

Art on the High Seas



By Anayat Durrani

Art auctions have been a popular pastime on cruise ships for over a decade, auctioning off everything from Picassos and Dalis to the works of up-and-coming living artists. And while all who attend cruise ship art auctions agree they can be quite entertaining with non-stop free bubbly and a festive atmosphere, mixed reviews abound on the concept of buying art at sea.

“I have spoken to individuals who have bought on the high seas,” says Douglas W. Stinson, a chief auctioneer at Carl W. Stinson Inc. Auctioneers & Appraisers in Mass., established in 1960. “There are two distinct impressions which I have received. Some people love it and think that they have really got a bargain. And the others typically experience buyer’s remorse soon after they purchase the items and, after

careful online research, find out that the pencil signed print by Picasso etc., is not real.”

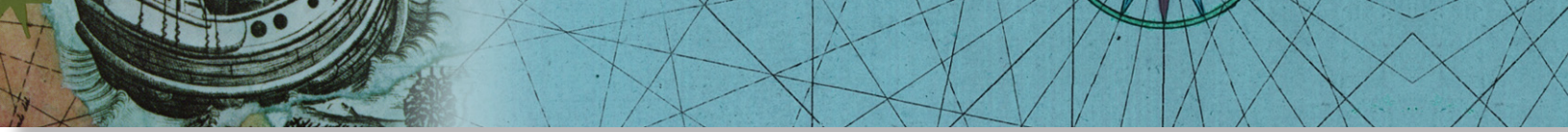
Sites like RipOffReport.com have pages of comments from people who have bought art on various cruise lines. The majority of the posts describe being “scammed,” having “overpaid,” been “ripped off,” or “lied to” by auctioneers and the art companies that run the auctions. One man wrote: “We bought a Peter Max at the starting bid of \$8,000 and the appraised value was \$25,000 so we thought we got a good value.” After he returned home it appraised for \$3,000 and the buyer realized that he had been “duped” into paying twice the price. A few years later the buyer said he found the painting on the web selling for \$2,000 and one as low as \$850. The buyer ended his post, warning others not to buy from Park West,

the company running the auction.

But scattered among complaints are some positive reviews as well. Another buyer posts: “We have been on three cruises and have bought 21 pieces of art/sports items from Park West. I have found the quality and customer service outstanding. My family is planning our next cruise in September and we will be buying additional works.”

Park West Gallery

Park West Gallery comes up often in these posts. The Michigan-based company was founded in 1969 and calls itself the largest art dealer in the United States. In addition to its maritime activities, Park West holds auctions across North America in fine hotels and maintains an active catalog and Internet sales business. The company began holding auctions



at sea in 1993. They operate on nearly 70 ships, five soon to be added, for eight different cruise lines: Carnival Cruise Line, Holland America Line, Royal Caribbean Cruise Line, Celebrity Cruises, Disney Cruise Line, Regent Cruise Line, Oceania Cruise Line, and Windstar. The cruise lines charge Park West a fee, but otherwise take no responsibility for its dealings.

Despite any complaints, Park West has satisfactory ratings from the Better Business Bureau. Gallery director Morris Shapiro told Fine Art Registry™ (FAR®), that client satisfaction is high and that, of the close to one million clients Park West serves, only a very small percentage of clients report any unresolved dissatisfaction. These complaints have fallen into categories, he said, such as the art was damaged in shipping, the frame was not what the customer desired, delivery of art took too long, the art did not fit the space the customer had in mind, and so on. Shapiro said that in 2006, the company sold several hundred thousand individual works of art and received 30 letters of complaint regarding value or provenance.

“Most of those complaints were resolved by clearing up the customer’s misunderstanding or otherwise fixing the frame or tracking the late shipment,” says Shapiro.

He said some buyers have

found on the Internet what they mistakenly thought was the same art they bought from Park West, at lower prices. Shapiro said they are most often misled by what is described on the Internet, “and almost always they are unknowingly comparing what they purchased from Park West to poor quality, different editions, or fakes.” Sometimes, he said, it’s nothing more than “buyer’s remorse,” where once home and the bills from the vacation arrive, buyers want to cancel or return purchases.

Artists whose works Park West sells include Rembrandt, Goya (etchings); Renoir (prints, drawings, paintings); Picasso (prints, ceramics, sculpture, drawings); Chagall (prints, drawings, paintings); Miró (prints, drawings); Dalí (prints (pre-1975), drawings, paintings) as well as contemporary artists they list on their website. Shapiro says they provide documentation that is “thorough and at the highest scholarly levels.” Park West does all of its own appraisals and they practice a strict no refund policy. Buyers pay a “premium” to the auction house – Park West charges 12.5% to 15% – plus shipping and framing costs.

Not So Smooth Sailing

But problems with cruise ship art auctions have not gone unnoticed by authorities.

“The area of cruise line art auctions is a Pandora’s box,” Detective Don Hrycyk of the

LAPD Art Theft Detail told FAR. “There have been many complaints about the authenticity and legitimacy of art sold on cruises. The amount of fraud involved may be more pervasive than most people suspect.”

Detective Hrycyk worries that most buyers may not have their art checked when they return home from their trip. As a consequence, he said, “fake artworks purportedly by Picasso, Dali, Chagall, and other artists may remain hanging on a victim’s wall for many years before their fraudulent nature is uncovered.”

Detective Hrycyk is currently conducting a major art fraud investigation with the FBI and the IRS involving a TV art auction business called Fine Art Treasures Gallery. Owners Kristine Eubanks and Gerald Sullivan were charged with selling fake art to as many as 10,000 victims nationwide and profiting more than \$1 million each month in sales, said Detective Hrycyk.

Among other things, the couple has admitted that they knowingly sold art with the forged signatures of artists such as Picasso, Chagall and Dali. In their plea agreements, Eubanks and Sullivan admitted that they purchased fake art and that they forged art at a print shop, and later sold the bogus works on their television show. To support the scam, they created and mailed to consumers documents such as false certificates of authenticity

and false appraisals.

“They not only signed much of the art themselves but also created bogus certificates of authenticity for pieces that were marketed as limited edition fine art prints,” says Detective Hrycyk. “During the investigation we learned that the company was also selling this “art” to a cruise line.”

Three artists, Charlene Mitchell, John P. O’Brien (deceased, represented by his wife Martha) and Dennis Lewan, are suing Princess Cruise Lines after discovering thousands of passengers purchased unauthorized prints the cruise line had purchased from Eubanks and Sullivan. Mitchell, an artist who specializes in animals, landscape and nature scenes, was shocked by the number of forged copies of her work that were sold, telling the Broward-Palm Beach New Times, “I certainly didn’t sign 1,100 prints.” Attorney Robert Lausen, who is representing the three artists, told FAR they are currently in settlement discussions with Princess.

Princess is the only cruise line that has its own internal art sales program. Julie Benson, spokesperson for Princess, told FAR they do not comment on litigation, but added “Princess was also the victim of fraud in this instance.” When asked how buyers can be assured of the authenticity and quality of the art that is sold on Princess, Benson said that Princess has procedures

in place to ensure that all of their vendors are “authorized and qualified to provide us with the artwork authentications we require.”

Park West has also had its share of issues. In 2001, several passengers filed a class action lawsuit against Park West and Carnival Cruise Lines alleging, among other complaints, they engaged in phantom bidding. Carnival was eventually dismissed from the case.

Shapiro said there was no evidence to support the allegations, and that “the testimony on supposed ‘phantom bidders’ did not support, let alone match the claims.” Shapiro said they expect the remaining claims against Park West to also be dismissed with a decision on that soon.

Buyer Beware

For his part, Stinson told FAR he’s not aware of any of his clients having purchased items from art cruise auctions, but adds, “I am sure that some may have and are embarrassed to talk about their foolish purchases.” Stinson believes that anyone who purchases art on cruise lines that does not know much about art is “making a serious mistake.”

Stinson cited traveling auctions that come around each year in New England. He said they come with reproduction Remington bronzes, new oriental rugs, reproduction furniture and fake and copied prints and artwork with



a bogus certificate of authenticity.

“Usually the ad for the auction will read ‘Items from the Estate of Douglas Fairbanks’ etc., etc. They might have his wristwatch and that’s it,” says Stinson. “I wouldn’t be surprised that the same band of snake oil salesmen have something to do with the cruise auctions as well.”

The Fine Art Registry system of tagging and registering art can go a long way in helping to curtail any abuse in this area.

Part 2 in this series will provide tips for buying art on cruise ships – what to know before (and after) you buy art – and giclée prints vs. originals. Also why art should be registered with FAR prior to purchase.