneer Professional Association (WAAPA)
- Served on the NAA's Governance Committee, the NAA's State Association Task Force and the C&S Committee in 2013 and 2017
- Attended every State Leadership and C&S since 2009

Contact me at 317-440-7067 or kathyjbaber@gmail.com



*Electronic Voting will be available soon.
Watch the NAA website for updates and
VOTE KATHY BABER.*

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APro.bid Relief Fund...Free Auctions Thru May 31st!

This is not a misprint! APro.bid is offering a Relief Fund, in these tough economic times. Post your auction, send us an email if you need relief for that auction, and we will refund the cost of your auction post. No questions asked, strictly confidential. We as a community want to see you and your business stay strong and healthy. Relief Fund thru May 31st, 2020.

Contact us

Auctioneerprofessional@gmail.com

HOW COVID-19 WILL HELP THE AUCTION INDUSTRY

~ Ryan George, Biplane Productions

This pandemic might be the best thing that has happened to the auction industry since the Internet. The mandatory quarantine has the potential to change the public perception of auctioneers in our culture.

Over the past few weeks, I've seen multiple auctioneers posting on Facebook about how the death tolls from COVID-19 aren't large enough to close businesses and force some entrepreneurs out of business. As unemployment has soared to Great Depression percentages, auctioneers have pleaded online for mayors and governors and the President to ease the quarantine. While I'm sure every one of these folks care about others and the economy at large, it's clear that their posts reveal their fears for their own livelihood.

That is a legitimate worry. While some of these auctioneers' YouTube videos and borrowed memes might be irrational, the potential loss is worthy of concern. That loss of any sense of control is valid. That desperation is human.

That underlying fear might be what change the auction industry for the better.

What happens if our worries prove true? What if we blow through our federal grants, our lines of credit, and our cash reserves? What if none of that is enough? What if our businesses close? What happens to our families, our employees' families? What will our friends think of us? Our auctioneer peers think of us? What if we lose everything?

We'll be where so many of our clients and potential clients are.

Whether we sell lender-owned assets, pre-bankruptcy workouts, trustee sales, or estates, we work for people who've lived for months or even years where all of us have for the past few weeks. They've already made it to the embarrassment stage, the stress-eating stage, the inhaling-Tums-like-candy stage. That thought that keeps you up at night has kept them awake for weeks. That discomfort that makes you hit Next Episode on your streaming service or pour an extra glass of adult beverage tonight is old news to them.

Right now, you and I would love a firm date of pending relief. We'd love some sense that things will be better soon—hopefully way better. We don't want to be a statistic. Take us off the graph, even the left side of it. We don't want to be a mathematical factor, an

anonymous part of a supercomputer's model. We want to know our lives matter, our businesses matter, our societal contributions matter.

So do our sellers. And not just our distress sellers. Our consignors don't want to be notches on a belt. Our retiring farmers don't want their life's work to be just another farm sale. Our commercial agents don't want to be accounts; they want to be a partner, a coworker, a teammate. Everyone with whom we do business is a person who wants to be known, who longs to be valued, who aches for their story to be heard.

And all of us just got a huge helping of understanding. We can turn that into empathy, or we can turn the recovery into busy ambition. We can sit down with people and let them talk a bit, or we can put our heads down and make this money back. We can offer sellers tailored solutions, or we can post signs about how to jump on our assembly-line queue.

If we leave this #safeathome season with compassion, we can overcome some of the stigmas the auction industry has been trying to shake for decades. We can offer dignity and not just an exit. We can provide some hope to offset the worry and embarrassment. We can be ambulance drivers instead of ambulance chasers. For our non-distress sellers, we can offer the kind of human interaction we're all craving right now—something social media had made us forget feels so good.

You won't need a government grant to buy empathy. You don't have to worry if Kroger or Walmart will have compassion in stock. Nobody can price gouge you on eBay or Amazon for your humanity. There isn't a label to check to see if kindness is manufactured in China or the United States. All you have to do is choose it.

If most of us choose that response enough that it becomes habit-forming, we'll make the auction process more accessible than any of us could ever have dreamed.

Ryan George helps auction companies look like marketing experts by clarifying their message, communicating that message well, and measuring its effectiveness. He has taught at multiple state and national auctioneer associations' gatherings since 2005. He taught marketing from 2012 to 2017 at the Certified Auctioneers Institute. He co-wrote the curriculum for and co-taught in the Auction Marketing Management designation course from 2014-2018.

Ringman Contest is Back! Thoughts from the 2020 Champion

by Matt Hart

Hello everyone!

I hope all within our association are currently healthy, both physically and mentally. I am currently writing this while quarantined to my shop area due to the Coronavirus while it has been an extremely challenging time, not only for my business, but also my mental health. When we are in the "business of people" and conditions won't allow us to do what we love, it can take a heavy toll. I have had to really dig deep, sit myself down and work hard on many projects that maybe my normal busy schedule wouldn't allow. Such as updating my ISAA online profile, thanks to a small amount of encouragement from our Executive Director, Ms. Cissy Tabor, I too am finally getting caught up some there.

This time of near isolation has also provided me some time to slow down and reflect on some great things that have happened for all of us the past six to twelve months, most recently our Annual Conference and Show. This year we decided to bring back two really fun events that had been missing from the ISAA Conference and Show for the last few years. The Champion of Champions is held only every 5 years and is a fun contest featuring the talents of past Illinois State Champions competing against one another in a friendly atmosphere that helped us raise a lot of money for our association and the Ringman Competition is an exciting display of some of Illinois' best Ringman showcasing their abilities to navigate the audience and the sale with great professionalism, energy and enthusiasm. I was lucky to be able to compete in both contests and honored to be named the 2020 Illinois Ringman Champion and the 2020 Reserve Champion of Champions.

These events were held Saturday night and I must say, it was probably one of the more fun, and educational portions of the weekend. I personally was able to meet and interact with many new members who I competed with as well as have the great honor to work with a good friend and fellow District 1 member during my run in the ringman competition. The energy was high, lots of laughter was had and for a moment in time we all came together and just enjoyed an entertaining display of what great Illinois Auctioneers and Ringman can really do. I know during these tough times of this global pandemic it can be very easy to get caught up in so much of the bad news. But even while writing this I was able to take a step back, think of a fantastic time with my fellow ISAA members and smile.

I have no idea what the future holds with this global crisis, but I do know that I am looking forward to the next set of

contests at next year's Conference and Show, and even though I can no longer compete in the ringman competition, I look forward to judging and just enjoying the show that our great talents present.

Before I get back to that list of items on my desk I need to finish before we're allowed to go back to doing what we love, I want to encourage each and every one of you to not only attend next year's ISAA Conference and Trade Show, but enter in the fun Ringman Championship. They're a ton of fun and a great way to push your skill set as well as meet some fantastic people within the association. And I will be back in 5 years pursuing the title in the Champion of Champions competing against some of the best of the best in Illinois.

I leave you with the prayer that you all are healthy, and a reminder that this to shall pass.

Be Well and God Bless!

Thank you for your sponsorship of the 2020 ISAA Ringman Championship



Adam Mollett, Bruce Burgland,
Blake Canning (Reserve Champion) & Matt Hart

It was indeed an absolute honor to win the Champions of Champions contest. Thanks to the wonderful Illinios Auctioneer's Association for hosting the event, which is held only every 5 years.

Big Congratulations to the other contestants.

I encourage all past champions to compete. It's amazing the contacts I have made from past & current contests and the conference.

Contacts can make your Auction profession thrive. I can honestly vouch for that!!

So, if you are not coming to auctioneer's conference, you are truly missing out. This years conference had some superb speakers from start to finish. Year after year I leave the conference with something new I learned.

Remember...

"Support a profession that makes your living," attend the ISAA Conference & Trade Show.

~ Cory Craig

Thank you to Heath Spracklen for your sponsorship of the 2020 Champion of Champions competition.



Presentation of the Champion belt buckle to Cory Craig by 2019 ISAA President, Kara Miller



Cory Craig, Les Crandall, OD Holley, Matt Hart (Reserve Champion) and Anthony Emig



Cory Craig, 2020 Champion of Champions, Kara Miller and Matt Hart, Reserve Champion



Good evening, and “g’ day” from “down under”!

It is truly an honor to receive this award from the Illinois State Auctioneers Association in recognition of our shared values and devotion to finding deeper meaning in life. As I am sure we can all agree on, challenging ourselves and pursuing our goals is extremely crucial for self-discovery and continued motivation throughout life.

Currently, I am in Sydney, Australia, studying abroad and pursuing my degree in Kinesiology. Thanks to growing up with role models who exemplified hard work and dedication, it is important for me to cherish every moment while abroad and seek opportunities for personal and professional development.

After only two weeks, it is clear that this semester will be challenging in multiple ways, and I am extremely grateful for the support that I have received through the ISAA. This semester I will be better able to focus on meeting other students and professors, participating in organizations, and comparing worldwide perspectives and values.

Thank you all so much for your support and I hope you have enjoyed the ISAA Conference.

Bella Curless



I plan on going to Lewis and Clark for two years get my associates in Nursing. Then plan on transferring to a 4-year University to get my Bachelors. After that I plan on being in the NICU with babies and after being there for a while I plan on getting my masters.



Layna Hanold

REMINDER

You CAN Submit an application for the Hachmeister Scholarship at any time of the year and do not need to wait until the end of or beginning of the prior to the ISAA year Conference & Trade Show.

Recently Graduated? Attending College?

You Can Still Apply!

SCHOLARSHIP APPLICATION IS AVAILABLE ON ISAA WEBSITE.

Just click on the link in the bottom right of the ISAA Home Page option, **“SCHOLARSHIP”**

ISAA Board Attends the NAA State Leadership Conference

Members of the ISAA Board of Directors joined state association leaders and staff for two days of problem solving and learning together at the annual NAA State Leadership Conference that covered areas of mentorship programs, a Great Ideas brainstorming session for “Membership Tips & Techniques and How To Remain Relevant To Your Members” in which our Executive Director was asked to help speak on a panel to kick off the leadership conference and this session speaking on membership relevancy.

In addition, there were multiple Solutions Circles Sessions that addressed conferences in the areas of the strengths and challenges our state auctioneer associations face in regard to Event Logistics (contracts, money saving techniques, etc.), Event Speakers (locating speakers, good topics, etc.), Marketing Your Event and in Expanding Revenue Opportunities.

This event concluded with a session from the Kansas City Police in regard to event safety & awareness to help our state association leaders look at this topic, to become aware, to ask important questions, to look at potential issues / concerns, safety and to help become prepared for annual conference events.

As always, the networking and leadership building with our ISAA Board members with multiple associations helps us to stay current, relevant, forward thinking and in working towards building an engaged board and engaged members so that the Illinois State Auctioneers Association continues to be strong.



Executive Director, Cissy Tabor, was asked by the NAA to speak in regard to Membership Relevancy in our state associations with fellow Executive Directors, Cali Crissup and Diane Riley



Kerry Lenhart, Cissy Tabor and Bill Burke attending the 2020 NAA State Leadership Conference



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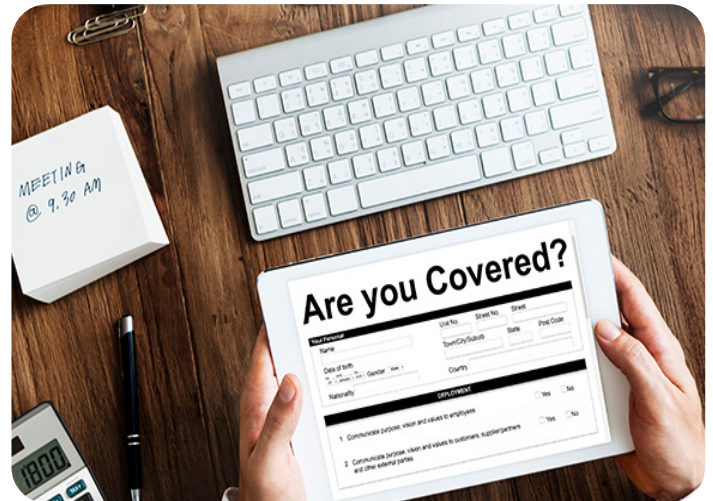
Auctioneer Insurance ... and You



With the auction industry being shut down because of the Coronavirus, we know that a number of our auctioneers are starting to have financial issues. Unfortunately, that is what happens when your business slows or stops. However, in order to stop the negative cash flow and financial bleeding some auctioneers are considering cancelling their insurance. Is this a good idea?

Before you cancel any of your insurance, here are a few things that you might want to consider. Do you think that this shut down is a temporary situation or is it going to last long term? Do you have any situations out there that could possibly turn into a potential claim? If you are going to keep your business going and you cancel coverage, how hard will it be to get insurance again once you reopen your business?

Something to remember: Just because you are not doing any auctions today, on all your Claims Made Policies, such as your E&O, you still have insurance coverage for the auctions that you have done in the past. If you cancel your insurance today, you will lose your Retro Active Date. This is the date that you originally started your Claims Made Policies. You currently have coverage from the Retro Active Date until today. However, if you cancel your policy this coverage will go away, forever and there is no way to get it back. This means that any potential or outstanding situations will no longer be covered. If you sell real estate or other high dollar value items, this should be a big concern for you and your business.



Another consideration is that if you have any Certificates of Insurance (COI) outstanding, they too will be cancelled. Your customers will be getting a notice stating that you cancelled your insurance. Think about what this might do to your client relationships?

The auction industry is a hard one to insure. So, if you cancel your insurance, you might not be able to find coverage again when you want it. Just remember if you are going to cancel your insurance, cancel it and don't just let it lapse for non-payment. This will hurt your credit rating making it harder to get coverage if or when you need it again. Cancellation for non-payment will cost you more in the long run. Talk to your agent or broker and find out what are your best options before you make your decisions.

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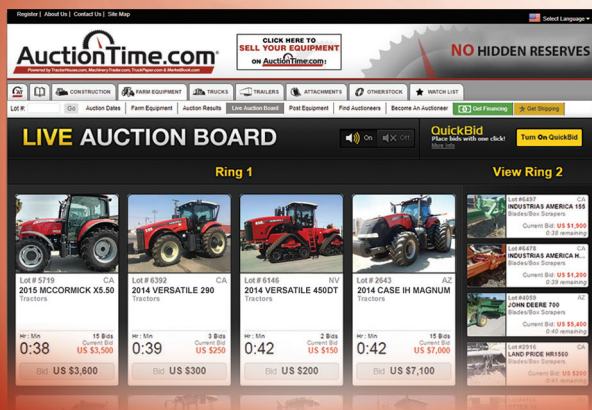
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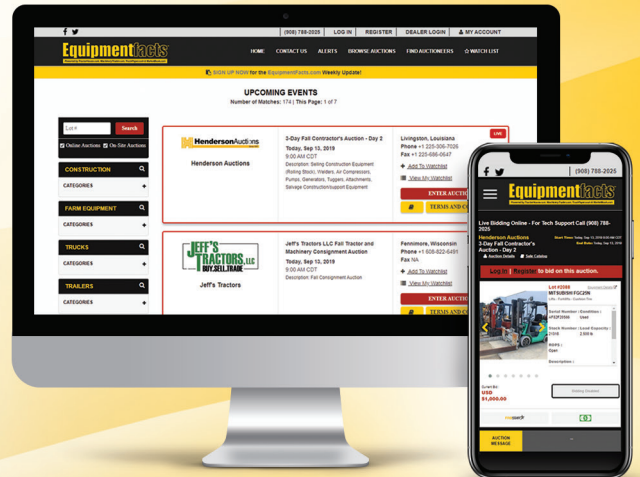
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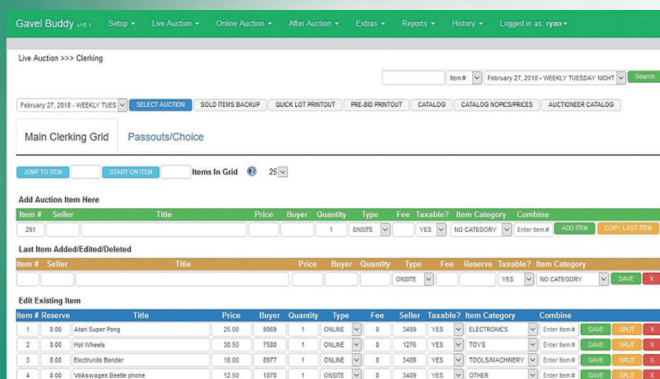
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Can an Auctioneer Sell “AS IS” Without a Preview?

by George A. Michak, Esq.

“AS IS” – “WHERE IS” – “WITH ALL FAULTS” . . . Those phrases have been uttered by auctioneers, and written into Bidder Terms and Conditions, probably for as long as there have been auctioneers. The purpose is to disclaim any and all implied warranties by the auctioneer. They are part of the contract between the auctioneer and each bidder. They also become part of the contract of sale between the seller and the buyer, in turn, disclaiming any and all implied warranties by the seller. “AS IS,” “WHERE IS,” and “WITH ALL FAULTS” are examples of the allocation of risk, which is an essential function of contracts. Parties to a contract can agree as to who will bear certain risks, and, absent exceptional circumstances, the courts will not disturb that agreement.

“AS IS,” “WHERE IS,” and “WITH ALL FAULTS” are important and viable tool in any sales transaction, and they have particular significance in the auction industry. There are numerous cases in which the courts have upheld the “AS IS” disclaimer in an auctioneer’s Bidder Terms and Conditions, thereby (i) holding buyers to the risks voluntarily assumed in exchange for the privilege of bidding and (ii) allowing the auctioneer to overcome after-the-fact challenges based on the nature, character, or quality of goods sold at auction (or the buyers’ subjective expectations as to the nature, character, or quality of goods sold at auction). Now, with travel and assembly restrictions associated with the COVID-19 pandemic driving more and more auction activity toward online bidding platforms, and considering the near universal inability to have a pre-auction inspections, it is important to address some misinformation that may lead to uncertainty within the auction community, along with possible reluctance to include these important disclaimers in the Bidder Terms and Conditions for online-only auctions while social distancing (assuming that online-only business activity is otherwise permitted in your jurisdiction during the shutdown). Additionally, there is a concern that a repeated misstatement of the law in this area can result in elevated and unjustified expectations among buyers who – notwithstanding clear and unambiguous Bidder Terms and Conditions – may be led to believe that they are entitled to more than what they bargained for.

The particular language of concern – and source of confusion – is the statement, floated on social media and among auction groups, that the Supreme Court of the United States has said that if you’re going to sell “AS IS” at auction you must provide for a preview and a reasonable opportunity for pre-auction inspection. Now, if that were true, and if a United States Supreme Court decision on contract law was necessarily binding on the states, then, it might raise a legitimate issue as to whether an Auctioneer can sell “AS IS” while social distancing. However, as will be discussed below, it is not true that the United States Supreme Court has said that if you’re going to sell “AS IS” at auction you must provide for a preview and a reasonable opportunity for pre-auction inspection. Moreover, the law of contracts affecting most auction transactions is state law, and a decision by the United States Supreme Court on a state contract law issue (not involving the United States Constitution or a federal statute) is not binding on the states. This is because, under our federalist system of government, the highest appellate court in each state is the final authority on the meaning of that state’s law.

The fodder for this erroneous argument about the requirement of pre-auction inspection in order to sell “AS IS” appears to be a misinterpretation, and misrepresentation, of *Mottram v. United States*, 271 U.S. 15, 46 S.Ct. 386, 70 L.Ed. 803, which was decided by the United States Supreme Court in 1926. The *Mottram* case has been cited to auctioneers (and, I suppose, to people looking to sue auctioneers or to, otherwise, avoid their contractual obligations) for the proposition that property can only be sold “AS IS” at auction if it is made available for inspection prior to the bidding. Specifically, it has been suggested that, in *Mottram*, the Supreme Court established a “minimum standard” for “AS IS” auction sales, applicable to all auctioneers in the United States, by prescribing that a buyer at auction can only be held to an “AS IS” transaction if the property is open for inspection and the buyer has had a reasonable opportunity for preview. This interpretation of *Mottram*, however, is just plain wrong and suggests a legal requirement that doesn’t exist. Whether or not it is a good idea to make pre-auction inspection available (and I, personally, think it is a good idea, when possible), there is a world of difference between preferred practices and things that are mandated as a matter of law. Blurring the line between practice preferences and legal requirements creates confusion and may embolden those suffering buyer’s remorse to try to avoid risks that were willingly assumed at the time of bidding.

As a preliminary matter, it is important to recognize that issues related to auction sales will, typically, be governed by state contract law or (depending on the specific circumstances) state tort law. Contracts and torts are largely matters of state law,

and neither the United States Supreme Court, nor the lower federal courts, can dictate the meaning of state law. Simply put, the United States Supreme Court can tell you what the United States Constitution means, can tell you what federal statutes mean, and can tell you whether a state law violates the United States Constitution or a federal statute, but cannot definitively tell you what any particular state law means or speak to the enforceability of contracts as a matter of state law. While the United States Supreme Court, and the lower federal courts, can opine as to the meaning of state law, such an opinion is not binding, but is persuasive at best. As such, even if United States Supreme Court articulated some standard for “AS IS” sales at auction in *Mottram* (which it did not), that standard would not be binding on the states.

By way of background, in *Mottram*, the United States government (pursuant to an act of Congress) was selling WWI surplus at auction. An auction catalogue for goods stored at a depot in Slough, England listed 11 lots of Garlock packing. Due to an error in the catalogue, the quantity was expressed in hundredweights instead of pounds. Because of the mistake, the catalogue indicated one hundred times more than the actual quantity being sold. The Bidder Terms and Conditions, however, provided that “[t]he whole shall be sold, with all faults, imperfections, errors of description, in the lots of the catalogue . . . and without any warranty whatever . . .” Essentially, this stated an “AS IS” standard.

The buyer in *Mottram* received the catalogue, inspected the Garlock packing (as he was encouraged to do), and was the winning bidder at the auction. Additionally, when the Garlock packing came across the block, the buyer asked the auctioneer to confirm the quantity, and the auctioneer stated that he would not guarantee any quantity. After the auction, the buyer demanded that quantity of Garlock packing erroneously published in the catalogue be delivered to him for the hammer price. However, under the Bidder Terms and Condition – which the buyer had accepted as a condition to the privilege of bidding – the buyer assumed the risk as to the actual quantity. And, although he had inspected the lot and seen the actual quantity, the risk would have been his even had there been no inspection. Essentially, the buyer in *Mottram* attempted to avoid a risk that he had voluntarily assumed pursuant to the Bidder Terms and Conditions, and tried to take advantage of a mistake in the catalogue to get more than what he bargained for. When the government informed the buyer that he was going to be held to the Bidder Terms and Conditions, he filed a petition seeking damages because of the shortfall in quantity.

The Court noted that the buyer “was warned by the statement in the catalogue that the sales were to be held subject to errors of description and were to be made without any warranty.” And, while the phrase “AS IS” was not actually used in *Mottram*, the case stands for the proposition that selling “AS IS” can be used to pass certain risks onto the bidders and buyers. The fact that the buyer inspected the property in *Mottram* cut against his claim that he was entitled to something other than what was actually offered, and something other than what actually sold, but that was not the Court’s holding, nor was it essential to the Court’s decision. *Mottram* neither states, nor suggests, that the buyer **MUST** be afforded an opportunity to inspect in order for an “AS IS” sale to be effective. It just doesn’t say that, and it cannot be relied on for that purpose. Whether or not there are practical benefits to making property available for inspection is a different issue entirely; it’s just not required as a matter of law. Here is a link to the *Mottram* decision: <https://www.law.cornell.edu/supremecourt/text/271/15>. Feel free to read the case, and see if you can find where it says that an inspection is *nneecceesssaarryy* in order to sell “AS IS” at auction – it’s just not there. Moreover, the *Mottram* case involved the sale of war surplus pursuant to an Act of Congress, and any precedent coming out of *Mottram* would not be binding on the states or otherwise control the application of state contract law.

So, if the *Mottram* case doesn’t actually say what has been attributed to it, and, in any event, doesn’t control the use of the “AS IS” disclaimer for most auctions conducted under state law, then what does? Well, when you are dealing with the sale of goods, the best place to start is probably Article 2 of the Uniform Commercial Code – which is a state statute (meaning that it is state law) adopted in every state except Louisiana. UCC Section 2-316 specifically addresses the exclusion or modification of warranties, and provides several alternatives for the disclaimer of implied warranties. Section 2-316(2) allows for certain warranties to be disclaimed by specific and conspicuous reference. More broadly, UCC Section 2-316(3) (a) provides that all implied warranties are excluded by expressions like “AS IS,” “WITH ALL FAULTS” or other language that calls the buyer’s attention to the exclusion of warranties and makes it clear that there is no implied warranty. UCC Sections 2-316(3)(b) and (c) provide alternative methods for disclaiming implied warranties, including through the buyer’s inspection of, or failure to inspect, the goods (Section 2-316(3)(b)), or through a course of dealing, course of performance,

– continued on page 22

or usage of trade (Section 2-316(3)(c)). There is nothing in Section 2-316, however, that requires both an "AS IS" disclaimer and a pre-sale inspection. And, there is nothing in the UCC, or in the case law, that suggests Section 2-316 applies differently to auction sales and to non-auction sales. Additionally, although not the point of this article, it should be noted that the "AS IS" disclaimer can be fairly described as a usage of trade in the auction industry (UCC Section 1-303(c) defines a "usage of trade" as "any practice or method of dealing having such regularity of observance in a place, vocation, or trade as to justify an expectation that it will be observed with respect to the transaction in question").

As observed by the Delaware Superior Court in *Lecates v. Hertrich Pontiac Buick Co.*, 515 A.2d 163, 167-68 (Del. Super. Ct. 1986), UCC Section 2-316(3)(a), (b), and (c) provide alternative methods by which sellers may shift risk to buyers. Similarly, in *Boyd v. Steve's Key City Auto*, 91 N.E.3d 910, 914 (Ill. App. Ct. 2017), the Illinois Appellate Court noted that use of the phrase "AS IS" plainly indicates there is no warranty being implied in the sale. In *Moustakis v. Christie's*, 68 A.D.3d 637 (N.Y. App. Div. 2009), a New York appellate court focused on the auction company's Bidder Terms and Conditions, which provided that "all property is sold 'as is' without any representation or warranty of any kind by [the auctioneer] or the seller." The court, went on to note that "UCC 2-316(3)(a) recognizes that 'unless the circumstances indicate otherwise, all implied warranties are excluded by expressions like 'as is' . . . which in common understanding calls the buyer's attention to the exclusion of warranties and makes plain that there is no implied warranty.'" Because of the auctioneer's use of the "AS IS" disclaimer, it was not necessary for the Moustakis court to go any further, or to consider whether a preview was also available to the bidder. Thus, it is clear that implied warranties can be disclaimed (i) by contract (with use of the words "AS IS" and "WITH ALL FAULTS"), or (ii) by inspection (or waiver of inspection), or (iii) or through a course of dealing, course of performance, or usage of trade. UCC Article 2 – which is the law applicable to the sale of goods – does not require both the use of the phrase "AS IS" and an opportunity to inspect in order for the "AS IS" disclaimer to apply.

As a matter of practice, does making pre-auction inspection available help deflect buyer's remorse, and hold a buyer to the allocation of risk agreed to before the auction? Sure, and, to that end, the following language has been used when a preview was available:

ALL PROPERTY SOLD "AS IS," "WHERE IS," AND "WITH ALL FAULTS." ALL PROPERTY IS BEING OFFERED AND SOLD IN ITS AS IS/WHERE IS CONDITION AT THE TIME OF THE AUCTION, WITH ALL FAULTS, INCLUDING ANY HIDDEN DEFECTS OF ANY NATURE. NEITHER AUCTIONEER NOR SELLER MAKES ANY REPRESENTATIONS, WARRANTIES, OR GUARANTEES WHATSOEVER, EXPRESS OR IMPLIED, REGARDING THE NATURE, VALUE, SOURCE, AUTHENTICITY, FITNESS, MERCHANTABILITY, AND/OR ANY OTHER ASPECT OR CHARACTERISTICS OF SUCH PROPERTY. NO STATEMENT ANYWHERE, WHETHER EXPRESS OR IMPLIED, INCLUDING VERBAL STATEMENTS MADE BY AUCTIONEER, WILL BE DEEMED A WARRANTY OR REPRESENTATION BY AUCTIONEER OR SELLER. WITHOUT LIMITING THE GENERALITY OF THE FOREGOING, THERE ARE NO WARRANTIES OF NON-INFRINGEMENT, AUTHENTICITY, ORIGIN, MERCHANTABILITY, OR FITNESS FOR A PARTICULAR PURPOSE, ALL OF WHICH ARE EXPRESSLY DISCLAIMED. YOU ACKNOWLEDGE AND AGREE THAT YOU CANNOT RELY, AND HAVE NOT RELIED, ON ANY REPRESENTATION, WARRANTY, OR GUARANTY MADE BY AUCTIONEER OR THE SELLER, OR ANYONE ACTING AS AGENT OF THE SELLER, ORALLY OR IN WRITING. BY BIDDING, YOU ACKNOWLEDGE AND AGREE THAT YOU HAVE HAD A FULL AND FAIR OPPORTUNITY TO INSPECT THE PROPERTY, AND THAT YOU ARE RELYING SOLELY ON, OR THAT YOU HAVE WAIVED, SUCH INSPECTION AND INVESTIGATION (i) IN DETERMINING WHETHER TO BID, (ii) IN DETERMINING THE AMOUNT OF A BID, AND (iii) IN BIDDING.

While both "AS IS" language and an inspection are not necessary to effect an "AS IS" sale, having more than one arrow in your quiver is always useful – you're just not required to use them all. Remember, the Supreme Court's decision in *Mottram*, just like the decision in *Moustakis*, was based on the allocation of risk set forth in the Bidder Terms and Conditions, and, therefore, agreed to as a matter of contract. The fact that the buyer in *Mottram* also inspected the property doesn't change the holding of the case, or add an additional condition to the effectiveness of the contractual language. As a practical matter, many bidders in online-only auctions accept the "AS IS" character of the sale without ever taking the opportunity to inspect.

Given the foregoing, neither *Mottram* nor any arguments derived from *Mottram* require the realignment of the allocation of

risk in an “AS IS” transaction during social distancing. And, mandated social distancing need not be a reason for an auctioneer or seller to assume additional risks regarding the nature, character, or quality of goods sold at auction. Nevertheless, it might be helpful to modify your Bidder Terms and Conditions to specifically reflect the agreed allocation of the risk when no preview is available –

ALL PROPERTY SOLD “AS IS,” “WHERE IS,” AND “WITH ALL FAULTS.” ALL PROPERTY IS BEING OFFERED AND SOLD IN ITS AS IS/WHERE IS CONDITION AT THE TIME OF THE AUCTION, WITH ALL FAULTS, INCLUDING ANY HIDDEN DEFECTS OF ANY NATURE. NEITHER AUCTIONEER NOR SELLER MAKES ANY REPRESENTATIONS, WARRANTIES, OR GUARANTEES WHATSOEVER, EXPRESS OR IMPLIED, REGARDING THE NATURE, VALUE, SOURCE, AUTHENTICITY, FITNESS, MERCHANTABILITY, AND/OR ANY OTHER ASPECT OR CHARACTERISTICS OF SUCH PROPERTY. NO STATEMENT ANYWHERE, WHETHER EXPRESS OR IMPLIED, INCLUDING VERBAL STATEMENTS MADE BY AUCTIONEER, WILL BE DEEMED A WARRANTY OR REPRESENTATION BY AUCTIONEER OR SELLER. WITHOUT LIMITING THE GENERALITY OF THE FOREGOING, THERE ARE NO WARRANTIES OF NON-INFRINGEMENT, AUTHENTICITY, ORIGIN, MERCHANTABILITY, OR FITNESS FOR A PARTICULAR PURPOSE, ALL OF WHICH ARE EXPRESSLY DISCLAIMED. YOU ACKNOWLEDGE AND AGREE THAT YOU CANNOT RELY, AND HAVE NOT RELIED, ON ANY REPRESENTATION, WARRANTY, OR GUARANTY MADE BY AUCTIONEER OR THE SELLER, OR ANYONE ACTING AS AGENT OF THE SELLER, ORALLY OR IN WRITING. YOU ACKNOWLEDGE AND AGREE THAT BECAUSE OF SOCIAL DISTANCING RESTRICTIONS RELATED TO THE COVID-19 PANDEMIC, YOU HAVE NOT HAD THE OPPORTUNITY TO INSPECT ANY LOT(S). YOU, FURTHER, ACKNOWLEDGE AND AGREE THAT ANY PHOTOGRAPHS OR OTHER IMAGES OF LOT(S) ARE ADEQUATE FOR YOUR PURPOSES, AND THAT YOU HAVE HAD A FULL AND FAIR OPPORTUNITY TO ASK QUESTIONS OF AUCTIONEER, AND TO CONDUCT ANY AND ALL DUE DILIGENCE DEEMED BY YOU TO BE NECESSARY OR APPROPRIATE. YOU ACKNOWLEDGE AND AGREE THAT ALL SALES ARE FINAL WITH NO REFUNDS AND NO RETURNS.

Assuming that, in your jurisdiction, you are otherwise permitted to engage in business activities without direct, in-person, public interaction during the COVID-19 shutdown (and, thus, can conduct online-only auctions), there is no prohibition against selling “AS IS” while social distancing (i.e., without a preview). “AS IS” is a contract term governed by state law (specifically, UCC Section 2-316 if you are selling personal property), and if, by accepting your Bidder Terms and Conditions as a prerequisite to their participation in the auction, your bidders assume the risk of buying “AS IS” without a pre-auction inspection, they ought to be bound by that contractual agreement. As a first step, however, you should verify that there is no applicable state or local prohibition against engaging in online-only business activity during this crisis.

THIS ARTICLE IS FOR INFORMATION AND DISCUSSION PURPOSES ONLY, AND IS NOT INTENDED AS, AND CANNOT BE RELIED ON AS, LEGAL ADVICE. NO ATTORNEY-CLIENT RELATIONSHIP IS INTENDED OR ESTABLISHED. SPECIFIC QUESTIONS SHOULD BE REFERRED TO AN ATTORNEY OF YOUR OWN CHOOSING. ANY SAMPLE LANGUAGE SHOULD BE REVIEWED BY AN ATTORNEY OF YOUR OWN CHOOSING BEFORE BEING INCORPORATED INTO YOUR BIDDER TERMS AND CONDITIONS.

George has a dedicated auction law practice, regularly representing auctioneers and auction companies on all legal aspects affecting the auction industry, including: contracts; litigation; administrative law; licensing and disciplinary matters; online auctions; intellectual property; business purchases and sales; land use; real estate; environmental issues; oil, gas, and mineral rights; federal and state restrictions on the sale of certain property (including taxidermy and firearms); sales tax; Uniform Commercial Code; succession planning; ethics; best practices; and risk management. Recognizing the significant impact of technology on the auction industry (and on the law as it relates to the auction industry) George monitors technological and legal developments affecting the industry. George also helps auctioneers and auction companies identify, manage, and reduce risk while educating sellers and buyers and protecting commissions, premiums, and fees.



The 2020 ISAA Conference & Trade Show Marketing Contest provided the convention attendees with a variety of ideas and suggestions.

The judges were from the different vendors and speakers, who had booths at our Conference & Trade Show, with the qualification that their business disciplines allowed them to provide a non-partial evaluation for the contest.

We had a small turnout of entries and hope that this event during our annual conference in which they have been gathered by the ISAA to build a memorabilia file of ISAA Members.

The marketing contest is more than just an award. It provides inspiration and ideas, particularly for our newer members in the auction industry and joining our association. In addition, we have been saving these items for historical preservation.

The winners were judged from the categories with at least 2 items entered. The Executive Director felt that it did not meet the spirit of competition to provide an award for a category with only one entry.

Marketing Awards

Bidder Card	Cody Hanold
Brochure	Cody Hanold
Business Card	Renee Jones
Newspaper	Anthony's Auctions
Website	Renee Jones
Social Media	National Property Solutions
Other Marketing Material	Cody Hanold



GRATIFYING

When asked what my one word description of conference would be, the word gratifying came to mind.

The attendees, speakers, topics of education and networking made this a very gratifying conference and show for me and I hope so for everyone in attendance.

As I look at where we are now as a profession, what was presented at conference was timely, well presented and gave us some new tools to put in our toolbox. It was gratifying to see old friends and make some new ones. Hopefully they were able to gain some new friends as well. The speakers at this years conference helped make this a gratifying experience with the knowledge and passion they shared with all of us. The one on one time as well as the classroom setting was extremely valuable. The networking opportunities are always one of the highlights for me personally as we are truly blessed in this state with some of the very best in our profession.

As we deal with this strange time in our lives, I hope you are all healthy, optimistic and looking forward to finishing the year strong. We will be there on the other side to do what we do best, helping people.

~ Joe Orwig



Convention Thoughts

I think we had a good convention this year; very good speakers and presenters.

Good food. Good Conversations. Good Story Telling. Good Continuing Education. Good Presentations by Junior Staggs for online auctions, George Michack for contracts, terms and conditions, and...Renee Jones on sexual harassment. There was lots of note taking in the classes and KISS sightings in the restaurant. (Yep, you heard it right, the band KISS stayed at our host hotel for a couple days.) Some wild stories from Mike Ryan, Bill Houchens, George McCurly, Kenny Freeman and others.

Great Champion of Champion Contest with Cory Craig being crowned the winner in a tie-breaking contest! Great Ringman Contest Matt Hart crowned the champion; Double Champ in one year for our contests! I'm glad to see these contests return to the ISAA Conference & Trade Show.

The Illinois State Champion Auctioneer Bid Calling Contest has been moved back to the State Fair that will be held in August. Please start making plans to join us for a good time and a good contest.

If you didn't make this one please, try hard to make next years convention. Remember, it's "family friendly." Bring the kids and grandkids! Right Jeff Procknow? His grandson worked the ring for the fun auction and did a great job, and he's already planning on coming next year.

It was my pleasure also was to announce Vern and Pat Mariman's 50th Wedding Anniversary as they attended our conference.

We all have information to share with each other and we are in need of engaged members; New and Returning Members.

Many took advantage of the new, Support Staff Discount Rate for attending this year and be able to sit in seminars. We had about a twenty percent increase in attendance this year as well and look forward to it to continue to grow.

There are some changes that were made at the Annual Business Meeting involving bylaws, districts and meetings. Participation is always encouraged for these changes, learning about the association and what the board has been doing throughout the year along with announcements that members should be part of.

For the members that couldn't be there, your 2019 Board of Governors renewed our Executive Director, Cissy Tabor, to a three year term and she is doing a great job working on a vast amount of projects of getting things back in order after a bouncy transition from the previous management.



Tell us what and who you would like to see for next years convention. It is time to start planning now as it takes time to get this all put together. Hopefully, we can get date moved off of Valentines Day weekend to make it easier for more to attend.

Contact any board member or Cissy with any ideas, concerns, or if you want to be involved and engaged.

A handwritten signature in black ink, which appears to read "Gene Simmons".

Gene Simmons of KISS
with Heath Spracklen



FROM THE DESK OF THE *Executive Director*

Wow – it's 2020 already! A new decade, new opportunities, new challenges, new experiences!

A huge thank you to everyone for attending this year's convention in January. Also, a tremendous "THANK YOU" to all the board members for the help they gave in making this year's convention a success. It is positively a team effort!

Auctioneers are busy people - that's who we are! I encourage you to set aside a couple days for next year's convention. Enjoy the benefits of the education, technology updates, vendors and camaraderie of round table discussions with our colleagues.

Our annual CAA Convention is one way for this association to collectively come together to get this accomplished, and I promise you will see the benefits of your membership at work.

We are all guilty as auctioneers of becoming very busy with not only our auction business but our personal lives! Vast changes in technology in our business have changed many business practices. We have to remember that our business is still a people business. Hand shakes and promises still mean a lot to people. This includes not only our sellers but buyers alike!

With the challenges that we are facing in this first quarter of the year, I believe we will be challenged to be in the forefront of potential sellers' minds versus other companies, such as estate tag sale companies or such. We will want to do our best to have auctions and our auctioneers, be the First Choice for sellers in the upcoming markets.

Just a few ideas might be, follow up with online registered bidders *"Hello this is John with John Doe Auctioneers, I just wanted to call and personally welcome you as a bidder to our online auction. If you have any questions I am here to help, please feel free to call, text or email me."* This form of contact doesn't happen every day so it catches many by surprise but I guarantee that personal touch will set you ahead of your competitors! Another idea, send every seller at year end something during the holidays. A simple company Christmas card makes them feel like you didn't just take their money and run!

Being an Effective Auctioneer, with a personal touch to solve the problems of potential buyers is going to be a key factor to our success. Our ATTITUDE in all of this is going to be Critical. It's the situation we've been dealt and we

need to have a positive attitude about it. Be the Positive Light at the auction. Be a Standout at the auction. We will need to be able to project the positive attitude to the both the sellers & buyers, alike. And lastly, Gratitude. Our gratitude expressed to the sellers / owners for having an auction and to the Buyers for participating will help us put our best foot forward.

Kenny Lindsay wrote in an article titled, **AUCTIONS WILL BE THE SECOND EPIDEMIC**, as posted in the Michigan Auctioneer.... The unprecedented economic prosperity this country has enjoyed over the past three years, along with the lowest unemployment record in the past 50 years, was great while it lasted. Nobody saw the sniffing big bad wolf that huffed and puffed, and in one fell swoop has caused what many economists are saying to be the most catastrophic hit the United States has seen since the 1920's Great Depression.

A crisis indeed. And crisis moments also present opportunities. Don't let a crisis go to waste.

The professional auctioneer must be mindful of the fact that that the auctions have proven themselves to be arguably the most resilient professions of all-time.

History has shown that auctions not only survived but, in some cases, flourished during unimaginable world events. The collapse of the Roman Empire, Civil War, World War I, the Great Depression, World War II, Recessions, and who could forget Sept. 11, 2001?

While the world is bracing for a future of uncertainty – one thing is sure, for many auctioneers, it is the calm before the storm.

Eventually, this 21st version of the Black Plague will slowly lift. Soon everyone will crawl out of their Coronavirus bomb shelter and assess the damage. For many, the fallout will be significant, cash flow is low, and the decision must be made for them to liquidate assets to reposition themselves for the future.

While most everyone is negatively affected, many service-related industries will be terminally hit.

Professional auctioneers should prepare to serve specific businesses such as

Wellness: Spas, Gyms, Salons

Food & Beverage Services: Restaurants, Micro Breweries, Bars

Professional Services: This is a vast area, but auctioneers will be fielding a record amount of inquiries on liquidating office and business equipment

Retail Outlets: Non-essential retail outlets such as bowling alleys, skating rinks, arcades, amusement parks, trampoline parks, fairs, arts and craft facilities, aquariums, zoos, escape rooms, indoor shooting ranges, public and private social clubs, and all other places of indoor public amusement.

Manufacturing: According to Market Watch, United States factories are likely to close due to the Coronavirus supply-chain shock. *“Already, manufacturers are grappling with disruptions to their businesses due to the COVID-19 outbreak, with many anticipating financial and operational consequences—even before some of the developments of this week,”* said the National Association of Manufacturers President and CEO Jay Timmons. A newly released survey of manufacturing leaders conducted by the National Association of Manufacturers reveals the state of the industry as the Coronavirus situation unfolds.

PERSONAL PROPERTY

Another factor worth noting is in 2018, the Survey of Household Economics and Decision Making learned that an alarming 40% of Americans would have to borrow money, sell something, or neglect other bills to pay for an unforeseen \$400 expense. In other words, at least 4 of 10 Americans were living paycheck to paycheck in a recently thriving economy. Today, the economic outlook darkens daily, and it is reasonable to assume a staggering amount of Americans will be relieving themselves of leisure type of assets such as boats, motorcycles, and collectibles.

AUCTIONEER POSITIONING

Professional auctioneers should not assume that the first call a potential seller is an auctioneer. Sellers have many options. Those not predisposed to auctions are likely to seek other selling avenues.

Position yourself to educate potential sellers why a professional auctioneer is likely the best avenue for them to maximize their financial outcome. Have you encountered a disheartened seller that learned how an auction would have been a better choice after the fact? That is an epidemic itself.

It is for this very reason that professional auctioneers should constantly be promoting auction success stories on social media and beyond, hence the reason and successes of the Auctions Work! campaign that has been adopted by countless auctioneers nationwide.

Adopt the campaign and start educating sellers about the power of the auction method of selling. For some examples, visit www.AuctionsWork.org

Now is the time to reach out to the bank’s Loss Mitigation department, bankruptcy and divorce attorneys and pay close attention to your local news and stay abreast of developments happening right under your nose.

In the meantime, make it a priority to invest in Facebook and other marketing. Establish a Google Business Page and start canvassing your community and local Chamber of Commerce on how you can be the beacon of hope for those that are facing stressful decisions at this very moment.

THE AUCTION PROCESS GOING FORWARD

Hall of Fame auctioneer, Rick Montgomery, CEO of RJM Auctioneers in Plymouth, Michigan, said, *“Auctioneers need to sit down and think what their plan is. I think within three months, business will be going gangbusters.”* He added, *“Online auctions are essential in the beginning. People are going to be skeptical of being in large crowds over social distancing.”*



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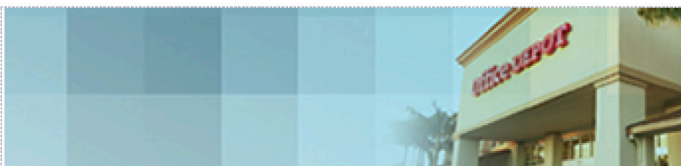
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