

DEPARTMENT OF LABOR
LICENSING AND REGULATION,

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v.

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CASE NO: SPMG 12-0044

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DONALD W. STRATHY
dba Custom Service,

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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 Baltimore County Police Department. Upon a review of the complaint, the Department has determined that administrative charges against Donald W. Strathy (the “Respondent”) dba Custom Service (License No 01-929-02), 7838 Eastern Avenue, Baltimore Maryland 21224, 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 (License No 01-929-02), holds secondhand precious metal object dealers and pawnbrokers license with the Department dba Custom Service (License No 01-929), 7838 Eastern Avenue, Baltimore Maryland 21224, which was originally issued on January 27, 2010..

3. On July 1, 2011, the Respondent acquired a sterling silver necklace and a ladies 10 karat gold ring in Transaction No. 002. According to the seller’s driver’s license, the seller’s date of birth indicated that seller was not 18 years of age at the time of the transaction.

4. The Respondent acknowledges that the Respondent knew or should have known that transactions with minors is prohibited by the Maryland Secondhand Precious Metal Object Dealers and Pawnbrokers Act

5. Based upon the aforementioned facts, the Respondent acknowledges that the Respondent has violated Business Regulation Articles §§ 12-213, Annotated Code of Maryland, which provides:

§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.

6. Based on 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.

7. The Respondent 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.

8. The Respondent further agrees to enroll in remedial training in the responsibilities of a licensed dealer under the Maryland Secondhand Precious Metal Object Dealers and Pawnbrokers Act that is conducted by the Department within 30 days of the execution of this Consent Order.

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 8th DAY OF April, 2012, BY THE DEPARTMENT OF LABOR, LICENSING AND REGULATION:

ORDERED that the Respondent has violated Business Regulation Articles §§ 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 violation, which amount is to payable to the Department upon the Respondent's execution of this Consent Order.

ORDERED that the Respondent enroll in remedial training in the responsibilities of a licensed dealer under the Maryland Secondhand Precious Metal Object Dealers and Pawnbrokers Act that is conducted by the Department within 30 days of the execution of this Consent Order.

ORDERED that the Department's records and publications reflect the violation and the civil penalty of \$1,000.00 imposed on the Respondent

RESPONDENT'S SIGNATURE
APPEARS ON ORIGINAL ORDER
Donald W. Strathy

DEPUTY SECRETARY'S SIGNATURE
APPEARS ON ORIGINAL ORDER
Scott Jensen
Deputy Secretary

3-31-2012
Date

MARYLAND DEPARTMENT OF LABOR,
LICENSING AND REGULATION