

From: [Flanagan, Christi \(USTP\)](#)
To:

Cc: New Auctioneers List
Subject: Wednesday, January 24, 2018 10:59:18 AM
Date:
Attachments: [Bonded Auctioneers Region 6 updated January 24, 2018.pdf](#)

Dear Chapter 7 Panel Trustee:

Please find attached the most current list of approved auctioneers for the Northern and Eastern Districts of Texas. If you are now using or foresee the necessity of using someone who is not on this list to liquidate bankruptcy assets at auction, please contact me as soon as possible so that we can offer placement under the bond. Only those auctioneers who are properly bonded can be authorized to perform auctions for the bankruptcy cases.

In regards to the fee applications for auctioneers when docketing the fee application the buyer's premium that the auctioneer collected needs to be included in the fee application for the auctioneer as their fees, that should not be blank or zero (0) in that amount unless a buyer's premium is not being collected or a commission isn't being taken. The clerk's office needs the actual amount of commission that was paid inputted in the fee application docket entry because they use that number for the fee reporting that they are required to maintain. Inputting "zero" is resulting in inaccurate data.

Please make sure that whomever is docketing this event on behalf of the auctioneer is aware of this requirement.

The auctioneer may collect and retain a buyer's premium and seek Court approval to recover actual and necessary expenses from the estate or the auctioneer may collect a buyer's premium, include the premium in the total amount of funds turned over to the estate and then request Court approval for a commission based on this total plus reimbursement of actual and necessary expenses. Recovery of both a standard commission and a buyer's premium in the same case will not general be allowed regardless of the arrangement requested in the application, full disclosure of all relevant details is required.

If you have any questions regarding this please feel free to contact me.

Christi Flanagan

Paralegal Specialist
Office of the United States Trustee
1100 Commerce St. Room 976
Dallas, TX 75242
(214) 767-1076 DD
(214) 767-8971 fax