

# MSAA SUPPLEMENT

Do Buyers Find Property or  
Does Property Find Them?

pg 8



## MSAA SUPPLEMENT

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# Welcome

Thanks for taking the time to read the official web publication of the Minnesota State Auctioneers Association. We take pride in our association and are excited to provide this supplement, to assist our members in gaining a greater understanding of their benefits, and the auctioneering profession as a whole.

## Viewing Instructions

If some sections have print that is too small for you to read easily, go up into your VIEW menu at the top of your screen and scroll down to ZOOM, or even click on the "View at Full Screen/Full Screen Mode" option in the VIEW menu. You can also print the document if you wish.

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# Announcements

## Announcements?

Do you have an announcement or thank you to pass along to our membership? This space is reserved for items of note each month for our membership to know. If you have any announcement to post, please send them to Frank Imholte. [frank@solditatauction.com](mailto:frank@solditatauction.com)

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# When it is Your Turn to Write an Article

*Thoughts From Your EVP*

**Col. Frank Imholte**

Executive Vice President, MSAA  
Black Diamond Auctions

Contact [✉](#)



Over the years, many of the seeds planted in my youth have matured and taken root as a stronghold of values and beliefs. Some came down from my parents, some were just sayings, and some were traditions. As time passes, the more things change, the more they stay the same. Many years ago, my friend Lowell Gilbertson told me that many ideas get reworked and brought back as new. I guess that is why the older generation maybe does not get as excited because they have seen the idea before in their life.

Dad told me as a youth to not hire relatives and family as "ya can't fire them and ya have to live with them." I set out to prove him wrong with our family business. Many a day I think he was right when I forget these are the ones I love the most in this world. The blessings outweigh the problems and each of my kids knows how to work and they all make me proud to be their dad.

My favorite chant comes from Mike Schultz when he says, "Are you done, done, done?" Ma always said, "nothing gets done 'cept chicken." That, too, can get overdone if you aren't watching.

This winter has been hard on me. Not the cold or snow, just on my memory. I told my Mom that the other day and she said you come by it naturally. I'm concerned I won't remember the promises I make.

The secret to success is simple. It is the place in the road where preparation and opportunity meet. Unfortunately, most people don't find it because it comes disguised as hard work. I think I learned that from Ann Landers. Some say you need to work smarter, not harder. I think it is a bit of both.

If it ain't broke, don't fix it. If you do what you've done, you'll get what you've got. Always set goals, you'll achieve more, do more, and live a more full life and enjoy the journey.

How do you get auctions from the established auctioneers in your area? According to Hall of Fame member Don Babbit, you just got to "outlive 'em." He told me that in 1980 and as I see members pass on, I am starting to believe him (34 years later).

If you want something done right, find the busiest person. This has helped me many times get into work and get the right person to help me too. You know the old saying, "The idle mind is the devil's workshop."

When the time comes to put me out to pasture, I'd rather be seen in the pasture than viewed in the future. Cause it's always better to be seen rather than viewed!

Well, I filled a page with nonsense, sayings, and thoughts because I bet a friend that anyone can blog along.



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## UCC Resources You Need

**Greg Christian**

Director, MSAA  
Auction Masters

Contact [✉](#)



**S**tephen Proffitt was very helpful in shining some light on the ins and outs of the UCC in his presentation at the January Conference. After hearing this presentation, I wanted to share about a great resource that auctioneer Kevin Hiller turned me on to several years ago. I am referring to the Minnesota Secretary of State online access website. It is a service that we have in Minnesota for searching UCC files, and I highly recommend it. There are also some tips for using the service that we have picked up over the years.

Many of you are already using this service, but if not, you will find it fairly priced, efficient, and easy to use. To visit the Subscription Request page, [click here](#).

There is a \$75.00 annual fee to subscribe. Each search is \$5.00 and you can bank money in your account, so each time you do a search it debits directly from your account. Adding credit to your account can be made by check or credit card.

You can search by debtor name, file number, etc. Both businesses and individuals can be searched. You get the information instantly, including the name and location of the creditors. For an extra \$20.00 per search, a printed certified copy is available. Equally important, the dates of when the lien was filed are available. The law states that all creditors listed must be notified 10 days before the sale of assets. We have found that the creditors are always happy to hear from us. In some cases we have notified debtors after the auction. They are usually happy to hear from you too, especially if you have money for them.

The Minnesota Secretary of State online access website is easy to use and checking for filings is a must do. If you need assistance, the phone is always answered and the staff is very helpful.

Two important tips for using the service: When entering a business name, use the shortest version. For example, use Acme instead of Acme Potato Peelers. Also do not enter an address or city. By doing it this way you may find the lien from the loan they made at a previous business location or another business they had with a similar name. This way you will have to sift through similar business names, but it is worth doing.

**Office of the Minnesota  
Secretary of State**

Retirement Systems of  
Minnesota Building  
60 Empire Drive, Suite 100  
St. Paul, MN 55103

Metro Area 651-296-2803  
(9:00 AM to 4:00 PM)

Greater MN 1-877-551-6767  
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- NAA Life Member
- NAA Designee, CAI, AARE, CES, ATS
- NAA Volunteer:
  - Election Committee Chair
  - Mentoring & State Ambassador
- Full time auctioneer
- 35 years in the auction industry
- Iowa Auctioneers Association (IAA) Hall of Fame 1999
- Bid-Calling Champion 2001
- Past President, Officer, Director
- Chair of various committees
- Wyoming Auctioneers Association (WAA) Director 2011-12, 2014 - present
- Active member of Colorado, Iowa, Wyoming Auctioneers Associations
- Member MarkNet Alliance

*I would appreciate your vote in Louisville at Conference>Show.*

*I look forward to the opportunity to serve the many great members of the NAA.*

Endorsed by the Auctioneers Associations of Colorado, Iowa & Wyoming.



You can only search for Minnesota businesses on this site. I am sure there are many other services for out of state searches. For outside of Minnesota, we use [Corporation Service Company](#). Their fee is \$70.00+ a search.

Retrieving a debtor's file is only the first step. Reading, interpreting, and checking it can be quite time consuming. Just because a secured party is listed on the UCC does not mean you can trust it. Check the secured collateral to be sure what you sold is secured. Secured parties often do not update the UCC once the debt has been satisfied, nor do they list the amount of the debt. Each secured party should be contacted until you have reached the total auction proceeds. Watch the filing date to determine debtor priority.

Another thing that can be confusing is that oftentimes some items on an auction will not be included in the blanket lien. They may be leased items, like copy machines often are. There may be a lien on just one piece or on a group of equipment.

Checking into these specifics more carefully can be really important.

If you are not confident in whom to pay, the funds can be filed with the court. The parties involved may not like it because of the hassle of legal procedure. Often there is a tax lien and the IRS can be very helpful in providing a levy, which is a document ordering the auctioneer to pay the funds to the IRS. This works great for sellers that "forget" to disclose that there are liens and are hoping to use the money for something "more important."

It can happen that a lien can be filed right up to the auction date. It may be worth the \$5.00 to check one more time before payout. This is another reason that the ease and affordability of the Secretary of State website is such an asset to the auctioneer.

**"Folks are usually about as happy as they make their minds up to be."**

**Abraham Lincoln**



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# Do Buyers Find Property or Does Property Find Them?

## *The 1 Million Dollar Question*

**Mike Brandy**

Auctioneer, Keller Williams Auctions and Goodwill Columbus Car Auction

Contact [✉](#)



Prior to the Internet, people interested in buying something had to find it. In fact, there was a lot less searching then, as before the Internet, many times people didn't even know they wanted something because they didn't know it existed — and didn't know they wanted it.

Pre-Internet, people drove to stores and looked around, asked their neighbors where they got one, maybe looked at circulars or catalogs, but for the most part they had to search ... and hopefully find.

Today, in 2014, I wonder if the property more so finds them? For instance, not a day goes by that I don't receive an email from eBay regarding saved searches. Google places ads on a variety of websites I visit, apparently based upon my prior searching, and I receive other emails, text messages, and even mailers about items I'm currently in the market for or have been searching for prior.

In other words, do buyers still find property or does property find them?

Sure, if I want to buy a 1986-1987 Cadillac Fleetwood, I can search Google, eBay, Craigslist, car dealers, etc. online. If I find one — great. But if I don't, it's likely one will find me in the next few days.

Even when the property isn't finding us, it's certainly easy to find — almost like it finds us. I can go to AuctionZip.com and search for my 1986-1987 Fleetwood and find any which are scheduled for auction all across the country. But, I can set up a saved search so I get an email if one is listed in an auction advertisement.

Serious collectors of anything (certain guns, coins, cars, pottery) likely have set up saved searches on AuctionZip and eBay at minimum. Plus, Google is probably showing them the product listed elsewhere on the Internet.

Further, we shouldn't forget about word-of-mouth. Growing up in the 1960's and 1970's, we literally would go days if not weeks without talking to more than 1 – 2 – 3 people. Today with cell phones and texting, I can easily reach anyone almost any time of day but with Facebook and other similar Internet sites, I can reach 1,000's of people with a click of my mouse.



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And, while it's 2014 — it's only 2014. What's on the horizon? It would seem companies are gathering immense amounts of data about their potential future customers and are right to find those buyers for what they have to offer, for which they have good reason to believe they want. Today, studies are being conducted and technologies being explored using "predictive social analytics" in search of the "right" customers.

It's not expensive nor difficult to find these buyers. In the Internet age, the most expensive part of amassing a database of potential buyers and staying in touch with them is amassing the database; and such data gathering is fairly

economical. Once the potential buyers are identified, a postcard can be mailed, an email can be sent, a Facebook post can be written — at virtually no cost.

As a result, if I have searched for a 1986-1987 Cadillac Fleetwood, or bid on a 1986-1987 Cadillac Fleetwood, or registered for an auction offering (2) 1986-1987 Cadillac Fleetwoods, or joined a Facebook group for collectors of 1986-1987 Cadillac Fleetwoods ... when another one is for sale, that car will find me much more so than I will have to find it.

We run a weekly auction at our auction house in central Ohio. Our inventory varies from antiques, cars, tools, jewelry,

boxed lots, furniture ... week to week. I'm standing with a buyer who attended last week's auction and bought a few things. He asked me how we handle guns, as he didn't see any "gun buyers" at last week's auction.

Of course, we didn't have any guns last week, so the likelihood of a bunch of people looking for guns showing up at last week's auction was unlikely. I told this buyer, "The gun buyers don't necessarily show up here every week looking for guns ... when we have guns (which we often do), the guns find them."

When I first started in the auction business, I remember telling people that we would advertise their auction in the local newspaper, as

"everyone" looks there on Sunday for auctions. Today, there aren't many auctioneers charged with marketing an auction who don't think about how they can find those buyers, rather hoping those buyers find them.

*Mike Brandy, Auctioneer, CAI, AARE has been an auctioneer and certified appraiser for over 30 years. His company's auctions are located at: Mike Brandy, Auctioneer, Keller Williams Auctions and Goodwill Columbus Car Auction. His Facebook page is: [www.facebook.com/mbauctioneer](http://www.facebook.com/mbauctioneer). He serves as Adjunct Faculty at Columbus State Community College and is Executive Director of The Ohio Auction School.*

*This article was originally published at [mikebrandyauctioneer.wordpress.com](http://mikebrandyauctioneer.wordpress.com), and had been republished with author's permission.*



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## Negotiation Tip

### Never Say List: Part 2

**John Hamilton, DREI**  
[www.GoodNegotiator.com](http://www.GoodNegotiator.com)  
Contact 



In Part 1 we identified some words and phrases that should be added to your “Never Say List.” You may recall that we suggested: a) that you avoid the word “between,” as in giving a range of numbers; and b) the question “Why don’t you throw out a number?”

Let’s build on those with two more “never say” candidates.

#### 3. “I’m the decision maker”

While it’s nice to be decisive and the one making the call, in negotiating you don’t want to be in that role (or let on that you are in that role, even if you are).

You might not need the leverage or strategy of having to check with someone else before agreeing to a deal, but it’s always good to have that option in reserve. You don’t have to disclose the need to check with someone else when the bargaining begins, nor do you have to say that you’re the final decision maker.

Just keep that option in reserve, and avoid saying “I’m the decision maker.”

#### 4. “I think we’re close to a deal”

If you are, then close the deal! Giving your opinion serves no useful purpose. It can only work against you. You just don’t need to announce your perception of the proceedings.

By using that phrase you are telling your opponent that you think the

deal is imminent. Upon hearing that, they’d be wise to start stalling a bit or slowing things down. That’s because you may be vulnerable to bargaining fatigue and even considering concessions that you’d later regret in a rush to the deal.

Actually, a very powerful alternative is when you THINK you’re close, consider sharing, “I sense we’re still a good ways apart.” Your opponent will be confused because that’s probably not their take on things and then they may feel pressure to consider concessions to keep the bargaining going.

As we said before, every situation is unique and has its own pressure points, but shooting oneself in the foot by saying the wrong thing can be costly.

If you, like me, are prone to utter these “Never Say” words and phrases, then raise your attention to avoiding them or developing alternatives that are more productive and powerful.

It’s all part of perfecting your skills as you Keep Negotiating.



# MSAA Membership Application

Our Association is an organization of licensed auctioneers. With the support of its membership, the association works to promote the auction profession. We are governed by an annually-elected president, vice-president, secretary/treasurer, and nine board members. These board members serve in revolving three year terms. All past officers and directors comprise an advisory committee.

## Membership Benefits

- Multiple educational seminars on topics pertinent to auctioneering, marketing, appraising, government regulations, small business growth & management, and cultural enrichment
- Complimentary subscription to *The Minnesota Auctioneer*, the official membership publication with news and informative articles from around the state
- Combined legislative influence as membership grows
- Policing body to maintain ethical practice and thus reputation for the industry as a whole in our state
- Mentoring and problem solving with other auctioneers
- Voting privileges in annual business meeting
- Permission to use the MSAA logo in advertising and compete in marketing competitions
- Updated directory of all MSAA members

Any auctioneer with a current license is welcome to join. New applicants become members by submitting a completed membership application (right) with proper payment.

Members must pledge to be faithful to all buyers and sellers. Members are also expected to show loyalty to the organization by actively participating in state activities and events.

## Annual Dues Only \$100

(Include dues check for \$100 in envelope with this application.)

- New Membership  
 Membership Renewal  
 Membership Reinstatement

Name: \_\_\_\_\_

Company Name: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

County: \_\_\_\_\_ MN License Number: \_\_\_\_\_

Email: \_\_\_\_\_

Work Phone: \_\_\_\_\_

Home Phone: \_\_\_\_\_

Cell Phone: \_\_\_\_\_

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

## Auxiliary Dues - \$5.00

Spouse Name: \_\_\_\_\_

Spouse Email Address: \_\_\_\_\_

Membership is from January 1 to December 31. Members who join after October 1 will receive membership for the remainder of the current year and the entire following year. All members are expected to act in a professional manner and conduct an ethical business.

Questions? Call Toll Free! 800-440-9398

To submit this form, fill out then print a copy and attach any extra requirements.

Return with payment to:

**Minnesota State Auctioneers Association**  
c/o Frank Imholte, Executive Vice President  
8160 County Road 138, St. Cloud, MN 56301



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## MSAA Hall of Fame Nomination

Nominations must be postmarked no later than July 1 of the year preceding the presentation of the Hall of Fame Award. Mail nomination to:  
Lowell Gilbertson, Hall of Fame Committee.

Name of Nominee: \_\_\_\_\_

Residence Address: \_\_\_\_\_

Phone: \_\_\_\_\_

### **Business Information:**

Name of Firm: \_\_\_\_\_

Position: \_\_\_\_\_

Number of Associates or Partners in Business: \_\_\_\_\_

Business Address: \_\_\_\_\_

Phone: \_\_\_\_\_

Personal and Family Information:

Name of Spouse: \_\_\_\_\_

Does spouse participate in the Auction profession?     Yes     No

If yes, explain: \_\_\_\_\_

Is spouse a member of the MSAA Auxiliary?     Yes     No

Give names and ages of children: \_\_\_\_\_

### **General Professional Information:**

How long has the Nominee been involved in the auction business?

What percentage of the Nominee's time is actively spent in the auction business? \_\_\_\_\_

How long has the Nominee been a member of the MSAA?

Has the Nominee specialized in any particular field of Auctioneering?

List educational background of the Nominee. (Include offices held, current and past):

1) \_\_\_\_\_

2) \_\_\_\_\_

3) \_\_\_\_\_

List regular auctions conducted, if any, and/or special individual auctions conducted which have brought attention and credit to the profession of auctioneering.

1) \_\_\_\_\_

2) \_\_\_\_\_

List at least three individuals who have worked with the Nominee or who have knowledge of the Nominee's worthiness of being considered for this award, whom the Hall of Fame Committee may contact:

1) \_\_\_\_\_

2) \_\_\_\_\_

3) \_\_\_\_\_

Previous recipients of the MSAA Hall of Fame Award have established some general qualifications which they feel each Nominee should possess or have shown. Please reflect your personal assessment of the Nominee with respect to: HONESTY, HIGH ETHICAL STANDARDS, WILLINGNESS TO SHARE WITH OTHERS, STANDING IN HIS OR HER COMMUNITY, AND MASS CONTRIBUTIONS TO THE AUCTION PROFESSION.

Narration: (Attach separate sheet.)

Submitted by: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

To submit this form, fill out then print a copy and attach any extra requirements.

### **Return to:**

Lowell Gilbertson, MSAA Hall of Fame Committee  
2661 Oak Hills Dr. SW, Rochester, MN 55902



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## MSAA Auxiliary Hall of Fame Nomination

### Qualifications for Nominees:

- Spouse must be a member in good standing in the MSAA (or past member if widowed).
- A member of the MSAA Auxiliary with recent or previous active participation.
- Participation in a related business to the auctioneering profession.
- Active in community, church, charitable or volunteer organizations.

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Phone: \_\_\_\_\_

Name of Spouse: \_\_\_\_\_

Business Name: \_\_\_\_\_

Business Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Business Phone: \_\_\_\_\_

(Attach separate sheets if necessary.)

### Auxiliary Participation:

- 1) \_\_\_\_\_
- 2) \_\_\_\_\_
- 3) \_\_\_\_\_
- 4) \_\_\_\_\_
- 5) \_\_\_\_\_

### Community Activities:

- 1) \_\_\_\_\_
- 2) \_\_\_\_\_
- 3) \_\_\_\_\_
- 4) \_\_\_\_\_
- 5) \_\_\_\_\_

Personal Comments: (Attach separate sheet.)

Please include as much detail as possible on all areas. Nominations must be postmarked no later than August 1 of the year preceding the presentation of the Hall of Fame Award.

To submit this form, fill out then print a copy and attach any extra requirements.

### Return to:

Deb Ediger, Committee Chairperson  
218 W. Main, Belle Plaine, MN 56011  
952.873.2292 or 952.873.6972



# MSAASUPPLEMENT

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# Annual Scholarship Application

**Scholarships for \$1500 each (subject to change) from the  
MSAA and MSAA Auxiliary**

**Deadline: November 1**

Date: \_\_\_\_\_

Name \_\_\_\_\_ Age: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Telephone: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Relationship to ACTIVE MSAA or Auxiliary Member:

Child  Grandchild  Niece  Nephew  Auctioneer Spouse

An Active Member means he/she should attend MSAA Conventions on a regular basis and be interested/involved in promoting the MSAA/Auxiliary auction profession. Must be a member of the MSAA or Auxiliary for three consecutive years.

Name of Relative: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

**NOTE: Only one scholarship per candidate. If unsuccessful in your application one year, please reapply.**

High School Graduated from: \_\_\_\_\_ Year: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Name of College or University of enrollment: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

## CHECKLIST

1. Scholastic Information – GPA: \_\_\_\_\_

(If senior in high school or current college full-time student. Need not be official.)

2. Honors or Community Involvement:

(List any or all school, community, club, sports and academic activities)

a) \_\_\_\_\_

b) \_\_\_\_\_

c) \_\_\_\_\_

d) \_\_\_\_\_

e) \_\_\_\_\_

3. ESSAY: Be unique and creative! Please state what you've learned from your experience in the auction profession and what you would do with the scholarship funds. The essay needs to be completed without including any names or business names that would identify the applicant or their active MSAA member. (**This is important because the Scholarship Committee is presented the essay with this information removed so the identity of the applicant is not revealed to them. The Committee is judging the content of the essay while avoiding any prejudice by the inclusion of names.**) Please complete on a separate page, sign and ATTACH ESSAY TO THIS APPLICATION FORM.

4. Please attach a copy of the letter of acceptance or proof of enrollment in your school of higher education.

5. Current letter of recommendation is required for ALL scholarship applicants.

## Absolute Deadline – Must be postmarked by November 1

Relative of winner will be notified before the annual convention. Winner and MSAA Auxiliary member relative are encouraged to attend the Saturday evening President's Banquet at the annual Minnesota State Auctioneers Association Conference and Show.

To submit this form, fill out then print a copy and attach any extra requirements.

### Return to:

Deb Ediger, Committee Chairperson  
218 W. Main St., Belle Plaine, MN 56011

Scholarship Committee: Peg Imholte (chair), Holly Hotovec, and LuAnn Finnila



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