



South Carolina Department of Labor, Licensing and Regulation

South Carolina Auctioneers' Commission

110 Centerview Dr. • Columbia • SC • 29210

P.O. Box 11329 • Columbia • SC 29211-1329

Phone: 803-896-4670 • Contact.Auctioneers@llr.sc.gov • Fax: 803-896-4554

llr.sc.gov/auc

AUCTIONEER FIRM LICENSE REQUIREMENTS AND APPLICATION PROCESS OVERVIEW

Before calling in to the Commission Office – You may check your application status online at:

<https://eservice.llr.sc.gov/SSO/Login/LoginPage>.

Licensure Requirements:

To qualify for auction firm licensure a business entity must meet the following qualifications:

1. Submission of complete firm application and \$400 fee.
2. Submit proof of firm ownership and/or firm manager
3. Submit a [Certificate of Existence from the SC Secretary of State](#) dated within six months of the application date.
4. If owned or managed by a person not licensed as an Auctioneer in South Carolina, the individual must successfully pass the Auction Firm examination.

Exemptions for Auction Firm Licensure:

The following businesses are exempt from auction firm licensure requirements:

- A sole proprietorship, or
- A Real Estate Broker-in-Charge and real estate brokerage employing a SC licensed auctioneer to handle transactions peculiar to the auctioneer profession.

Application Process:

Your application is good for one (1) year from the date of receipt. If all required information is not received within this one (1) year period you must begin the application process from the beginning. This includes, but is not limited to, the application fee, certificate of existence, etc.

1. **Application** – In addition to a completed application, the following must also be sent:
 - **Application Fee:** \$400 initial application fee made out to SC Auctioneers Commission. (Fees are non-refundable and non-transferable) *A returned check fee of up to \$30, or an amount specified by law, may be assessed on all returned funds.*
 - **Identification: If submitting party is not a current, active licensed SC Auctioneer**
 - Copy of your valid driver's license, state issued ID, or passport
 - **FEIN**
 - **Proof of Ownership:** Copy of the business partnership agreements, corporate resolutions, articles of incorporation, or any other such document showing compliance to ownership requirements listed above.
 - **Affidavit of Authority:** If managed by an actively license SC Auctioneer, signed attestation that the licensee has the authority to make decisions affecting the manner in which the firm does business must be provided.
 - **Certificate of Existence/Authority:** (aka Certificate of Good Standing) Is issued by the SC Secretary of State and can be electronically requested at <https://businessfilings.sc.gov/BusinessFiling/Entity/Search>. Certificates must be within 6 months immediately preceding the application date.
 - **Designation of Agent for Service (if applicable):** applicable to out-of-state firms.

- [Escrow/Trust Account Certification Affidavit](#)
- **Personal History Questions:** For each “Yes” answers in the Personal History Information, a completed [Explanation of “Yes” Answer form](#) must be completed. Copies of legal documentation should also be included. Additional information may be requested by the Commission Office or an appearance before the Commission may be necessary.

2. Documents should be sent directly to the Commission from the issuing agency/institution.

- **Verification of Licensure:** Contact each state jurisdiction to which the firm is currently or has previously been licensed with and have the certificate of licensure sent directly to the Commission office via email at contact.Auctioneers@llr.sc.gov or mail.

3. Examination: If an owner or manager of the firm is not a SC license auctioneer, once a completed application has been received and approved, the individual will be authorized to take the examination. The examination is administered by Prov, Inc. Applicants will not be authorized to take the exam until a complete application is on file.

Applicants will receive notification from Prov when they are authorized to register for the examination. Applicants are responsible for registering and scheduling with Prov. The examination registration fee is to be paid directly to Prov upon registration.

Exam eligible applicants are encouraged to review the [Prov Auctioneer Candidate Information Bulletin](#).

Prov will send examination score reports directly to the Commission office. Please do not send your score report to the Commission office.

4. Licensure: Upon receipt of complete application, and if applicable a passing examination score from Prov, the Commission will issue the firm license. Licensees may validate license status on the Licensee Lookup Systems, <https://verify.llronline.com/LicLookup/Auctioneer/Auctioneer.aspx?div=29>.



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AUCTION FIRM LICENSE APPLICATION

Applications are good for one (1) year from the date of receipt. If all required information is not received within this one (1) year period, you must begin the application process from the beginning. This includes, but is not limited to, the application fee, transcripts, license verifications, etc.

Submit the following with your application to the above address:

- Check or money order in the amount of \$400 made payable to SC Auctioneers Commission. (Fees are non-refundable and non-transferable). A returned check fee of up to \$30, or an amount specified by law, may be assessed on all returned funds. NO CASH IS ACCEPTED.
- [Notarized escrow/trust account certification affidavit](#)
- [Designation of Agent for the Service of Process form](#), if out-of-state
- Proof of ownership
- [Auctioneer Firm Affidavit of Authority form](#), if applicable
- Certificate of Existence/Authority from the SC Secretary of State's office
- Copy of your valid driver's license, state issued ID, passport or military ID (if submitting party is not a current SC Auctioneer)
- Proof of Federal Tax ID number

Have sent directly to the Commission by issuing agency:

Documentation may be sent from the issuing agency to the Commission at contact.auctioneers@llr.sc.gov.

- License verifications, if applicable

APPLICANT INFORMATION

Firm Name: _____ FEIN: _____

Physical Address: _____

Mailing Address: _____

Phone: _____ Email: _____

Name of Authorized Individual Completing the Application: _____

Has this firm offered auction services under any other business name? Yes No

If yes: Former Firm Name: _____ License No.: _____

BUSINESS INFORMATION

Type of Business Entity (check one): Partnership Corporation LLC Other: _____

Owner/Manager Name: _____ (Check all that apply): Owner Manager

SC License Type: _____ License No.: _____

Owner/Manager Address: _____

Mailing Address (if different from above): _____

Phone: _____ Email: _____

If firm owner/manager is not a licensed SC Auctioneer, provide the name and license number of the SC licensed auctioneer who will be used to conduct the auctions for the auction firm.

Name of Auctioneer: _____ License No.: _____

PERSONAL HISTORY QUESTIONS

Answer the following questions. You are required to attach a completed Explanation of “Yes” Answer form for each question you answer “Yes” on. Copies of legal documentation should also be uploaded.

1. Has any owner or manager of the firm ever been denied a firm license in any other state or jurisdiction? Yes No
2. Has any state taken disciplinary action against the firm’s license? Yes No
3. Has the firm or the named owner/manager surrendered or allowed a professional or occupational registration/license to lapse in any jurisdiction due to any pending or threatened disciplinary action? Yes No
4. Has the firm or the named owner/manager been found by a court or registration board to have violated the auctioneering laws or the professional/occupational laws of any jurisdiction? Yes No

AFFIDAVIT

I, _____, am the person described and identified, and the person named in all documents presented in support of this application. I have carefully read the questions in the foregoing application and have answered them completely, without reservation of any kind, and I declare that all statements made by me herein are true and correct. Should I furnish any false or incomplete information in this application, I hereby agree that such act shall constitute the cause for denial or revocation of the auction firm license in South Carolina.

Signature of Authorized Individual Completing Form Date _____

PRIVACY DISCLOSURE

South Carolina Law requires that every individual who applies for an occupational or professional license provide a social security number for use in the establishment, enforcement and collection of child support obligations and for reporting to certain databanks established by law. Failure to provide your social security number for these mandatory purposes will result in the denial of your licensure application. Social security numbers may also be disclosed to other governmental regulatory agencies and for identification purposes to testing providers and organizations involved in professional regulation. Your social security number will not be released for any other purpose not provided for by law.

Other personal information collected by the Department for the licensing boards it administers is limited to such personal information as is necessary to fulfill a legitimate public purpose. The South Carolina Freedom of Information Act ensures that the public has a right to access appropriate records and information possessed by a government agency. Therefore, some personal information on the application may be subject to public scrutiny or release. The Department collects and disseminates personal information in compliance with The South Carolina Freedom of Information Act, the South Carolina Family Privacy Protection Act, and other applicable privacy laws and regulations. Additionally, the Department shares certain information on the application with other governmental agencies for various governmental purposes, including research and statistical services.



ESCROW ACCOUNT VERIFICATION FOR AUCTIONEERS

Pursuant to **S.C. Code, Section 40-6-300 and Reg 14-11(B)**, a licensee must maintain and deposit funds in a trust/escrow account with an insured bank or savings and loan association if auction proceeds are held by the licensee more than three (3) business days. The Commission or its designated representative may examine the account for investigation or inspection purposes. Licensees must notify the Commission immediately by certified mail, return receipt requested, of any account changes.

Complete the appropriate sections below which apply to your business policy.

CERTIFICATION

I hereby certify I am employed by another licensed auctioneer, licensed auction firm, real estate broker-in-charge, or real estate firm that maintains an active escrow account used solely for the purpose of holding funds of others in relation to auctions.

Account Holder's Name: _____ Account No.: _____

Bank Name: _____

Bank Address: _____

Firm Name: _____

Principal Employer Signature: _____ License No.: _____

Applicant or Licensee Signature: _____ License No.: _____
 (If applicant, indicate "pending")

AUTHORIZATION

I authorize the Auctioneers' Commission or its designated representative to examine any information regarding the escrow account herein indicated.

Applicant or Licensee Signature: _____ License No.: _____
 (If applicant, indicate "pending")

Firm Name: _____

Account Holder's Name: _____ Account No.: _____

Account Holder Signature: _____

Bank Name: _____

Bank Address: _____

NOTARIZATION

Sworn to and subscribed before me this _____ day
 of _____ 20____ .

Notary Signature: _____

(Notary Seal)

Print Name: _____

Notary for the State of: _____

My Commission expires: _____



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AFFIDAVIT OF AUTHORITY

To be completed in conjunction with the Auction Firm Application if the firm is owned or managed by a SC licensed auctioneer.

Pursuant to S.C. Code, Section 40-6-235, I, _____, am the owner
(Owner)

_____, and give _____ the authority to
(Name of Auction Firm) (SC Licensed Auctioneer, Manager)

make decisions affecting the manner in which the firm does business.

Sworn to and subscribed before me this _____ day
of _____ 20_____ .

Notary Signature: _____

(Notary Seal)

Print Name: _____

Notary for the State of: _____

My Commission expires: _____



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*****FOR OUT-OF-STATE FIRMS ONLY*****

DESIGNATION OF AGENT FOR THE SERVICE OF PROCESS

KNOW ALL MEN BY THESE PRESENTS:

The undersigned, _____
(Type or print Firm's name)

being an applicant for licensure as an auction firm based outside of the State of South Carolina, does hereby irrevocably designate and appoint the Commission Executive, South Carolina Department of Labor, Licensing and Regulation Auctioneers' Commission, State of South Carolina, as his (her, its) agent for the purpose of accepting service of any and all processes issued by any court located within the State of South Carolina, as well as service of all pleadings and other papers, relating in any way to any action, suit or legal proceeding arising out of or pertaining to his (her, its) duties or responsibilities as an auctioneer or apprentice auctioneer in the State of South Carolina. The undersigned further consents, stipulates and agrees that any lawful process served upon the aforesaid agent shall have the same legal force and validity as if served upon the undersigned personally within the State of South Carolina and that the authority contained herein shall continue in force and effect so long as any liability against the undersigned remains outstanding in the State of South Carolina.

Name of Firm Representative: _____

Signature of Firm Representative: _____ Date: _____

Sworn to and subscribed before me this _____ day
of _____ 20____ .

Notary Signature: _____

(Notary Seal)

Print Name: _____

Notary for the State of: _____

My Commission expires: _____