Buyer beware at auctions

Treasure-hunters attending auctions this fall could bid themselves into financial trouble if they don't check merchandise carefully.

In the competitive environment of an auction, customers can end up buying appliances that don't work or "antiques" no older than the machine that mass-produced them.

"Whatever they're going to buy, most people only have the word of the auctioneer to go by," says Tom Johnson, chief investigator for the Ministry of Consumer and Commercial Relations (MCCR) business practices division. "Auctions really are 'buyer beware' situations."

Worse than taking home a dozen "antique" toasters, auction-goers could spend a lot of money on items that are legally owned by loan companies.

If, for example, a car owner doesn't pay off all liens against the vehicle, the lender involved has the right to repossess it, even if it has been sold to someone else. Unwary consumers could lose newly acquired property and face court battles to get their money back from the auctioneer.

The ministry's Personal Property Security Registration (PPSR) branch can provide protection for consumers. The branch keeps extensive records of liens and this information is available to the public for a small fee. Ask the auctioneer if he can provide a "certified search" proving the branch has no record that the property has been pledged as collateral.

If no liens are listed with the ministry, a purchaser would gain legal ownership, but be aware that some problems could still occur.

A car owner may have borrowed money for the vehicle from friends who did not register the loan. Court battles could erupt if

the car is auctioned off and the loan has not been repaid.

Finance firms may also set policies of not registering liens when a loan is for less than a specified amount of money.

gain extra security unregistered liens on major items such as cars, furniture or appliances, get a written statement from the auctioneer, declaring the merchandise free of encumbrances. Most reputable businessmen will comply honestly and customers shouldn't face any problems.

However, in the event of a court battle, the letter could be useful as evidence. Auctions are generally operated fairly, by

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