DEPARTMENT OF LABOR *
LICENSING AND REGULATION

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* CASE NOS.: SPMG 10-0027
SPMG 10-0034

JAN KOPPEL *
dba Precious Metals Liquidators

*

Respondent *

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

CONSENT ORDER

This matter comes before the Maryland Department of Labor, Licensing and Regulation ("Department") as a result of two complaints filed against Jan Koppel dba Precious Metals Liquidators by Detective Robert J. Gibson, Anne Arundel County Police Department, and Nicky Burris, Frederick County Sheriff's Office with the Department. Upon a review of the complaint, the Department has determined that administrative charges against Jan Koppel (the "Respondent") 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 license (License No. 2224) which was originally issued on July 16, 2008.

3. On August 1, 2009, the Respondent held a secondhand precious metal object buying event at the Doubletree Hotel, 210 Holiday Court, Annapolis, MD 21401 at which the respondent acquired secondhand precious metal objects from the public.

4. On September 26, 2009, the Respondent also held a secondhand precious metal object buying event at the Doubletree Hotel, 210 Holiday Court, Annapolis, MD 21401 at which the respondent acquired secondhand precious metal objects from the public.

5. The Respondent timely completed the required daily transaction forms and provided them to law enforcement agencies for both secondhand precious metal object buying events.

6. On October 15, 2009, Detective Robert J. Gibson and Laura Dahoney, Pawn and Precious Metal Squad Assistant conducted an inspection of the items and transaction reports that were completed and filed with the Anne Arundel County Police Department relating to the secondhand precious metal object buying events that were conducted at the Doubletree Hotel, 210 Holiday Court, Annapolis, MD 21401 by the Respondent. The inspection was conducted at the Bank of America, 7045 Arundel Mills Blvd, Hanover, MD 21076-1387, the approved alternative storage facility for the Respondent. Robert Skylar, an approved employee, represented the Respondent during the inspection.

7. The Respondent and/or his employees improperly and/or incorrectly completed the daily transaction reports from the August 1, 2009 event as follows:

A. The daily return forms for Transaction Nos. 11204 and 11211 failed to note the eye color of the seller.

8. The Respondent and/or his employees improperly and/or incorrectly completed the daily transaction reports from the September 26, 2009 event as follows:

A. Item #1 of the daily return form on Transaction No. 14402 was improperly described as *"scrap chain tang"* Upon inspection is was found to be a tangled thin rope necklace.

B. Item #12 of the daily return form on Transaction No. 14404 was improperly described as *"4 yg ring bands, etched design"*. Upon inspection the item was found to be four unique, non matching, different size bands.

C. Items #1 and # 5 of the daily return form on Transaction No. 14410 were improperly described as follows:

(1) Item # 1 was described as *"14 W/G watch, case only"*. Upon inspection, the item was found to be an intact watch case and band.

(2) Item #5 was described as *"14yg scrap"*. Upon inspection, the item was found to be two yellow gold earring backs for post earrings.

D. Items #1 and # 2 of the daily return form on Transaction No. 14411 were improperly described as follows:

(1) Item #1 was improperly described as *"2 pr p/e hoops"*. Upon inspection the item was found to be two separate, non-matching, non identical earrings: one pair of large twisted hoops; and one small pair of twisted hoops.

(2) Item #2 was described as *"2 chains hb18½" & 20"*. Upon inspection, the item was found to be non-matching and not from a set.

E. Item #1 of the daily return form on Transaction No. 14412 was improperly described as *"2 pr p/e hoops"*. Upon inspection the item was found to be non-matching, two different pairs; one pair is a log type hoop, and the other is a pair of dangle post earring, one of which is broken.

F. Items #1 and # 20 of the daily return form on Transaction No. 14415 were improperly described as follows:

(1) Item #1 improperly described as *"2-10 kyg chains Gucci link 11"* Upon inspection the chains were found not to be identical or from a set and the 11" chain was broken.

(2) Item #20 was described as *"2 14kyg brace Figaro 8" and 9"" chains hb18½" & 20"*. Upon inspection, the item was found to be not identical or from a set. One chain was found to be a large Figaro and the other chain was found to be a small Figaro.

G. Items #2, #3, #9 and # 10 of the daily return form on Transaction No. 14418 were improperly described as follows:

(1) Item #2 was described as *"4 14kyg brace hb 8 ½', 8", 7", 6" broken."* Upon inspection the items were found to be four bracelets of different widths and none belonged to a set. Only two of the four bracelets were broken.

(2) Item #3 was described as *"2 14kyg brace S link 7", 8" broken."Figaro 8" and 9"" chains hb18½" & 20"*. Upon inspection, only one

bracelet is broken and the bracelets were not a matching set.

(3) Item #9 was described as *"5 pr 14kyg p/e assorted."* Upon inspection the items were found to be one pair of scissor studs, one small pair of butterflies, one pair plain square studs, one pair of rose gold flower studs, and one pair etched hearts.

(4) Item #10 was described as *"2 pr 14kyg p/e hoop heart."* Upon inspection, the item was found to be one single twist hoop and one etched heart stud.

H. Item #12 of the daily return form on Transaction No. 14421 was improperly described as follows:

Item #12 was described as *"5 14 kyg ½ pr p/e hoops."* Upon inspection, the item was found to be one small hoop, one rope twist hoop, one clam shell hoop, one large hoop and one stick log hoop. None of the earring were from a set. The chains did not belong to a set nor were identical.

I. Items #7 and #10 of the daily return form on Transaction No. 14423 were improperly described as follows:

(1) Item #7 was described as *"round pendant."* Upon inspection, the item was found to include an engraving which reads "H of V 1989."

(2) Item #10 was described as *"1 14 kyg scrap."* Upon inspection, the item was found to be one broken earring hoop, on yg chain with five gold balls and separate gold ball.

9. On October 31, 2009 the Respondent held a gold buying event at the Holiday Inn, 5400 Holiday Drive, Frederick, MD 21704 in which the Respondent acquired secondhand precious metal objects from the public. The Respondent timely filed transaction reports describing the items that he acquired at that event to the Frederick County Sheriff's Office.

10. The Respondent and/or his employees improperly and/or incorrectly completed the daily transaction reports from the October 31, 2009 event as follows:

> A. The daily return form for Transaction Nos. 16704 incorrectly indicated the time of day in the place where the date of the event was required.

11. The Respondent knew, or should have known, of the requirements concerning the completion of the daily transaction report forms.

12. Based on the aforementioned facts, the Respondent acknowledges that he has violated Business Regulation Article §§12–302, Annotated Code of Maryland, which provide:

> **§12–301. Required Records**
>
> (a) *Records of dealers.*- Each dealer shall make a written record, on a form provided by the Secretary, of each business transaction that involves the acquisition of a secondhand precious metal object when the transaction is made.
>
> (d) *Separate entries.*- A separate record entry shall be made for each item involved in a transaction. However, items in a matching set may be recorded as a set if acquired in a single transaction.
>
> **§12–302. Contents of Records**
>
> (a) In addition to any other information required by the Secretary, the records of a dealer shall include:
>
> (1) the date, place, and time of each transaction that involves the acquisition of a precious metal object…
>
> (3) a description of the precious metal object, including:
>
> (i) its approximate metallic composition;
>
> (ii) any jewels, stones, or glass parts;
>
> (iii) any mark, number, word, or other identification on the precious metal object…
>
> **§12–304. Required Records**
>
> (c) Contents. Each copy of a record, submitted to the primary enforcement unit and, if applicable, local law enforcement unit, shall include:
>
> (3) the information required under§ 12-302 of this subtitle

13. Based on the aforementioned violations, the Respondent agrees to pay to the Department a civil penalty of $500.00 upon the Respondent's execution of this Consent Order.

14. The Respondent further agrees that he shall abide by the provisions of the Maryland Secondhand Precious Metal Object Dealers and Pawnbrokers Act, § 12-101 et. seq. and COMAR 09.25.01, et. seq.

15. The Respondent agrees to submit to the Department a plan of training for the Respondent's employees concerning the proper completion of daily transaction report forms and implement a regular training program for this purpose.

16. The Respondent, by entering into this Consent Order, expressly waives the right to have the pending allegations by the Department reduced to written charges, the right to an administrative hearing on the charges and the making of Findings of Fact and Conclusions of Law, and any all further proceeding before the Department to which the Respondent may be entitled to in this matter, and any rights to appeal from this Order.

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

BASED ON THESE STIPULATIONS, IT IS, THIS 29th DAY OF December, 2009 BY THE DEPARTMENT OF LABOR, LICENSING AND REGULATION:

ORDERED that the Respondent has violated Business Regulation §§ 12-301 (a) and (d). 302 (a) (3) (iii), and (d), and 304 (c)(3), Annotated Code of Maryland.

ORDERED that the Respondent is, hereby, reprimanded.

ORDERED that the Respondent be assessed a civil penalty of $500.00 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 $500.00 imposed on the Respondent.

Jan Koppel

12/21/09
Date

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