

Auctioneer board member opposes dealer's license

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- ⌵ Advocate business writer
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A state Auctioneers Licensing Board member has asked the board to revisit its decision last month to allow antiques dealer Ken Buhler to regain his auctioneer's license, which was revoked in 2006.

In a letter to board Chairman Ken Comer, board member Freddie Phillips claims Buhler is not a Louisiana resident and is therefore ineligible for the Louisiana residential license for which he's applying.

Buhler wants the Louisiana license because he can't get an auction license in Texas, where he lives, Phillips says in the letter. Louisiana and Texas have reciprocal licensing agreements, but Buhler has not applied in Texas, he said.

The board should have been made aware that Buhler is a Texas resident, and a full discussion of his application should have taken place, Phillips said.

Phillips claims there were other things the board didn't know that would have likely affected the Sept. 21 vote.

Phillips claims in the letter that Buhler:

- Owes the state nearly \$155,000 in unpaid sales and other taxes, \$356,625 to the Internal Revenue Service and around \$8,000 in sales taxes to East Baton Rouge Parish.
- Has not repaid people who lost money when his former auction businesses failed.

"Given these facts, I do not see how the Board can reinstate Mr. Buhler's license," Phillips said in his letter. "To do so would be to thumb our noses at the very laws we are sworn to enforce."

Buhler could not be reached for comment.

Comer referred calls to Anna Dow, the board's attorney. Dow said adding an item to the agenda about Buhler's license application is up to Comer.

There may be some confusion about the status of Buhler's application, she said.

"Mr. Buhler's license was not technically reinstated. His right to apply technically was approved," Dow said.

Buhler still has to go through the application process, and that includes the licensing test, which Buhler has not taken, Dow said. In addition, Buhler is not attempting to get his license until Jan. 1, which means the board has three months to take action, she said.

Dow said she could not go into too much detail but that the board is looking into the information provided by Phillips.

Buhler's license, if granted, would be restricted, Dow said. He would have to sign an agreement stating that he would not directly handle money or be consigned property.

At the September board meeting, Buhler said he was willing to abide by those restrictions.

Dow said Buhler's tax issues could affect his license application.

The board is trying to get documentation on what Buhler owes, Dow said. The sales tax information is confidential, and Dow said she is trying to confirm that information through court records or by getting the information from Buhler.

“Part of what we asked him to do originally was to provide a payment plan,” Dow said. “Now income tax is different, and we were not aware of that, and I am looking into whether that could affect his licensing status.”

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