DEPARTMENT OF LABOR, LICENSING AND REGULATION	*	
	*	
v.	*	
	*	CASE NOS.: SPMG-09-0014,
RALPH YATES 1469 Nieman Road Shady Side, Maryland 20764,	*	0018, 0024 & 0025
	*	
Respondent		

* * * * * * * * * * * * *

CONSENT ORDER

This matter comes before the Maryland Department of Labor, Licensing and Regulation ("Department") based on complaints filed by the Prince George's County Police Department. Based on those complaints, the Department determined that administrative charges against Ralph Yates ("Respondent") were appropriate and that an administrative hearing on those charges should be held. However, prior to a hearing being held, the Department and the Respondent reached an agreement to settle these cases. The Department and the Respondent consent to the entry of this Order as final resolution of the regulatory charges in Case Nos. SPMG-09-0014, 0018, 0024, and 0025.

IT IS STIPULATED BY THAT PARTIES that:

1. The Respondent is currently licensed (No. 2276) as a secondhand precious metal object dealer ("dealer"), as defined in Section 12-101(b) of the Business Regulation Article of the Maryland Annotated Code.

2. The Respondent was licensed as a dealer at the time of the transactions at issue in these cases.

3. On or about March 8, 2009, the Respondent conducted an event at the home of Charlotte Dabney in Prince George's County, Maryland, at which he and/or employees acquired secondhand precious metal objects ("objects").

4. The Respondent and/or employees completed daily return, or transaction, forms for the objects acquired.

5. The Respondent provided those forms to law enforcement agencies.

6. Forms were completed improperly and/or incorrectly, as follows:

> a. The daily return form for Transaction No. 003-09 failed to include the seller's telephone number; failed to note the color of the seller's hair; failed to note whether the seller used glasses and had tattoos, scars, or other distinguishing features; failed to note whether the seller was known to the dealer; and failed to include the correct amount for the total dealer price. In addition, the form failed to adequately describe objects, as follows: a) that the first object listed was a broken bangle, with only ½ bangle having been acquired; b) that the second object was a pair of pierced earrings; c) that the third object had an open weave design; d) that the fourth object was ½ pair of pierced criss-cross earrings; e) that, as to the fifth object, a stone had been removed from the stud.
>
> b. The daily return form for Transaction No. 003-10 failed to include the seller's telephone number and full address; failed to note the seller's weight; failed to note whether the seller used glasses and had tattoos, scars, or other distinguishing features; and failed to note whether the seller was known to the dealer. In addition, the form failed to adequately describe objects, as follows: a) that the first object listed had a bypass with a small heart; b) that the third object was broken and had twenty-four stones missing; c) that the fourth object was a pair of dangling pierced earrings with three hearts at the end of each earring; and d) that the sixth object was a pair of stud earrings with the stone removed.
>
> c. The daily return form for Transaction No. 003-11 failed to include the color of the seller's hair and her date of birth;

failed to give the seller's telephone number; failed to note whether the seller used glasses and whether the seller had tattoos, scars, or other distinguishing features; and failed to note whether the seller was known to the dealer. In addition, the form failed to adequately describe objects, as follows: a) that the first object was in a wave design, half etched and half smooth; b) that the object was ½ pair of pierced hoops in a rectangular design; and c) that the third object was a ½ pair of hoops with etching throughout.

d. The daily return form for Transaction No. 003-12 failed to include the seller's telephone number; failed to note the seller's weight; failed to note whether the seller used glasses; failed to note whether the seller had tattoos, scars, or other distinguishing features; failed to note whether the seller was known to the dealer; and failed to include the correct amount for the total dealer price. In addition, the form failed to adequately describe objects, as follows: a) that the first object listed was an "S" link chain, with a pendant that included sixteen diamonds; b) that the second object was a pair of rectangular wave pierced earrings; c) that the fourth object was a chain earring with bells on the end; d) that the fifth object included two rings, one a nugget ring with a stone missing and one a fancy ring with ten stones missing; and e) that the seventh object was a yellow gold wide band bracelet with a white gold design as a shoe sting.

e. The daily return form for Transaction No. 003-13 failed to give the seller's full address and her telephone number; failed to note the color of the seller's hair and eyes and her date of birth; failed to note whether the seller used glasses; failed to note whether the seller had tattoos, scars, or other distinguishing features; and failed to note whether the seller was known to the dealer. In addition, the form failed to adequately describe objects, as follow: a) that the first object listed was a bangle with a diamond etch design; and b) that the last object was a flat round circle pendant with no design.

f. The daily return form for Transaction No. 003-14 failed to give the seller's telephone number; failed to note the seller's date of birth; failed to note whether the seller had a beard, mustache, tattoos, scars, or other distinguishing features; and failed to note whether the seller was known to the dealer. In

addition, the form failed to adequately describe objects, as follows: a) that the first object included four rings, i.e., a nugget ring with the stone missing, a yellow gold men's ring with a design of a bow in white gold on top, a men's nugget ring with a solitaire missing, and a ribbed men's ring with a solitaire missing; b) that the second object listed included seven diamonds in the center; and c) that the third object included a dangling black and gold ball.

g. The daily return form for Transaction No. 003-15 failed to include the seller's telephone number; failed to note the seller's date of birth; failed to note whether the seller used glasses; failed to note whether the seller had tattoos, scars, or other distinguishing features; failed to note whether the seller was known to the dealer; and failed to include the correct amount for the total dealer price. In addition, the form failed to adequately describe objects, as follows: a) that the fourth object listed was two-toned; and b) that the sixth object included two charms, one an Italian horn, the other a gold nugget.

h. The daily return form for Transaction 003-16 failed to give the seller's telephone number; failed to note whether the seller used glasses; failed to note whether the seller had tattoos, scars, or other distinguishing features; and failed to note whether the seller was known to the dealer. In addition, the form failed to adequately describe the objects, as follows: a) that the second object listed had a solitaire missing; b) that the third object was an "S" link bracelet; c) that the fourth object included four (not five) charms, i.e., a Mercedes symbol, a pineapple, an African woman's head, and an open weave hand; d) that the sixth object consisted of two bracelets, i.e., a box link and a rope; and e) that the seventh object consisted of two rings, one with a flower design with the stone missing and the other with a fancy design with fifteen red stones, two missing.

i. The daily return form for Transaction No. 003-17 failed to include the seller's telephone number; failed to note whether the seller used glasses; failed to note whether the seller had tattoos, scars, or other distinguishing features; and failed to include the correct amount for the total dealer price.

j. The above-referenced objects were not tagged and/or were not tagged properly.

k. The above-referenced daily return forms were not completed when the transactions were made, i.e., the forms were completed after the event was over and the sellers had left.

7. On or about March 10, 2009, the Respondent conducted an event at the home of Mary Litner in Prince George's County, Maryland, at which he and/or employees acquired objects.

8. The Respondent and/or employees completed daily return, or transaction, forms for the objects acquired.

9. The Respondent provided those forms to law enforcement agencies.

10. Forms were completed improperly and/or incorrectly, as follows:

a. The daily return form for Transaction No. 006-01 failed to note whether the seller had other distinguishing features and failed to include the correct amount for the total dealer price. In addition, the form failed to adequately describe objects, as follows; a) that the first object listed was a palladium ring with an inscription, "Maryland 77 Eagles;" b) that the second object was a yellow gold box chain; c) that the third object had a design of a flower and a missing stone; d) that the fourth object was a yellow gold ring with a solitaire missing; e) that the fifth object was a yellow gold ring that had two diamonds on each side of a missing center stone; f) that the sixth object had four stones missing; g) that the seventh object was ½ pair of hoop earrings, with four stones and three stones missing; h) that the ninth object included five rings and a bridal set; and i) that, as to the eleventh object, the studs had stones removed.

b) The daily return form for Transaction No. 006-03 failed to include the seller's telephone number; failed to note whether the seller had other distinguishing features; and failed to include the correct amount for the total dealer price. In addition, the form failed to adequately describe objects, as follows: a) that the first object listed had stones missing; b)

that the second object was a yellow gold bracelet with a woven design. d) that the fifth object had ten stones missing; e) that the sixth object consisted of two pairs of earrings, i.e., a pair of large hoop earrings and a small pair of hoop earrings; f) that the seventh object was a ring in a "swirl" design with the solitaire missing; g) that the eleventh object was a woman's ring with five stones missing and circles on the front; and h) that the fourteenth object had thirteen stones missing.

c) The daily return form for Transaction No. 006-04 failed to include the date and time of the transaction; failed to note whether the seller used glasses; failed to note whether the seller had tattoos, scars, or other distinguishing features; and failed to note whether the seller was known to the dealer. In addition, the form failed to adequately describe objects, as follows: a) that the first object listed had a leaf on both sides, with a solitaire missing; b) that the fourth object included four pairs of earrings, i.e., a yellow gold ball, one yellow gold stud, and two stud earrings with the stones removed; and c) that the sixth object included two pendants, one a ball, the other with a stone missing.

d) The daily return form for Transaction No. 006-05 failed to include the seller's telephone number; failed to note whether the seller used glasses; failed to note whether the seller had tattoos, scars, or other distinguishing features; failed to note whether the seller was known to the dealer; and failed to include the correct amount for the total dealer price. In addition, the form failed to adequately describe objects, as follows: a) that the first object listed was a tennis bracelet with four stones and with five stones missing; and b) that the second object consisted of two rings, one with three stones missing and a woven design, the other a band with one stone missing.

e) The daily return form for Transaction No. 006-06 failed to include the seller's telephone number; failed to note whether the seller used glasses; failed to note whether the seller had tattoos, scars, or other distinguishing features; and failed to include the correct amount for the total dealer price. In addition, the form failed to adequately describe objects, as follows: a) that the first object listed was a three strand,

yellow gold rope bracelet; b) that the fourth object was a woman's band with a solitaire missing; and c) that the fifth object was a woman's ring with the solitaire missing.

f. The daily return form for Transaction No. 006-07 failed to include the seller' telephone number; failed to note whether the seller used glasses; failed to note whether the seller had tattoos, scars, or other distinguishing feature; and failed to include the correct amount for the total dealer price. In addition, the form failed to adequately describe objects, as follows: a) that the first object listed consisted of a tri-color heart pendant with seventeen stones missing; b) that the fourth object included two chains, i.e., a Figaro chain and a Herringbone chain; c) that the fifth object included three objects, *i.e.*, one pair of Mickey Mouse pierced earrings, one Clandestine designed ring, and one woman's ring with a stone missing; and d) that the sixth object had a sand stone design.

g. The daily return form for Transaction No. 006-08 failed to include the seller's telephone number; failed to note whether the seller used glasses; and failed to note whether the seller had tattoos, scars, or other distinguishing features. In addition, the form failed to adequately describe objects, as follows: a) that the fourth object listed was a woman's nugget ring; and b) that the seventh object included two pair of earrings, i.e., one with hoops with four gold balls on them and the other with a ribbed design.

i. The above-referenced objects were not tagged and/or were not tagged properly.

h. The above-referenced daily return forms were not completed with the transactions were made, i.e., the forms were completed after the event was over and the sellers had left.

10. On or about April 4, 2009, the Respondent conducted an event at the home of Thomasine Williams in Prince George's County, Maryland , at which he and/or employees acquired objects.

11. The Respondent and/or employees completed daily return, or transaction, forms for the objects acquired.

12. The Respondent provided those form to law enforcement agencies.

13. Forms were completed improperly and/or incorrectly, as follows:

a. The daily return form for Transaction No. 404-01 failed to include the seller's full address and the correct amount for the total dealer price. In addition, the form failed to adequately describe objects, as follows: a) the first object listed was actually a class ring with a half green, half white stone on the face and "1959," "S" and "E" inscribed on the shoulders; b) the second object was a class ring with "Clarksburg High School 1969" and "JRF" engraved on the inside of the band; c) the third object was one pair of fancy gold hoop earrings; d) the fourth object had been altered, i.e., the face of the ring had been removed; e) the sixth object was a gold ring with a red round stone in the center; f) the seventh object included "K of C" on the front of the ring (not the Knights of Columbus), as well as a black compass and a black skull on the left shoulder; g) the eighth object included two diamonds and had one missing diamond; h) the ninth object was actually a fancy link bracelet with a link and "spring" look links; i) the tenth object was a Figaro link bracelet; j) the fifteenth object was a bracelet of elephants with a link that had a "T" and another link that had a "C" on it; k) the seventeenth object was a fancy oval-shaped ring with the face removed; and l) the eighteenth object was a Gucci link bracelet.

b. The daily return form for Transaction No. 404-02 failed to include the correct amount for the total dealer price and failed to adequately describe objects, as follows: a) the first object listed was actually a black oval-shaped ring with a diamond inside a diamond shape in the center; b) the fourth object was one pair of ribbed hoop earrings; c) the fifth object was an open scalloped designed ring; d) the seventh object was a ring with two dolphins on the face of the ring; e) the ninth object was a woman's ring with the center stone removed; f) the eleventh object was a bypass ring with a center diamond; g) the twelfth object was two charms, both with "Try God" on them but with different designs (thus, not a matching set); h) the thirteenth object had a female symbol pendant; i) the eighteenth object was a fancy ring that included ten clear stones on each shoulder, three stones surrounding a missing center stone (one stone that was surrounding the center stone was missing, so that a total of two stones were missing); and j) the nineteenth object was a ring with an "X" (not a cross) on the face of the ring, made up of gold balls.

c. The daily return form for Transaction No. 404-03 failed to include the correct amount for the total dealer price and failed to adequately describe objects, as follows: a) the second object listed was a pair of hoop earrings with "Xes" ribbed on the sides; b) the third object was an open link necklace; c) the fourth object was a pair of tear drop-shaped dangling earrings, open in the middle with a heart in the middle and three hearts around the frame; and d) the sixth object had a box chain with alternating gold balls on the chain.

d. The daily return form for Transaction No. 404-04 failed to include the seller's full address and the correct amount for the total dealer price.

e. The daily return form for Transaction No. 404-05 failed to include the correct amount for the total dealer price and failed to adequately describe objects, as follows: a) the eighth object listed was a link bracelet with a fancy shaped flat plate on the front and a small design on the upper part of the plate: b) the tenth object had a twisted chain with an etched cross charm; c) the eleventh object was actually one pair of small ribbed hoop earrings; d) the thirteenth object was ½ pair of double strand look hoop earrings; and e) the fourteenth object was a fancy twisted link necklace.

f. The daily return form for Transaction No. 404-06 failed to give the seller's full address and failed to include the correct amount for the total dealer price. In addition, the form failed to adequately describe objects, as follows: a) the third object listed was actually ½ a pair of hoop earrings with a diamond design; and b) the seventh object was ½ a pair of hoop earrings with a small diamond design.

g. The daily return form for Transaction No. 404-07 failed to note the seller's race/ethnic id and failed to include the correct amount for the total dealer price. In addition, the form failed to adequately describe objects, as follows: a) the first object included a bangle with an etching and flower design; b) the second object was an open link necklace with a "P" charm; c) the third object was a rope bracelet; d) the fourth and fifth objects were box link chains; e) the sixth object was a bracelet with alternating hearts (four of them); and f) the eleventh and thirteenth objects were the same earrings (one set when combined) but were tagged separately; they included hammered designs.

h. The daily return form for Transaction No. 404-08 failed to include the correct amount for the total dealer price.

i. The daily return form for Transaction No. 404-09 failed to include the correct amount for the total dealer price and failed to adequately describe objects, as follows: a) the first object listed was one pair of ribbed hoop earrings; b) the second object was ½ a pair of twisted hoop earrings; c) the third object was a fancy intertwining double circle bracelet; and d) the sixth object had an etched band with a center stone, one stone on the shoulder, and one stone missing.

j. The daily return form for Transaction No. 404-10 failed to note the seller's race/ethnic id and failed to include the correct amount for the total dealer price. In addition, the form failed to adequately describe objects, as follows: a) the first object listed was a bracelet with alternating hearts and circles, with four clear stones; and b) the second object was a weave design bracelet.

k. The above-referenced daily return forms failed to note the correct time of each transaction.

l. The above-referenced daily return forms were not completed when the transactions were made, i.e., the forms were completed after the event was over and the sellers had left.

14. On or about April 9, 2009, the Respondent conducted an event at the home of Christine Norman in Prince George's County, Maryland, at which you he/or employees acquired objects.

15. The Respondent and/or employees completed daily return, or transaction, forms for the objects acquired.

16. The Respondent provided those forms to law enforcement agencies.

17. Forms were completed improperly and/or incorrectly, as follows:

a. The daily return form for Transaction No. 409-01 failed to include the correct amount for the total dealer price and failed to adequately describe objects, as follows: a) the ninth object listed had a box chain; b) the eleventh object had seven marquis stones missing; c) the twelfth object was a pendant with an abstract design and a

stone removed from the center; and d) the thirteenth object had a center stone removed.

b. The daily return form for Transaction No. 409-02 failed to include the correct amount for the total dealer price and failed to adequately describe objects, as follows: a) the first object listed was actually a pendant of Mary and Jesus and the name "Celini" on the left front; b) the third object had a rope border; c) the sixth object had a Figaro link chain with an Italian horn and a dangling heart within a heart charm; and d) the eighth object was a ring with a flower design and a center stone missing.

c. The above-referenced daily return forms failed to note the correct time of each transaction.

d. The above-referenced daily return forms were not completed when the transactions were made, i.e., the forms were completed after the event was over and the sellers had left.

18. On or about April 10, 2009, the Respondent conducted an event at the home of Sallie Stevens in Prince George's County, Maryland, at which he and/or employees acquired objects.

19. The Respondent and/or employees completed daily return, or transactions, forms for the objects acquired.

20. The Respondent provided those forms to law enforcement agencies.

21. Forms were completed improperly and/or incorrectly, as follows:

a. The daily return form for Transaction No. 410-01 failed to adequately describe the first object listed, i.e., the cross was two-toned with fifteen clear stones.

b. The daily return form for Transaction No. 410-02 failed to include the correct amount for the total dealer price and failed to adequately describe the third object listed, i.e., the object was a Figaro link necklace.

c. The daily return form for Transaction No. 410-03 failed to include the correct amount for the total dealer price and failed to

adequately describe objects, as follows: a) the first object listed had ten clear stones; b) the second object was a bypass ring; c) and the ninth object was a ring with open shoulders and a center stone missing.

d. The daily return form for Transaction No. 410-04 failed to adequately describe the object, i.e., the object was actually a men's ring with ribbing around the edge and one diamond.

e. The daily return form for Transaction No. 410-05 failed to include the correct amount for the total dealer price and failed to adequately describe objects, as follows: a) the second object listed was actually a yellow gold ring with a white gold face and an "X" on the face in white gold and one diamond; b) the third object had one clear stone above and below "Dad;" and c) the fourth object was an open link necklace with a heart charm and twenty-three clear stones.

f. The daily return form for Transaction No. 410-06 failed to include the correct amount for the total dealer price and included conflicting information concerning the seller's address. In addition, the form failed to adequately describe objects, as follows: a) the first object listed had fifteen diamonds and an inscription, "I Love You;" b) the second object included a pendant shaped in a "V;" c) the third object was a woman's ring with four diamonds on each shoulder and a center stone missing; d) the fourth object was a woman's ring with an oval face, with three round stones on each side and one stone missing; e) the sixth object was a tennis bracelet with alternating "Xes" and a diamond (eighteen diamonds total); and f) the seventh object included fifty-four diamonds with one missing.

g. The daily return form for Transaction No. 410-07 failed to include the correct amount for the total dealer price and failed to adequately describe objects, as follows: a) the first object listed was a bypass ring with the stone missing; b) the second object was a woman's ring with the center stone missing; c) the fifth object was a men's Figaro link bracelet; d) the eighth object was a ribbed band with three white gold squares in the center; e) the ninth object was a woman's cluster ring forming a flower, with six diamonds and one missing; f) the tenth object was a white gold ring with an inscription, "K," and with open shoulders; g) the eleventh object was a woman's ring with an oval face and four diamonds in the center, with one missing; h) the seventeenth object had an "S" link chain with a charm of a half man/half horse holding a bow and arrow; and i) as to the

eighteenth object(s), the objects were an open link necklace and a fancy link necklace, both broken, and there were no separate entries on the form for the objects.

h. The daily return form for Transaction No. 410-08 failed to include the correct amount for the total dealer price and failed to adequately describe objects, as follows: a) the first object listed was actually a woman's cluster ring with forty-nine diamonds and one missing and with ribbed shoulders; b) the second object had an open link chain with a heart pendant that had nineteen diamonds and a center stone missing; c) the third object was a pair of earrings that had one diamond and one stone missing on each earring; d) the fourth object was a tennis bracelet with nine diamonds, and the object was improperly/incorrectly tagged; e) the fifth object was a wave ring with fifteen diamonds; f) the listing for the eighth object failed to include an object acquired i.e., an open link necklace with a heart pendant and the stone missing; g) the necklace shown as the ninth object was a box chain; h) the tenth object had a link design; i) the eleventh object was a herringbone necklace; j) the thirteenth object was an anklet with three pearls; k) the fourteenth object was a Figaro link bracelet; l) the fifteenth object was a woman's band with nine diamonds; m) the sixteenth object was a bypass ring with one diamond; n) the seventeenth object included a deer inside a circle; o) the eighteenth object was one two-toned hoop earring; and p) the nineteenth object was a heart charm with four diamonds and one diamond missing.

i. The daily return form for Transaction No. 410-09 failed to include the seller's race/ethnic id and failed to adequately describe the second object listed, i.e., the object was a box chain necklace.

j. The daily return form for Transaction No. 410-10 failed to include the correct amount for the total dealer price and failed to adequately describe objects, as follows: a) the first object listed was actually a fancy ring with an oval face, a red stone in the center, and gold balls throughout the ring; and b) the third object was a Figaro link bracelet.

k. The daily return form for Transaction No. 410-11 failed to include the correct amount for the total dealer price and failed to adequately describe objects, as follows: a) the first object listed was a yellow gold band; b) the fourth object was a link necklace; c) the sixth object was a zig-zag ring with five stones missing; d) the eighth

object was a wave ring with the center stone missing; e) the ninth object had a leaf etching; and f) the eleventh object was a box link necklace.

l. The above-referenced daily return forms failed to include the correct time of each transaction.

m. The above-referenced daily return forms were not completed when the transactions were made, i.e., the forms were completed after the event was over and the sellers had left.

22. On or about April 26, 2009, the Respondent conducted an event at the home of Charles Perkins in Prince George's County, Maryland, at which he and/or employees acquired objects.

23. The Respondent and/or employees completed daily return, or transaction, forms for the objects acquired.

24. The Respondent provided those forms to law enforcement agencies.

25. Forms were completed improperly and/or incorrectly, as follows:

a. The daily return form for Transaction No. 426-01 failed to include the correct amount for the total dealer price and failed to adequately describe objects, as follows: a) the first object listed was actually two objects improperly listed/tagged together, i.e., two small hoop earrings, one with a diamond-shaped etching at the bottom of the earring, and one with a bow design attached at the bottom; b) the third object was a chain link bracelet with an etched design on each link; and c) the fourth object was a fancy link bracelet which had a plate with a red-toned heart on it and the initials "DW" on the clasp.

b. The daily return forms for Transaction Nos. 426-02 and 426-03 failed to include the correct amounts for the total dealer price.

c. The daily return form for Transaction No. 426-04 failed to include the dealer price of each object acquired and failed to adequately describe objects, as follows: a) the first object listed was a woman's ring with an oval face and stones removed in the center and

on both shoulders (threes stones total removed); b) the second object was a woman's ring with shoulders with three diamonds in two rows and two sets of diamonds around a center stone and a center stone removed (twenty diamonds total); and c) the fifth object was one pair of semi-hoop earrings which had been destroyed when the stone was removed from each earring.

d. The daily return form for Transaction No. 426-05 failed to include the dealer price of each object acquired and failed to adequately describe objects, as follows: a) the twelfth object listed was an open link chain with an open heart pendant with fifteen clear stones on the outside of the heart; b) the thirteenth object was a three strand, "S" link bracelet; c) the fourteenth object was improperly tagged, i.e., as object eleven instead of object 14; d) the fifteenth object had a diamond in the center; and e) the twenty-third object(s) did not include the weight of the object(s).

e. The daily return form for Transaction No. 426-06 failed to include the dealer price of each object acquired and failed to adequately describe objects, as follows: a) the second object listed included one pair of stud earrings with four diamonds on a mounting under a center stone and with a center stone removed; b) the fourth object was a woman's ring with a center stone removed, with five clear stones wrapped around the center mounting on the shoulders, and with the shoulders having an open design; and c) the sixth object was a four strand braided herringbone bracelet.

f. The above-referenced daily return forms failed to include the correct time of each transaction.

g. The above-referenced daily return forms were not completed when the transactions were made, i.e., the forms were completed after the event was over and the sellers had left.

26. On or about May 14, 2009, the Respondent conducted an event at the home of Dreena Jackson in Prince George's County, Maryland, at which he and/or employees acquired objects.

27. The Respondent and/or employees completed daily return, or transaction, forms for the objects acquired.

28. The Respondent provided those forms to law enforcement agencies.

29. Forms were completed improperly and/or incorrectly, as follows:

a. The daily return form for Transaction No. 514-02 failed to include the correct amount for the total dealer price.

b. The daily return form for Transaction No. 514-03 failed to adequately describe objects, as follows: a) that the first object listed was a ring in a flower design with pearl-like stones; b) that the second object was a ring with open shoulders, with one stone on each shoulder; c) that the third object included the inscription "BAH;" d) that the fourth object was a dome ring with one purple, two clear, four orange, two green, two red, three pink, and two light purple stones; e) that the sixth object was a dome ring; and f) that the seventh object was a woman's ring with the center stone missing, one light blue stone on each shoulder, and two diamond chips on each side. In addition, the form failed to include the correct amount for the total dealer price.

c. The daily return form for Transaction No. 514-04 failed to include the correct amount for the total dealer price.

d. The daily return form for Transaction No. 514-05 failed to adequately describe objects, as follows: a) that the first object listed had an inscription "Chrysler Motors Corporation;" and b) that the third object was a toe ring in the shape of a flower with a diamond in the center. In addition, the form failed to include the correct amount for the total dealer price.

e. The daily return form for Transaction No. 514-06 failed to include the correct amount for the total dealer price.

f. The daily return form for Transaction No. 514-07 failed to adequately describe the first object listed, i.e., that a stone was missing. In addition, the form failed to include the correct amount for the total dealer price.

g. The daily return form for Transaction No. 514-08 failed to adequately describe the sixth object listed, i.e., it had the inscription "DJT." In addition, the form failed to include the correct amount for the total dealer price.

h. The daily return form for Transaction No. 514-09 failed to adequately describe objects, as follows: a) that the third object listed had a band of yellow gold and a face of white gold; and b) that the fourth object was a bypass ring with four clear stones present and four stones missing. In addition, the form failed to include the correct amount for the total dealer price.

i. The daily return form for Transaction No. 514-10 failed to adequately describe objects, as follows: a) that the third object listed had a blue marquis center stone, one diamond on the shoulder, and five diamonds missing; and b) that the twelfth object had a herringbone chain. In addition, the form failed to include the correct amount for the total dealer price.

j. The daily return form for Transaction No. 514-11 failed to include the correct amount for the total dealer price.

k. The daily return form for Transaction No. 514-12 failed to include the correct amount for the total dealer price.

l. The daily return form for Transaction No. 514-13 failed to adequately describe the thirteenth object listed, i.e., that the center stone was missing. In addition, the form failed to include the correct amount for the total dealer price.

m. The above-referenced daily return forms failed to note the correct time for each transaction.

n. The above-referenced daily return forms were not provided to law enforcement agencies in a timely manner.

30. On or about May 19, 2009, the Respondent conducted an event at the home of Doris Jones in Prince George's County, Maryland, at which he and/or employees acquired objects.

31. The Respondent and/or employees completed daily return, or transaction, forms for the objects acquired.

32. The Respondent provided those forms to law enforcement agencies.

33. Forms were completed improperly and/or incorrectly, as follows:

a. The daily return form for Transaction No. 519-01 failed to adequately describe objects, as follows: a) that the tenth object listed had the inscription "Mom," with the "o" shaped in a heart with three diamond chips; b) that the seventeenth object was a ring with a black and white stones separated by a band of four diamond chips; and c) that the twenty-fifth objects listed were actually a plain herringbone bracelet and a herringbone bracelet with the inscription "I love you." In addition, the twenty-fifth objects were improperly tagged. Further, the form failed to include the correct amount for the total dealer price.

b. The daily return form for Transaction No. 519-02 failed to adequately describe the third objects listed, i.e., it was a twisted heart charm. In addition, the form failed to include the correct amount for the total dealer price.

c. The daily return form for Transaction No. 519-03 failed to adequately describe the fourth object listed, i.e., it was a twisted a hoop earring.

d. The daily return form for Transaction No. 519-04 failed to adequately describe the first object listed, i.e., the pendant had thirteen diamond chips with the center stone missing. In addition, the form failed to include the correct amount for the total dealer price.

e. The daily return form for Transaction No. 519-05 failed to adequately describe objects, as follows: a) that the third object listed was the brand "Wittnauer, with serial number 01327; and b) that the seventh object had one diamond on each shoulder of the watch casing. In addition, the form failed to include the correct amount for the total dealer price.

f. The daily return form for Transaction No. 519-06 failed to include the correct amount for the total dealer price.

g. The daily return form for Transaction No. 519-07 failed to adequately describe objects, as follows: a) that the third object listed had seven stones missing and two stones

present; and b) that the sixteenth object had the center stone missing. In addition, the form failed to include the correct amount for the total dealer price.

h. The daily return form for Transaction No. 519-08 failed to adequately describe the sixth object listed, i.e., one earring had four stones missing, and the other earring had three stones missing. In addition, the form failed to include the correct amount for the total dealer price.

i. The above-referenced daily return forms failed to note the correct time of each transaction.

34. The Respondent knew, or should have known, of all requirements, concerning completion of the daily return forms and the timely submission of those forms to law enforcement agencies.

35. By entering this Consent Order, the Respondent expressly waives his right to any hearing or further proceedings to which he may be entitled in this matter and any rights to appeal from the Consent Order.

36. The Respondent enters this Consent Order freely, knowingly, and voluntarily, and with the advice of counsel.

37. The Respondent agrees to comply with the requirements of Section 12-101 *et seq.* of the Business Regulation Article, Maryland Annotated Code, and the Code of Maryland Regulations 09.25.01.01 *et seq.* in future transactions.

BASED ON THESE STIPULATIONS, IT IS, THIS 16 day of Sept, 2009, BY THE DEPARTMENT OF LABOR, LICENSING AND REGULATION,

ORDERED that Respondent Ralph Yates violated Maryland Annotated Code, Business Regulation Article, §§2-301(a),(d) and (e), 12-302(a)(1), and (3) and 12-304 (a),(b) and (c), and it is further

ORDERED that the Respondent is assessed a total civil penalty of $1,000.00 for those violations, which amount is payable to the Department within 30 days of the date this Consent Order is executed by the Department, and it is further

ORDERED that, if payment of the civil penalty is not made within that 30-day period, the Respondent's license as a "dealer" shall be automatically suspended until that payment is made, and it is further

ORDERED that the Department's records and publications shall reflect the discipline imposed on the Respondent.

8/31/09

RALPH YATES

LEONARD H. HOWIE III
DEPUTY SECRETATY
DEPARTMENT OF LABOR, LICENSING
& REGULATION

9/16/09

Date