

**Application for Resident Auctioneer License**

Pursuant to Minnesota Statutes Chapter 330

**New**  **or Renewal**

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|--|
| Office use only:<br>License #<br><b>42-</b> _____<br>Expiration Date:<br>_____ |
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To the Lyon County Auditor of the State of Minnesota:

The undersigned hereby applies for a license to conduct the business of an auctioneer in the State of Minnesota for the period of one year and in support of issuance of the license the Applicant states the following to be true:

1. That the applicant's date of birth is \_\_\_\_\_ and is 18 years of age or over; and
2. That the applicant is now and has been a resident of Lyon County for at least six months immediately preceding the date of application; and
3. That the applicant has paid the required fee of \$20.00.

Dated this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_

Identification #: \_\_\_\_\_ (SSN, FEIN or MN Tax ID)

\_\_\_\_\_  
Address, City, State, Zip

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
Print: Full Name

- **Attach a copy of your Bond Continuation**

**CERTIFICATION OF COMPLIANCE  
MINNESOTA WORKERS' COMPENSATION LAW**

Minnesota Statutes, section 176.182 requires every state or local licensing agency to withhold the issuance or renewal of a license or permit to operate a business or engage in an activity in Minnesota until the applicant presents acceptable evidence of compliance with the workers' compensation insurance coverage requirement of Minnesota Statutes, section 176.181, subd. 2, by providing the name of the insurance company, the policy number and dates of coverage or a permit to self-insure. **This information will be collected by the licensing agency and retained in their files.**

This information is required by law, and licenses and permits to operate a business will not be issued or renewed if it is not provided and is falsely stated and shall result in a \$1,000 penalty assessed against the employer by the Commissioner of the Department of Labor and Industry for failure to comply.

Insurance Company Name: \_\_\_\_\_  
(NOT the insurance agent)

Policy #: \_\_\_\_\_

Dates of Coverage: \_\_\_\_\_ to \_\_\_\_\_

I am not required to have Workers' Compensation liability coverage because:

- I have no employees
- I am self insured (include permit to self-insure)
- I have no employees who are covered by the Workers' Compensation law  
(These include spouse, parents, children and certain farm employees)

I certify that the information provided above is accurate and complete and that a valid Workers' Compensation policy will be kept in effect at all times as required by law.

NAME: \_\_\_\_\_  
  Last  First  Middle

DOING BUSINESS AS: \_\_\_\_\_ PHONE: \_\_\_\_\_  
(Business name if different than your name)

BUSINESS ADDRESS: \_\_\_\_\_ CITY, STATE, ZIP \_\_\_\_\_

SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_

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**Minnesota State Statutes pertaining to Auctioneers**

**Chapter 330**

**330.01 AUCTIONEERS' LICENSES, TO WHOM GRANTED.**

Subdivision 1. Generally. (a) The county auditor may license any person having the qualifications specified in clause (b) of this subdivision as an auctioneer. The license shall be issued by the auditor and shall authorize the licensee to conduct the business of an auctioneer in the state of Minnesota for the period of one year. It shall be recorded by the auditor in a book kept for that purpose. The license must specify the county issuing the license and must contain a number that individually identifies the auctioneer holding the license. Before the license is issued the applicant shall pay into the county treasury a fee of \$20.

(b) A natural person is qualified to be licensed as an auctioneer if 18 years of age or over and a resident of the county of application for at least six months immediately preceding the date of application. No copartnership, association or corporation may be licensed as an auctioneer. However, nothing in this subdivision shall be construed as preventing auctioneers who are duly licensed in accordance with the provisions of this chapter, from combining in associations, copartnerships, or corporations, provided that each and every member of these associations or copartnerships and each and every person or agent conducting auction sales on behalf of these corporations is a duly licensed auctioneer as provided in this chapter. Nothing herein shall be construed to apply to the owner of property for at least six months selling it at an auction.

**330.02 BOND.**

Every auctioneer, before making sales, shall give a corporate surety bond to the county in a penal sum of not less than \$1,000 nor more than \$3,000 to be fixed by the treasurer and with sureties approved by the treasurer, conditioned that the auctioneer will pay all sums required by law and in all things conform to the laws relating to auctioneers. The treasurer, for approval, shall endorse the bond, and file it in the treasurer's office.

**330.025 CITY OR TOWN LICENSES.**

Notwithstanding sections 412.221, subdivision 19, and 368.01, subdivision 11, or other law or provision of home rule charter to the contrary, a statutory or home rule charter city or town may not require a person licensed as an auctioneer by a county and bonded under this chapter to obtain an additional license or give an additional bond in order to act as an auctioneer in the city or town. A statutory or home rule charter city or town may require an auctioneer who intends to conduct an auction in the city or town to submit proof of licensure and compliance with the bond requirements of this chapter at least 14 days before the date of the auction.

**330.03 ACCOUNT OF SALES.**

Every auctioneer shall keep an accurate account of all property sold, the names of the persons from whom the same was received and of those to whom it was sold, and the price.

#### **330.04 FORFEITURE FOR RECEIVING GOODS FROM MINORS OR SERVANTS.**

Any licensed auctioneer who shall receive property for sale from any minor or servant, knowing the person to be a minor or servant, shall forfeit to any person injured a sum not exceeding \$200.

#### **330.05 SALES IN UNAUTHORIZED PLACES; PENALTY.**

Any person occupying or having control of any building, who knowingly permits the sale of property at public auction in such building, or in any apartment or yard appertaining thereto, contrary to the provisions of this chapter, shall be guilty of a misdemeanor.

#### **330.06 UNLICENSED SALES.**

Any person who shall sell or attempt to sell, either directly or indirectly, or as the agent of a duly licensed auctioneer, any property at auction without being licensed as an auctioneer, as herein provided, shall be guilty of a misdemeanor; but the provisions of this chapter shall not extend to sales made by sheriffs, coroners, collectors of taxes or sales of personal property under chattel mortgage or other lien.

#### **330.08 ADVERTISEMENTS.**

All advertisements of auction sales shall carry the name or names, address or addresses, and the license number or numbers of the auctioneer or auctioneers conducting said sales.

#### **330.09 NOTIFICATION OF CHANGE OF ADDRESS.**

Notice in writing shall be given to the auditor of the county where licensed by each licensee of any change of address, whereupon the auditor shall issue a duplicate license showing the licensee's new address for which a fee of \$3 shall be paid into the county treasury. A change of address, without notification to the auditor, shall result in the automatic cancellation of any license theretofore issued after the expiration of 30 days from the date of such change of address.

#### **330.10 WRITTEN CONTRACT WITH OWNER OR CONSIGNEE OF PROPERTY OR MERCHANDISE FROM TRANSIENT MERCHANTS.**

Subdivision 1. Written contract. Prior to sale at public auction every auctioneer shall enter into a written contract with the owner or consignee of any property to be sold, containing the terms and conditions upon which the sale will be conducted.

Subd. 2. Property from transient merchant. Prior to sale at public auction of any property received or acquired, directly or indirectly, from a transient merchant as defined in section 329.099,

the auctioneer shall require proof that section 329.11 has been complied with by the transient merchant with respect to such property; and the auctioneer shall retain such proof for one year.