

DEPARTMENT OF LABOR
LICENSING AND REGULATION

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v.

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CASE NOS.: SPMG 11-0060

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OLGA RAKITINA
dba Kay Jewelers #1880

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Respondent

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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 the Frederick County Sheriff’s Office. Upon a review of the complaint, the Department has determined that administrative charges against Olga Rakatina, dba Kay Jewelers #1880 (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 is the Manager of Kay Jewelers #1880 and obtained a license as a secondhand precious metal object dealer and pawnbroker (License No. 2357-13) on December 15, 2009. Kay Jewelers #1880 is located at 5500 Buckeystown Pike, Suite 281, Frederick, Maryland 21703.
3. On or about May 5, 2011, the Respondent acquired a 14 karat white gold diamond ring from an individual in Transaction No. 051186.
4. The Respondent obtained identification information from the seller of the ring which indicated that the seller was born on March 8, 1995.

5. The Respondent acknowledges that on May 5, 2011 the seller of the 14 karat white gold diamond ring in Transaction No. 051186 was 16 years of age.

6. The Respondent acknowledges that she or the Respondent's employees knew or should have known that transactions with minors are prohibited by the Maryland Secondhand Precious Metal Object Dealers and Pawnbrokers Act.

7. Based on the aforementioned facts, the Respondent acknowledges that she has violated Business Regulation Article §§12-213, Annotated Code of Maryland, which states:

§ 12-213. Transactions with minors prohibited.

A dealer may not acquire a precious metal object, or take any merchandise in a pawn transaction, from an individual who is a minor.

8. Based upon the aforementioned violations, the Respondent agrees to pay to the Department a civil penalty of \$ 1,000.00 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 12 DAY OF August, 2011, BY THE DEPARTMENT OF LABOR, LICENSING AND REGULATION:

ORDERED that the Respondent has violated Business Regulation Article §12-213 Annotated Code of Maryland;

ORDERED that the Respondent is, hereby, reprimanded;

ORDERED that the Respondent be assessed a civil penalty of \$1,000.00 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 \$1,000.00 imposed on the Respondent.

RESPONDENT'S SIGNATURE
APPEARS ON ORIGINAL ORDER
Olga Rakitina

DEPUTY SECRETARY'S SIGNATURE
APPEARS ON ORIGINAL ORDER
Leonard J. Howie, III
Deputy Secretary

MARYLAND DEPARTMENT OF LABOR,
LICENSING AND REGULATION

8/1/11
Date