DEPARTMENT OF LABOR *
LICENSING AND REGULATION
*

v. *

* CASE NO.: SPMG 10-0019

JAMES PRICE *
dba Delmarva Jewelers
*

Respondent *

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

CONSENT ORDER

This matter comes before the Maryland Department of Labor, Licensing and Regulation ("Department") as a result of a complaint filed by Trooper First Class Jean McGlynn, Maryland State Police Barrack "I" in Easton, Maryland. Upon a review of the complaint, the Department has determined that administrative charges against James Price (the "Respondent") be filed and an administrative hearing should be held. In an effort to resolve this matter without a formal hearing, the Respondent and the Department have agreed to enter into this Consent Order as the final settlement of this matter.

THE PARTIES AGREE AND STIPULATE:

1. At all times relevant to the matters set forth this Consent Order, the Department had jurisdiction over the subject matter and the Respondent.

2. The Respondent currently holds a secondhand precious metal object dealers and pawnbrokers license (License No. 528) with the Department.

3. On May 21, 2005 the Respondent's license expired.

4. On September 28, 2008 the Respondent reinstated his license.

5. The Responded admits that during the period May 21, 2005 to September 28, 2008 he acquired secondhand precious metal object in 79 transactions.

6. The Respondent and or employees completed the daily transaction for the objects that were acquired.

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

8. The Respondent acknowledges that he knew or should have known of all of the requirements concerning holding a license, in good standing, with the Department as a condition of acquiring secondhand precious metal objects from the public.

9. Based on the aforementioned facts, the Respondent acknowledges that he has violated Business Regulation Article §12–201 and Code of Maryland Regulations ("COMAR) 09.25.05.01, which provide:

§12–201. License required.

(a) Except as otherwise provided in this title, an individual shall have a license before the individual does business as a dealer in the State.

COMAR 09.25.01.01

A. Individuals engaged in the business of buying, acquiring, or trading commercially with members of the public in secondhand precious metals are required to be licensed as dealers unless specially exempt under Business Regulation Article, § 12-102, Annotated Code of Maryland.

10. The Respondent enters into this Consent Order freely, knowingly and voluntarily.

BASED ON THESE STIPULATIONS, IT IS, THIS 15th DAY OF December, 2009 BY THE DEPARTMENT OF LABOR, LICENSING AND REGULATION:

ORDERED that the Respondent has violated Business Regulation Article §12–201, Annotated Code of Maryland and Code of Maryland Regulations ("COMAR) 09.25.05.01 A, and it is further

ORDERED that the Respondent is, hereby, reprimanded.

ORDERED that the Respondent be assessed a civil penalty of $100.00 for the violations, which amount is to payable to the Department upon the Respondent's execution of this Consent Order and Settlement Agreement, and it is further

ORDERED that the Department's records and publications reflect the violations and the civil penalty of $100.00 imposed on the Respondent.

James Price

James Price

12/15/09

Date

Leonard J. Howie, III
Deputy Secretary
MARYLAND DEPARTMENT OF LABOR, LICENSING AND REGULATION