DEPARTMENT OF LABOR
LICENSING AND REGULATION

v.

VINCENT FINO
dba Fino Jewelers

Respondent

CASE NO.: SPMG 10-0051

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CONSENT ORDER

This matter comes before the Maryland Department of Labor, Licensing and Regulations ("Department") as a result of a complaint filed by Jessica Healy of the Baltimore County Police Department. Upon a review of the complaint, the Department has determined that administrative charges against Vincent Fino dba Fino Jewelers (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. 2179) with the Department, which was originally issued on April 1, 2008.

3. On December 24, 2009 Ms. Jessica Healey of the Baltimore County Police Department, conducted a review of daily transaction report filed by the Respondent in the Baltimore Regional Pawn Data Sharing System ("RPDSS"). Upon review of the Daily transaction report (Ticket No. 2605), Ms Healey discovered that the Respondent incorrectly completed the transaction form for items purchased on December 14, 2009.

4. The Respondent or one of the Respondent's employees failed to obtain proper identification from a seller of jewelry by failing to obtain a driver's license number of the seller, substituting instead a Mass Transit Administration identification card.

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

6. Based on the aforementioned facts, the Respondents acknowledges that he has violated Business Regulation Article § 302 (a) (4) (i) and (ii):

> **§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 violation, the Respondent agrees to pay to the Department a civil penalty of $ 100.00 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.

BASED ON THESE STIPULATIONS, IT IS, THIS 29th DAY OF January, 2010, BY THE DEPARTMENT OF LABOR, LICENSING AND REGULATION:

ORDERED that the Respondent has violated Business Regulation §302 (a) (4) (ii) Annotated Code of Maryland;

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 violation and the civil penalty of $100.00 imposed on the Respondent.

Vincent Fino

Vincent Fino

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

1/26/2010
Date