



**TENNESSEE AUCTIONEER COMMISSION
500 JAMES ROBERTSON PARKWAY
NASHVILLE, TENNESSEE 37243
615-741-1831**

**Commission Meeting Minutes for May 18, 2026
Room 1B, David Crockett Room
Davy Crockett Tower**

The Tennessee Auctioneer Commission met on May 18, 2026, in the first-floor conference room 1B of the Davy Crockett Tower in Nashville, Tennessee. The following business was transacted:

COMMISSION MEMBERS PRESENT: Wayne Bettis, Dwayne Rogers, Phillip Traylor, Lance Walker

COMMISSION MEMBERS ABSENT: Jay White.

STAFF MEMBERS PRESENT: Roxana Gumucio, Anna Matlock, Kim Cooper, and Earleen Hawkes.

ROLL CALL

Director Gumucio called the meeting to order at 10:30 a.m. Director Gumucio took roll and established that a quorum was present.

Director Gumucio informed the commission that Jeff Morris received a thank you letter from the Governor. Jeff served 16 years on the commission. He sends his appreciation and best regards to everyone. She introduced the two new members, Phillip Traylor and Lance Walker.

NOTICE OF MEETING

Director Gumucio read the notice of the meeting into the record as follows: "Notice of the May 18, 2026, meeting of the Auctioneer Commission including date, time and location has been noticed on the website since May 31, 2025, additionally, the agenda has been posted on the website since April 24, 2026".

Director Gumucio explained that individuals who wish to make a public comment on an item listed on the posted agenda during the scheduled public comment period will need to sign in on the provided sign-in sheet or by placing their name in the chat box online. It is requested that comments be limited to three (3) minutes out of respect for other speakers.

AGENDA

Mr. Bettis made a motion to adopt the agenda as written. This was seconded by Mr. Rogers. The motion passed unanimously.

FEBRUARY MINUTES

Mr. Rogers made a motion to adopt the minutes from the February meeting as written. This was seconded by Mr. Traylor. The motion passed unanimously.

EDUCATION REVIEW

Director Gumucio presented an ownership change for All Star Training. They are only changing LLC ownership.

Mr. Rogers made a motion for the Commission to accept the change in ownership. This was seconded by Mr. Walker. The motion passed unanimously.

DIRECTOR'S REPORT

Budget Report

Director Gumucio presented the financial information through March 2026 which reflects a year-to-date surplus of \$15,403 making the reserve balance \$544,114. The auctioneer education and recovery reserve account has a surplus of \$176,272.

2027 Proposed Meeting Dates

Director Gumucio presented the proposed 2027 meeting dates.

Mr. Rogers made a motion to approve the dates. This was seconded by Mr. Walker. The motion passed unanimously.

Attorney Anna Matlock updated the commission regarding new legislation passed that impacts the industry. SB1904 was signed into law with public chapter 840 on 4/27/2026. The law reduces the required age for a bid caller from 18 to 16 years of age.

NEW BUSINESS

Director Gumucio asked if anyone in the public participating in person or remotely using Webex had comments as they relate to the agenda. There were no comments provided.

ADJOURNMENT

There being no new business, Mr. Walker made a motion to adjourn the meeting. This was seconded by Mr. Traylor. The motion passed unanimously. The meeting adjourned at 10:58 A.M.



STATE OF TENNESSEE
DEPARTMENT OF COMMERCE & INSURANCE
OFFICE OF LEGAL COUNSEL
Davy Crockett Tower,
500 James Robertson Parkway
NASHVILLE, TENNESSEE 37243
(615) 741-3072

MEMORANDUM

TO: TENNESSEE AUCTIONEER COMMISSION

FROM: KIMBERLY COOPER, Associate General Counsel

SUBJECT: MAY LEGAL REPORT

DATE: May 18, 2026 Auctioneer Legal Report

**Any consent order authorized and issued by the Commission should be signed by Respondent and returned within thirty (30) days of receipt. If said consent order is not signed and returned within the allotted time, the matter may proceed to a formal contested case hearing.*

1. **2026002681**
Opened: 1/20/2026
First Licensed: 12/22/1989
Expires: 4/30/2027
Type of License: Principal Auctioneer
History: None

Anonymous complainant alleged the Respondent is advertising “court-ordered” auctions without providing the court case number. Complainant also expressed dissatisfaction that Respondent’s advertisements continue to list the firm number as well as the principal auctioneer number. Complainant provided pictures of three (3) advertisements, all of which appear to be compliant with the Commission’s rules.

Respondent stated the advertised auctions were all court-ordered but were not the result of bankruptcy proceedings. Therefore, the auctions were not required to contain the bankruptcy court case number assigned by the court. Regarding the firm number listed on the signs, Respondent explained that the signs consist of a permanently affixed bottom panel and a removable top panel used for repeated postings. The sign panels have been in use since before firm numbers were no longer required, and Respondent was unaware of any requirement prohibiting display of the firm number. Counsel finds no violation of the rules and statutes, and recommends this matter be dismissed.

Recommendation: Dismiss.

Commission Decision: The Commission voted to accept counsel’s recommendation.

2. **2026001301**
 Opened: 2/26/2026
 First Licensed: 12/3/2007
 Expires: 11/30/2023 (Expired License)
 Type of License: Principal Auctioneer
 History: None

Complainant alleged Respondent conducted an auction at a home owned by Complainant in July 2025. Complainant accused Respondent of several issues, including leaving trash behind and stealing some items, damaging a floor and ceiling where an A/C return was located by leaving the air conditioner running for over a week while the home was unoccupied, and retaining a higher commission amount than agreed prior to the auction. Complainant did not provide any additional information or documentation to support their allegations.

The complaint was opened against the Respondent based on information provided by the Complainant. A family member of Respondent contacted Counsel and stated the named Respondent passed away a few years ago, that the auction was conducted by the family member who is an active licensee, and denied the allegations. Counsel finds no evidence to support any violation of the rules and statutes, and recommends this matter be dismissed.

Recommendation: Dismiss.

Commission Decision: The Commission voted to accept counsel's recommendation.

3. **2026007501**
 Opened: 2/26/2026
 First Licensed: 6/17/2011
 Expires: 7/10/2026
 Type of License: Principal Auctioneer
 History: None

Anonymous Complainant alleged the Respondent conducted unlicensed activity by conducting automobile auctions at Respondent's place of business without the necessary automobile auctioneer license. Complainant provided a photo of Respondent's parking lot which, while the vehicles were not labeled "For Sale," appeared to be stored there for what Complainant alleged was an auction.

Respondent's attorney ("RA") provided a response on behalf of the Respondent. RA stated a licensed motor vehicle dealer contracted with Respondent to liquidate part of the dealer's inventory, and both parties believed the Respondent would not be required to obtain the automobile auctioneer license because of the dealer exemption provided in Tenn. Code Ann. § 55-17-109(a)(2). After consultation with RA, Respondent was advised that the exemption requires the liquidation of the motor vehicle dealer's inventory take place at the dealer's established place of business, not the auctioneer's. Respondent cancelled the auction.

Recommendation: Dismiss.

Commission Decision: The Commission voted to accept counsel's recommendation.

4. **2026010631**
 Opened: 3/9/2026
 Unlicensed
 History: None

Complainant alleged Respondent, , who is based in another state and holds an auctioneer license there, is conducting unlicensed activity. Specifically, Complainant alleged Respondent advertised a public auction of equipment to be conducted in Tennessee.

Respondent stated they believed they were not required to obtain a license because the auction was conducted online rather than as a live, in-person auction. Respondent apologized for relying on outdated information and stated they would pursue any licensing required to ensure full compliance going forward.

Recommendation: Five Hundred Dollar (\$500) civil penalty for unlicensed activity in violation of Tenn. Code Ann. § 62-19-102(a)(1).

Commission Decision: The Commission voted to accept counsel's recommendation.

5. **2026011161**
 Opened: 4/6/2026
 Unlicensed
 History: None

Complainant alleged Respondent advertises weekly auctions on social media. Complainant noticed the advertisements did not contain the principal auctioneer's license number. Complainant investigated further and learned the Respondent does not have an auctioneer license. Complainant provided a copy of an advertisement for an in-person auction that was to be held on February 20, 2026, at an "auction house" that included pictures of items to be auctioned. The most recent advertisement was for an auction held on May 1, 2026.

Respondent did not respond to the complaint.

Recommendation: Five Hundred Dollar (\$500) civil penalty for unlicensed activity in violation of Tenn. Code Ann. § 62-19-102(a)(1).

Commission Decision: The Commission voted to accept counsel's recommendation.

6. **2026017611**
 Opened: 4/13/2026
 First Licensed: 8/15/2001
 Expires: 6/7/2027
 Type of License: Principal Auctioneer
 History: None

Complainant was the high bidder at an auction for real property. Complainant and the sellers executed a sales agreement and receipt for the deposit of the earnest money. Respondent's company was designated as the holder of the funds in escrow until closing. After the agreement was executed but prior to closing, a storm took down a tree and caused substantial damage to structures on the property. Complainant alleges they properly executed their right to cancel the contract and demanded the return of their earnest money. Complainant alleges Respondent refused to return the money in violation of T.C.A. § 62-19-112(a)(4).

Respondent stated the parties were in negotiations for a reduced selling price for the property because of the damage. Both parties retained attorneys and offers to settle were made in good faith. Respondent stated that while they and the Complainant were attempting to resolve the issue, the owners of the property received an offer to purchase from a neighbor. The owners were advised they had the ultimate decision as

to what offer to accept and chose to accept the neighbor's offer. Complainant followed up with Counsel and advised they had reached a settlement with the Respondent and asked for the complaint to be withdrawn. As there is insufficient evidence of a violation of the rules or applicable statutes, Counsel recommends the matter be dismissed.

Recommendation: Dismiss.

Commission Decision: The Commission voted to accept counsel's recommendation.

7. **2026020991**
 Opened: 4/13/2026
 First Licensed: 3/9/2023
 Expires: 3/8/2027
 Type of License: Public Automobile Auction
 History: None

Complainant alleged they purchased a vehicle from Respondent on February 28, 2026. Respondent contacted Complainant on March 16, 2026, and informed Complainant the title was available to be picked up at Respondent's office. Complainant alleges they tried to register the vehicle in their name at the county clerk's office and were told there was an existing lien, and the dealer/seller was not in good standing with the state where they were located. Complainant alleges they requested a refund from Respondent and Respondent refused. Complainant alleges Respondent is in violation of Tenn. Code Ann. § 62-19-128(c) which states, "Prior to a motor vehicle being subject to a public automobile auction, the public automobile auctioneer shall verify that the motor vehicle has a clean and unencumbered title, by obtaining a valid motor vehicle title history from the department of revenue or if the motor vehicle is registered in a state other than this state, the appropriate titling agency in the other state."

Respondent stated the Complainant agreed to their standard terms and conditions which includes a statement that the title would not be available the day of the sale, and bidders agree to give Respondent thirty (30) days to deliver clear title. Respondent denied there was a lien on the vehicle, provided documentation that the only issue was the standing of the dealer/seller in their licensing state which was cleared up within a few days of Complainant notifying Respondent about the problem. Respondent states they delivered a clear title within thirty (30) days. Despite the Respondent meeting the terms and conditions of the sales agreement, Respondent offered a full refund to Complainant who was told to return the vehicle to the Respondent and they could then pick up their refund check. As there is insufficient evidence of a violation of the rules or applicable statutes, Counsel recommends the matter be dismissed.

Recommendation: Dismiss.

Commission Decision: The Commission voted to accept counsel's recommendation.