DEPARTMENT OF LABOR, LICENSING AND REGULATION *

v. *

* CASE NO.: SPMG 10-0060

TRISTAN SCOTT OCONNELL
dba Gold Buyers of Towson *

Respondent *

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

CONSENT ORDER

This matter comes before the Maryland Department of Labor, Licensing and Regulations ("Department") as a result of a complaint filed by Laura Tapp, of the Baltimore County Police Department. Upon a review of the complaint, the Department has determined that administrative charges against Tristian Scott O'Connell, dba Gold Buyers of Towson (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 licenses as a secondhand precious metal object dealer (Registration No. 2339)

3. The Respondent acquired secondhand precious metal objects consisting of five (5) transactions (Transaction Nos. 14101, 14102, 14103, 14104 and 14105) on January 4, 2010.

4. The Respondent filed transaction reports for the secondhand precious metal objects on that were acquired on January 4, 2010 on January 7, 2010.

5. The Respondent acquired secondhand precious metal objects consisting of two (2) transactions (Transactions 15101 and 15102) on January 5, 2010.

6. The Respondent filed transaction reports for the secondhand precious metal objects on that were acquired on January 5, 2010 on January 7, 2010.

7. The transaction reports that were filed on and January 7, 2010 were complete and correct.

8. On December 8, 2009 and December 22, 2009 the Baltimore County Police Department warned the Respondent and/or the Respondent's employees that the Secondhand Precious Metal Object Dealers and Pawnbrokers Act requires the filing of transaction reports by 10:00 AM the next business day following the acquisition of a secondhand precious object.

9. The Respondent and/or the Respondent's employees knew or should have known of the requirements for the timely filing of daily transaction reports for secondhand precious metal objects.

10. Based on the aforementioned facts, the Respondent acknowledges that she has violated Business Regulation Article §§ 12-304 (a) and (b), Annotated Code of Maryland, which states:

> **12-304. Copies to law enforcement units.**
>
> (a) *In general* - (1) A dealer shall submit a copy of each record to the primary law enforcement unit in accordance with subsection (b) of this section.
>
> (b) *Delivering copies in general* - The dealer shall submit the records by transmitting the required information from the records electronically, in a format acceptable to the receiving law enforcement unit, by noon of the next business day.

11. Based on the aforementioned violation, the Respondent agrees to pay to the Department a civil penalty of $ 250.00 upon the Respondent's execution of this Consent Order.

12. The Respondent further agrees that she 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.

13. 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.

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

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

ORDERED that the Respondent has violated Business Regulation Article §§ 12-304 (a) and (e, Annotated Code of Maryland;

ORDERED that the Respondent is, hereby, reprimanded;

ORDERED that the Respondent be assessed a civil penalty of $250.00 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 $250.00 imposed on the Respondent.

Tristian Scott O'Connell

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

1/25/10
Date