DEPARTMENT OF LABOR
LICENSING AND REGULATION

v.

JOHN THOMAS GLORIOSO
dba Liberty Loan and Jewelry Co.

Respondent

CASE NOS.: SPMG 10-0047
SPMG 10-0050

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CONSENT ORDER

This matter comes before the Maryland Department of Labor, Licensing and Regulations ("Department") as a result of a complaints filed by Corporal Christine Sisk, of the Baltimore County Police Department. Upon a review of the complaints, the Department has determined that administrative charges against John Thomas Glorioso, dba Liberty Loan and Jewelry Co. (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 holds a secondhand precious metal object dealers and pawnbrokers license (License No. 70-01) with the Department, which was originally issued on March 23, 1997.

3. On December 14, 2009 Corporal Sisk, conducted an onsite inspection of the Respondent store, Liberty Loan and Jewelry Co., to review records relating to the daily transaction reports filed by the Respondent in the Baltimore Regional Pawn Data Sharing System ("RPDSS") and found that the Respondent or one of the Respondent's employees failed to obtain the required identification of the seller of items on the following transactions:

A. In Transaction 664315, dated November 19, 2009; the form of identification obtained from the seller of a gold ring was a social service identification card.

B. In Transaction 651142, dated November 27, 2009; the form of identification obtained from the seller of light power tools was a social security card.

C. Transaction 661677, dated December 9, 2009, the form of the identification obtained from the seller of hand tools was an immigration identification card.

4. On December 22, 2009 Corporal Sisk, conducted a review of daily transaction reports filed by the Respondent in the Baltimore Regional Pawn Data Sharing System ("RPDSS") and found that the Respondent or one of the Respondent's employees failed to obtain the required identification of the seller of television in Transaction 667907, dated December 14, 2009 by obtaining a social services identification card.

5. The Respondent or the Respondent's employees knew or should have known that, in the absence of verifying the seller's identification through a driver's license, two forms of identification of the seller are required to be obtained and recorded.

6. Based on the aforementioned facts, the Respondent acknowledges that he has violated Business Regulation Article §§12-301 (a) and (b), 12-302 (a) (4) (i) and (ii), Annotated Code of Maryland:

§12–301. Business transaction report records required.

(a) 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.

(b) Each pawnbroker shall make a written record, on a form provided by the Secretary, of each business transaction that involves:

(1) lending money on pledge of personal property, other than a security or printed evidence of indebtedness; or

(2) buying personal property on condition of selling it back at a stipulated price; or

(3) buying the following items for the purpose of resale:

(i) binoculars;

(ii) cameras;

(iii) firearms;

(iv) furs;

(v) household appliances;

(vi) musical instruments;

(vii) office machines or equipment;
(viii) radios, televisions, videodisc machines, videocassette recorders, and stereo equipment;
(ix) personal computers, tapes, and disc recorders;
(x) watches;
(xi) bicycles; and
(xii) tangible personal property pledged as collateral.

(c) Each pawnbroker shall make a written record, on a form provided by the Secretary, of each transaction that involves the acquisition of an item described in subsection (b)(3) of this section for the purpose of resale.

§12–302. Contents of Records

(a) In addition to any other information required by the Secretary, the records of a dealer shall include…:

(4) for each individual from whom the dealer acquires a precious metal object:
(i) the name, date of birth, and driver's license number of the individual; or
(ii) identification information about the individual that:

1. positively identifies the individual from at least 2 forms of identification, which may include an age of majority card, military identification, or passport; and

2. provides a physical description of the individual, including the sex, race, any distinguishing features, and approximate age, height, and weight of the individual;

7. Based on the aforementioned violations, the Respondent agrees to pay to the Department a civil penalty of $ 300.00 upon the Respondent's execution of this Consent Order.

8. 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.

9. 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.

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

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BASED ON THESE STIPULATIONS, IT IS, THIS 2nd DAY OF February, 2010, BY THE DEPARTMENT OF LABOR, LICENSING AND REGULATION:

ORDERED that the Respondent has violated Business Regulation Article §§12-301 (a) and (b), 12-302 (a) (4) (i) and (ii), Annotated Code of Maryland;

ORDERED that the Respondent is, hereby, reprimanded;

ORDERED that the Respondent be assessed a civil penalty of $300.00 for the violations, which amount is to be 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 violation and the civil penalty of $300.00 imposed on the Respondent.

John Thomas Glorioso

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

1/15/10
Date