IMPORTANT AUCTION INFORMATION

Definitions, licensing guidance, and specialized auction requirements

Auction with Reserve

The auctioneer may withdraw the goods at any time until he/she announces completion of the sale. The goods may be put up subject to the seller's confirmation or subject to a certain reserve price. At an auction with reserve the seller has the right to reject or confirm a bid. This does not automatically give the seller, or anyone acting on the seller's behalf, the right to bid. It is not required to announce the reserve price when it is met.

Absolute Auction

The item will change ownership regardless of price. ALL auctions in Louisiana are absolute unless otherwise stated.

As Is

There is no guarantee or warranty for the item.

Buyer's Premium

A fee charged to buyers at some auctions. The buyer's premium is a percentage that is added to the last or final bid amount to determine the actual selling price. At all auctions that include a buyer’s premium, the amount of the buyer’s premium shall be announced at the beginning of the auction, and a written notice of this information shall be conspicuously displayed or distributed to the public at the auction site.

Consignor

The person or authorized agent or entity that consigns goods to an auctioneer. The consignor is usually the seller.

Consignee

The auctioneer, apprentice auctioneer, or auction firm to whom goods are entrusted by another (consignor) for sale at auction.

Auction Contract or Agreement

The agreement between the auction firm or the auctioneer and the seller (or his/her agent) where the parties agree to the offering of certain personal or real property for sale at auction as set forth in the contract. All auction contracts or agreements with a value over $500 are required by law to be written and must contain the terms and conditions upon which the auctioneer or auction firm received the property for sale. There must be a signed auction contract or agreement before any advertising is begun. A signed copy of the contract or agreement must be provided to the owner and the auctioneer or auction firm must retain a copy.

Subject to Confirmation

The auctioneer will contact the seller with the high bid and the seller will determine whether to accept or decline the sale.

Additional Info:

Licensees may **not** bid on their own behalf but may bid on behalf of the consignor to protect the consignor.

Once the hammer falls, the sale is final and legally binding.

Special Auction Information

Cut Flowers

To auction cut flowers, please contact the Louisiana Department of Agriculture and Forestry. www.ldaf.louisiana.gov

East Baton Rouge Parish Auctions

To hold an auction in East Baton Rouge parish, you must apply for an auction license directly from them in addition to your LA Auctioneer's license. Contact the Department of Finance, Revenue Division at 225-389-3084.

Firearms

To auction firearms (regardless of the number sold), please contact the Bureau of Alcohol, Tobacco, Firearms and Explosives. https://www.atf.gov/new-orleans-field-division

Internet Auctions

Effective January 1, 2021, Act 327 of the 2020 Regular Legislative Session will require ALL online auctions to be properly licensed by this Board if the auction or item being sold at auction is located in Louisiana.

Auction means the sale by competitive bid by means of a verbal exchange, regular mail, telecommunications, or the internet of any property which sale consists of a series of invitations for offers to purchase property made by the auctioneer and or offers to purchase made by members of the audience culminating in the acceptance by the auctioneer of the highest or most favorable bid.

Auction includes but is not limited to all the following:(all require proper licensing)

- Live auctions
- Online auctions
- Real-time auctions
- Extended auctions
- Any similar events as may be devised with the development of technology

Livestock Auctions

To auction livestock, please contact the Louisiana Livestock Sanitary Board at 225-925-3980. www.ldaf.louisiana.gov

Manufactured Home Sales

If you sell manufactured homes at auction that have a HUD sticker (regardless of the number sold), you must be licensed by the LA Manufactured Housing Commission http://sfm.dps.louisiana.gov/mh_contact.htm

Further, Louisiana Administrative Code- Title 55 – Public Safety states: http://lpg.dps.louisiana.gov/rules.html

b. Louisiana manufacturers and dealers of mobile homes, motor homes, travel trailers, or any recreational vehicles shall comply with all state and federal safety standards and perform all safety tests on mobile homes, motor homes, travel trailers, or any recreational vehicles using liquefied petroleum gas.

c. Upon delivery of a mobile home, motor home, travel trailer, or any other recreational vehicle, new or used, the required installation report, and inspection and testing of any liquefied petroleum gas system and appliances shall be performed by the dealer or any entity performing functions as a dealer, using liquefied petroleum gas in the system. An installation report properly completed and signed by the customer or his/her authorized representative must be sent to the director of the Liquefied Petroleum Gas Commission verifying that the tests were performed and that the test was eye witnessed by the customer or his/her authorized representative.

d. The mobile home or recreational vehicle dealer or entity performing functions as a dealer must have a permit with this commission and is responsible to this commission to make the required installation report, perform the required inspection and safety tests or make arrangements for it to be made by a qualified permit holder.

All mobile homes, motor homes, etc. that have a gas line must be tested prior to delivery. You have the option of getting someone in your organization trained to test these units or you must use someone who is already qualified.

Please contact the LA Liquefied Petroleum Gas Commission for any additional information you may need at (225) 925-4895.

Real Estate Auctions

In Louisiana, it is not required to be a licensed realtor in order to auction real estate if you are a licensed auctioneer; however, it is necessary to be sure you are meeting the requirements issued by the Louisiana Real Estate Commission. www.lrec.gov This board highly recommends you have a broker involved in the process.

Titled Vehicle Auctions

Auctioneers or auction houses who are not engaged in the auction of used motor vehicles as the principal part of their business, including but not limited to the following auctions: estate auctions, bankruptcy auctions, farm equipment auctions, or government auctions are exempt from holding a separate license. All questions should be directed to the LA Used Motor Vehicle Department at (225) 925-3870. https://lumvc.louisiana.gov/