

HOUSE BILL 2059 TESTIMONY February 14, 2013

By

CLIFF PENGRA

My one and only experience with an estate sale was about 2003 when I wanted to downsize and everyone I knew said call KEVIN BOWERS ESTATE SALES, which I did.

Originally Mr. Bowers came to my house to look at several paintings I wanted to sell and gave me estimates of what they would/should sell for.

In particular I had a large European one that I had purchased in 1970 for \$1,000 and his estimate was \$5,000. There were several others all smaller and I offered, since I have a pickup, to bring them to him and he said no, they would come and pick them up.

So bottom line to this story is his people came and picked them up and eventually the large one never was in the estate sale but offered to someone he knew who might like it. Then all of a sudden even after having seen the painting hanging in my house and even after my pointing out a couple of flaws/damaged spots in the painting he still felt it would fetch \$5,000. Then all of sudden some weeks later he came back with "well, it's damaged and needs cleaning and the frame doesn't really go with the painting, etc. And I was told the buyer offered \$3,800 and by this time I let it go. Then the reality is after taking off 40% commission that brought my amount down to \$2,280.00 and then I was charged \$250 to pick up the paintings, even after I had volunteered to bring them to the sale site. So I ended up getting \$2,030.00.

But I also added a house full of other items for this estate sale and the total amount I got for a house full of stuff including that one painting was \$5,000. And some of the items were antique real oak wood items.

When I say a house full I mean I had filled my garage with all kinds of items mostly new and in any case in very good condition.

What I discovered after lots of investigation was Bowers had 2 people working for him who would go through before anyone saw the stuff and take out what they wanted and write a check to Bowers for what they thought was the value.

These two people were eventually “let go” I’m told and started their own estate sale business as REGENT ESTATES. At the time it was Rhinehold Sanders and Dan Carpenter. Although in looking at the website this week only Rhinehold Sanders name appears.

In the meantime, I was told they have done the same type of business and Better Business Bureau has had complaints about them in the past 12 months but BBB says they are not members of BBB and they didn’t reply to any of the letters from BBB about the claims from people who had used Regent Estates.

When they picked up all my stuff for the original sale in 2003 I mentioned I hadn’t had time to make an inventory list and they told me not to worry, they would do that. They never did.

I was also told this would be a 3 family sale at a house facing Laurelhurst Park here in Portland and it was scheduled for last weekend in October. It actually didn’t happen until the rainiest weekend we had which was a month later on thanksgiving weekend. And I had assumed it would be Fri.-Sat.-Sun and it wasn’t.

It was Friday and Saturday with the 2nd day being half price which I was never told and I certainly would not have been a part of this.

I also found out these two from Regents have/had stalls in various “antique” places like the one in the Hollywood District in Portland on NE 42nd and STARS in Sellwood area, etc.

WHAT I WOULD LIKE TO SEE THIS BILL CONTAIN WITH REGARD TO ESTATE SALES:

A summary of the terms and conditions of the sale including the dates and times given to the proposed seller before they commit. A contract with the estate people with these same terms and conditions signed by both parties with dates and percentage agreed upon written in on a blank line in that section.

The seller must make an inventory before the items are picked up for the sale.

Notice of the percentage the estate seller gets and that it's negotiable amount. 40% seems a little steep to me. I can see 40% to a consignment store which has overhead but these estate sales are normally handled at private homes so the only overhead would be cleaning up and pricing the items brought into that home for sale.

The estate people should have to disclose if they are bringing items in from people not originally a part of the estate sale. In mine they brought in Asian antiques from friends who wanted to sell them thus devaluing the items from the “household” items,

The payment terms as listed for auctions would be satisfactory.

If the Estate people take checks and that check does not clear, the estate seller would stand that loss.

Better record keeping on the part of the estate seller. If all the times are color coded for various sellers items and they have an inventory all they would have to do is write the price next to that item on the inventory which would give people like me a better accounting. Unfortunately this is a cash business and it would be

hard to control what they sold for what and what they reported to the actual owner of the item since it's all done from a cash box and no receipts are written.

Mine experience was supposed to be 3 family and it turned out to be 11 families I'm told.