DEPARTMENT OF LABOR
LICENSING AND REGULATION

CASE NO.: SPMG 10-0041

MONICA MALICK KHAN.
dba Monica Jewelers

Respondent

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CONSENT ORDER

This matter comes before the Maryland Department of Labor, Licensing and Regulation ("Department") as a result of a complaint filed by Corporal Phillip Mullinix, an officer of the Howard County Police Department on November 23, 2009 against Monica Malik Khan dba Monica Jewelers. Upon a review of the complaint, the Department has determined that administrative charges against Monica Malik Khan (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 obtained a license as a Secondhand Precious Metal Object Dealer dba K. Pearl Corporation, 7900 Ritchie Highway, C114, Glen Burnie, MD 21061in Anne Arundel County (License No. 2341) on September 16, 2009.

3. The Respondent obtained secondhand precious metal objects at 10300 Little Patuxent Parkway #1700, Columbia, MD 21044 on October 22, November 6, November 7, and November 9, 2009.

4. The Respondent was issued a license for Monica Jewelers, Inc. 10300 Little Patuxent Parkway #1700, Columbia, MD 21044, by the Department on November 23, 2009.

5. The Respondent timely filed correct and proper transaction reports for the secondhand precious metal objects she obtained on October 22, November 6, November 7, and November 9, 2009.

6. The Respondent knew, or should have known, of the requirements concerning the licensing requirements for operating a business at which transactions of secondhand precious metal objects occur at more than one business location.

7. Based on the aforementioned facts, the Respondent acknowledges that she has violated Business Regulation Article §§12–201(a) and 202 (a) (1) (ii), and Annotated Code of Maryland; and Code of Maryland Regulations COMAR 09.25.01.A and 02 A., B, and D, 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.
>
> **§12–202. Application for a license**
>
> (a) (1) An applicant for a license shall:
>
> (i) submit to the Secretary an application on the form that the Secretary provides; and
>
> (ii) pay to the Secretary an application fee of $75.
>
> **COMAR 09.25.01.01 License Required.**
>
> 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.
>
> **COMAR 09.25.01.02 License Address.**
>
> A. A dealer's license may only be issued for a specific fixed address.
>
> B. A license may not be transferred to another address.
>
> D. If a dealer has more than one place of business, a separate license shall be obtained for each address.

8. 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.

9. 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.

10. 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.

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

BASED ON THESE STIPULATIONS, IT IS, THIS fifth DAY OF February, 2010, BY THE DEPARTMENT OF LABOR, LICENSING AND REGULATION:

ORDERED that the Respondent has Business Regulation Article §§12–201(a) and 202 (a) (1) (ii), and Annotated Code of Maryland; and Code of Maryland Regulations COMAR 09.25.01.A and 02 A., B, and D; and it is further

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.

Monica Malik Khan

02-05-10

Date

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