

Pre-Licensing/Pre-Education Frequently Asked Questions

What is the most important application response concern? Be thorough and honest. Incorrect or incomplete response information can and does cause license applications to be denied.

What other application issue frequently creates problems? Failure to realize that the word ever means **EVER**. *(The exception is that subsequently expunged criminal history information does not need to be disclosed.)*

Will a criminal record keep me from being approved for an auctioneer or auction firm license? Possibly, but each application is reviewed on its own merits, and on a case-by-case basis. Further, any criminal history-based denial decision can only come following consideration and analysis of the factors listed in N.C.G.S. 93B-8.1(b)(b1) and N.C.G.S. 85B-3.2(d).

I happen to have some criminal record issues in my past. Prior to beginning any education or sending in a license application, is there a way that I can learn if my particular situation will preclude me from being issued a license? YES. You can see information to request a predetermination decision at <http://www.ncalb.org/pdfs/Form%201%20NCA.19%20NC%20Resident%20Auctioneer%20Application%20Exam%20Package.pdf> or by contacting NCALB staff.

Do I have to complete auctioneering school before seeking a predetermination decision from the Board? No. If you suspect that your criminal history may ultimately keep you from being approved for a license, you may want to request a predetermination decision from the Board prior to investing the time, energy, and expense involved in attending auction school.

Why does the application ask about financial matters? Upon being issued a license, auctioneers are permitted to assume the fiduciary duty of being trusted with the property (and proceeds from the sale of property) of their auction clients.

Will adverse financial information in my past preclude me from being approved for a license? Possibly. The Board assesses the past and current status of applicants and may deny licensure upon determination that a demonstrated lack of financial responsibility exists.

Do I have to provide a credit report? The Board may require a current credit report in certain circumstances, including bankruptcies, unsatisfied judgments, and worthless check criminal convictions.

Can I get a pre-determination decision regarding financial issues from the Board regarding financial issues prior to submitting a license application? No. North Carolina law requires occupational licensing boards to make criminal history-based predetermination decisions when requested, but not for any other reason.

If my application is not approved by the Board, is there any opportunity to appeal that decision? Yes. Any applicant whose license application has initially been denied has 30 days from the date of notification to request a formal administrative hearing before the Board. This is an opportunity to challenge information, present evidence, present witnesses, and offer testimony prior to the Board reaching any final agency decision.