

LOUISIANA AUCTIONEERS LICENSING BOARD

VS.

JOSEPH A. KUNSTLER, AUCTIONEER
IN RE COMPLAINT BY THEODORE CARBONE

JUDGMENT

This matter was heard by the Louisiana Auctioneers Licensing Board on August 28, 1986, in the Board's hearing room, licensee Joseph Kunstler being present and represented by counsel;

Four members of the Board being present, representing a quorum, and all voting unanimously, the following facts were found:

1. That the licensee Joseph Kunstler sold property at auction, which property belonged to complainant;
2. That the licensee retained funds derived from the sale, which funds belonged to complainant;
3. That more than 30 days have passed since the auction in question and complainant has not yet received his funds, it is therefore

ORDERED, ADJUDGED AND DECREED that the licensee JOSEPH A. KUNSTLER has violated LSA-R.S. 5:7 (now LSA-R.S. 37:3125) and Rule 9(a) of the Rules and Regulations of the Louisiana Auctioneers Licensing Board; it is further

ORDERED, ADJUDGED AND DECREED that the licensee be placed on probation for one year with the following conditions imposed:

1. The licensee must pay a fine of FIVE HUNDRED AND NO/100 DOLLARS (\$500.00) to the Louisiana Auctioneers Licensing Board;
2. The licensee must pay the costs of the hearing, which costs are assessed as SEVEN HUNDRED AND NO/100 DOLLARS (\$700.00);
3. One-half of the fine and costs are to be paid within ten (10) calendar days following the hearing and the balance within thirty (30) days;

Kunstler, Joseph A.

4. The licensee must deposit ONE THOUSAND TWO HUNDRED AND NO/100 DOLLARS (\$1,200.00) into the trust account of licensee's counsel, Stephen Irving, to be held in trust by said counsel until the adjudication by a court of the dispute between the complainant and the licensee.

Baton Rouge, Louisiana, this 12th day of September 1986.



LARRY G. NOBLES, ACTING CHAIRMAN

Kunstler, Joseph