



SD ANIMAL INDUSTRY BOARD

411 South Fort Street
Pierre, South Dakota 57501-4503
Phone: (605) 773-3321
Fax: (605) 773-5459

**AUCTION AGENCY
LICENSE APPLICATION**

The undersigned hereby makes application for license to engage in the business of a Livestock Auction Agency in conformity with the provisions of Chapter 40-15 of the South Dakota Code of Law and declares that the following information is correct:

Please print or type all information:

- 1. Legal Name of Agency Applying for License: _____
- 2. Business Location (legal description from tax assessment): _____
- 3. Mailing Address: _____

 (City) (State) (Zip)

Contact Manager: _____
 (Name) (E-mail)

Phone number: _____ - _____ - _____ ext: _____ (Business Home Cell Fax Pager)

Phone number: _____ - _____ - _____ ext: _____ (Business Home Cell Fax Pager)

Phone number: _____ - _____ - _____ ext: _____ (Business Home Cell Fax Pager)

- 4. Business Structure: (a) Individual (b) Partnership (c) Cooperative Association (d) Corporation (e) Other

5. Ownership:

Name	Address	Ownership Share & Interest

- 6. Attach current Income Tax Return as submitted to IRS for each applicant and the operating entity.
- 7. Personal financial statement for each owner/shareholder.
 - A. Must be within the 12 months preceding the application date
 - B. Must be on forms supplied by the Animal Industry Board prepared on a fair market value basis (Forms Enclosed)
- 8. Financial statement of the business entity.
 - A. Compiled financial statements prepared by a Certified Public Accountant or other individual skilled in preparation of financial statements in accordance with generally accepted accounting principles. These financial statements must contain a statement of assets, liabilities, and equity, and a statement of income and expense. If the current operation has not been in existence at least three months, please provide a compiled statement of operations under the previous ownership for the prior year.
 - B. Must be within the 12 months preceding the application date.

9. Recommendation for Veterinary Inspector: _____
 (Name of veterinarian, not clinic)

Address: _____

 (City) (State) (Zip)

Phone: _____ Fax: _____

E-mail: _____

10. Day(s) of Sale (circle all that apply): M Tu W Th F Sat Sun

Special Sales (please describe): _____

11. Schedule of Veterinary Inspection Fees to be Charged for each Species Sold at Applicant Agency:

Hogs \$ _____ Cattle \$ _____ Horses \$ _____ Sheep \$ _____ Other \$ _____

12. Tariff Schedule for Livestock sold at Auction Agency. (Attach Copy)

13. Benefits to be derived by the Livestock Industry and the services proposed to be rendered regularly during the year:

14. Applicants experience in the Livestock Industry, including past operation of a Livestock Auction Agency:

15. Legal Name of Current Agency, (Currently Licensed at this facility): _____

(a) Amount of Business Past Year (give dates)

(Total value of livestock sold on commission) \$ _____

(b) Amount of Livestock Sold Owned by Company

\$ _____

(c) Amount of Livestock Sold for Commission

\$ _____

(d) Number of Sales Past Year [same dates as (a) above]

(e) Amount of Bond Recommended by USDA P & S for entity applying for license:

\$ _____

16. Bonded or Trust Fund Agreement by: _____

(company or bank)

Phone: _____ Amount: _____ Exp. Date _____

17. Please answer all of the following completely:

a. Are you, your spouse, or any entity, including corporation, partnership or LLC, of which you own directly or indirectly more than ten percent (10%) of the outstanding equity interest, the holder of any livestock auction agency licenses? If the answer is yes, please list the name, address and telephone number of each such entity including when the license was first obtained.

b. Do you, your spouse, or any entity, including corporation, partnership or LLC, of which you own directly or indirectly more than ten percent (10%) of the outstanding equity interest, hold a livestock dealer license? If the answer is yes, please give the name, address and telephone number of the person or entity holding the license and when the license was first obtained.

c. Have you, your spouse, or any entity, including corporation, partnership or LLC, of which you own directly or indirectly more than ten percent (10%) of the outstanding equity interest, ever had its auction agency license or livestock dealer license revoked, rescinded, terminated or suspended for any reason whatsoever? If the answer is yes, please describe the license, name, matter, telephone number of the issuer, date and all particulars.

d. Do you, individually, or on behalf of the applicant, agree to sign a separate release authorizing the SD Animal Industry Board to obtain financial and credit information from your banks and creditors?

YES NO

e. Do you, individually, or on behalf of the applicant, agree to sign a separate release authorizing the SD Animal Industry Board to obtain any information on file with any state or federal livestock regulatory agencies outside the State of South Dakota?

YES NO

f. Please provide three business credit references for the applicant. Please include the name, address and telephone number of each reference.

Name	Address	Telephone Number

g. Do you understand by signing this application, you are authorizing the SD Animal Industry Board to request a credit report on any applicant or guarantor of an applicant for licensure and to further use the information obtained in evaluating the merits of your application.

YES NO

h. Please disclose any and all bonds insuring your fidelity, your spouse's fidelity, the fidelity of any corporation, partnership, LLC, or any other entity of which you own directly or indirectly more than ten percent (10%). As to any such bonds, please describe the date of the bond, the amount of the bond, name, address and telephone number of the surety and the name, address, and telephone number for each beneficiary and trustee.

Bond #	Effective Date:	Amount:	Surety (Name, Address, Phone)	Beneficiary (Name, Address, Phone)

i. Have you, your spouse, or any entity, including corporation, partnership or LLC, of which you own directly or indirectly more than ten percent (10%) of the outstanding equity interest ever had a claim made against a bond issued in your favor? If so, please give the date and all related particulars.

j. Have you, your spouse, or any entity, including corporation, partnership or LLC, of which you own directly or indirectly more than ten percent (10%) of the outstanding equity interest, ever verbally or otherwise been denied bonding? If so, please give all of the particulars?

k. Have you, your spouse, or any entity, including corporation, partnership or LLC, of which you own directly or indirectly more than ten percent (10%) of the outstanding equity interest, been a party to any lawsuit or arbitration within the past ten (10) years? If the answer is yes, please describe the parties, venue, the case number, and summarize the dispute and disclose the outcome or disposition.

l. Other than minor traffic violations not related to the transportation of livestock, have you, your spouse, or any entity, including corporation, partnership or LLC, of which you own directly or indirectly more than ten percent (10%) of the outstanding equity interest been charged with a crime? If the answer is yes, please give the date, description of the charge, the venue of the charge and ultimate disposition.

m. Have you, your spouse, or any entity, including corporation, partnership or LLC, of which you own directly or indirectly more than ten percent (10%) of the outstanding equity interest had a judgment taken against them within the past ten (10) years? If so, please provide the date, venue, amount, and other particulars.

n. Have you, your spouse, or any entity, including corporation, partnership or LLC, of which you own directly or indirectly more than ten percent (10%) of the outstanding equity interest compromised any debt you owe within the past ten (10) years? If so, please provide the date, name, address and telephone number of the creditor with whom the debt was compromised, the date the compromise occurred, the compromised amount and any other particulars.

o. Within the past ten (10) years, have you, your spouse, or any entity, including corporation, partnership or LLC, of which you own directly or indirectly more than ten percent (10%) of the outstanding equity interest, had any federal or state tax liens filed against you? If yes, state the party filing the lien, the amount of the lien and disposition.

p. Have you, your spouse, or any entity, including corporation, partnership or LLC, of which you own directly or indirectly more than ten percent (10%) of the outstanding equity interest, filed for bankruptcy protection within the last ten (10) years? If so, please give the date of the filing, case number, venue and ultimate disposition.

q. During the last ten (10) years, have you, your spouse, or any entity, including corporation, partnership or LLC, of which you own directly or indirectly more than ten percent (10%) of the beneficial interest, been out of trust on any custodial accounts. If the answer is yes, please describe the date, the account, and the account number; the location of the account and all particulars.

r. Have you, your spouse, or any entity, including corporation, partnership or LLC, of which you own directly or indirectly more than ten percent (10%) of the beneficial interest, over drafted any bank or similar account within the last five years an amount of more than \$1,000.00? If the answer is yes, please describe the date, the amount, the account number, name, address, and telephone number, of the depository where the account was maintained.

18. I declare and affirm under the penalties of perjury that this claim (petition, application, and information) has been examined by me, and to the best of my knowledge and belief, is in all things true and correct.

As a further requirement for licensing I agree to immediately notify the South Dakota Animal Industry Board by telephone, and in writing upon any occurrence of a check or other payment document issued by me as the licensee not being immediately paid by the banking institution said check or payment document was issued on.

I further hereby authorize the banking institution handling any or all funds involved in activities as licensee to release any related financial information directly to the South Dakota Animal Industry Board upon the South Dakota Animal Industry Board's request.

19. I authorize the South Dakota Animal Industry Board to share any information and records regarding the agency applying for this license and any of its ownership, management, or employees with USDA, P & SA.

_____ Date _____ 20____
(Authorized Signature of Applicant)

20. Auction Agencies are requested and encouraged to report "red flags" related to livestock dealers and auction agencies which may be suggestive of financial problems by calling the Animal Industry Board.

21. _____ (name of bank holding custodial account) agrees to immediately report by telephone or fax, any insufficient funds payment vehicles that are not immediately honored and/or any hold or freeze action on the custodial account of

(Auction Agency)

_____ Date _____ 20____
(Authorized Signature of Representative of Bank holding custodial account)