

LOUISIANA AUCTIONEERS LICENSING BOARD

STATE OF LOUISIANA

**CONSENT JUDGMENT
AS TO FINDINGS OF FACT AND TO VIOLATIONS OF STATUTE**

**HENDERSON AUCTIONS, OPERATING UNDER
JEFFREY HENDERSON AND J A H ENTERPRISES, INC., License Number 1160
DOCKET NUMBER 16-005**

The Louisiana Auctioneers Licensing Board, hereinafter the Board, by and through its Chairman, pursuant to authorization by the Board in open meeting, and JEFFREY HENDERSON, for and on behalf of Henderson Auctions, Respondent, agree to the following:

That Henderson Auctions did allow an unlicensed person, Amy Assiter to call an auction in January, 2016, during one day only, in violation of LSA-R.S. 37:3121 (A) (8). when Respondent knew or should have known that she was not licensed to call auctions in the State of Louisiana. As a mitigating factor, the Board recognizes that the Respondent has fully and timely cooperated with the Board's investigation and, further, Mr. Henderson was not aware at the time this occurred that Ms. Assiter was to call any part of the auction in question.

Respondent has further mitigated liability by admitting to the violations and assisting Ms. Assiter in getting a license with the Board. The Respondent further agrees that the auction will not use unlicensed auctioneers for calling auctions in the State of Louisiana in the future.

The Board therefore is of the opinion that Respondent violated the following section of the Louisiana Auctioneers Licensing Act (the Act).

Sec. 3121 Causes for nonissuance, suspension, revocation, or restrictions; fines; reinstatement

A. The board may refuse to issue or may suspend, revoke, or impose probationary or other restrictions on any license issued under this Chapter for any of the following causes:

...
(8) Aiding or abetting a person to evade the provisions of this Chapter or knowingly combining or conspiring with an unlicensed person or acting as an agent, partner, associate or otherwise, of an unlicensed person with intent to evade provisions of this Chapter

The Board wishes to dispense with the need of a hearing and to conclude this proceeding without further delay and expense, for the purpose of this proceeding only. The Respondent agrees to the facts as stated above, and has agreed to the penalty to be paid as follows:

The Board is authorized to impose various forms of discipline. The Board has determined that the Respondent will pay \$500.00 in a fine for this violation.

Respondent admits that the conduct as set forth above, while unintentional, constitutes violations of the Auctioneer Licensing Laws and Regulations as described above. Respondents acknowledges said laws and regulations and states that he and his auction will comply with all applicable laws and regulations from this point forward. Respondent has been advised of his right to be represented by counsel before the Board and to appear at any hearing and present evidence and witnesses on behalf of himself and his auction. He waives this right and his right to appeal, and he states affirmatively that he has been afforded all administrative remedies due him under the law. Respondent agrees to the foregoing findings of fact and the findings of violations of the Louisiana Auctioneers Licensing Law. Respondent agrees to the penalties noted herein. Respondent also waives any Notice of Noncompliance.

Respondent does hereby waive his right to a hearing before the Board, to the presenting of evidence and witnesses on his behalf, to the Findings of Fact and Conclusions of Law in this case, and to judicial review of the consent judgment.

Respondent hereby represents that he fully understands the meaning and intent of this Consent Judgment, including but not limited to its final and binding effect. Respondent further represents that he has voluntarily entered into this Consent Judgment and that no other promise or agreement of any kind has been made to or with him by any person whatsoever to cause the execution of this instrument. In addition, Respondent understands that the sanctions set forth in this Consent Judgment do not prevent the Board from taking further disciplinary or enforcement action against Respondent on matters not specifically addressed in this Consent Judgment.

WHEREFORE, the Louisiana Auctioneers Licensing Board and Respondent agree that Respondent will pay a fine of \$500.00, due upon the signing of this Consent Judgment; and that the Consent Judgment will not become effective unless and until it is accepted and signed by and on behalf of the Board. Should the Board not accept and sign this Consent Judgment, it is agreed that the presentation of this matter to the Board shall not prejudice the Board or any of its members, staff, attorneys or representatives from further participation, consideration or resolution of any further proceedings herein.

By order of the Board this _____ day of _____, 2016.

LOUISIANA AUCTIONEERS LICENSING BOARD

BY: JACOB WARREN, CHAIRMAN

DATE: _____

JAH ENTERPRISES, INC.
DBA HENDERSON AUCTIONS

DATE: 9/7/16



BY: JEFFREY HENDERSON, PRESIDENT