

BEFORE THE MARYLAND DEPARTMENT OF LABOR

DEPARTMENT OF LABOR * CASE NO.:
v. * SPMG-2023-0002
THOMAS PRETE *
Respondent *
* * * * *

CONSENT ORDER AND SETTLEMENT AGREEMENT

This matter comes before the Maryland Department of Labor (“Department”) as a result of a complaint filed by the Maryland State Police (“MSP”). Upon review of the complaint, the Department determined that administrative charges against Thomas Prete, d/b/a TNT Jewelers (“Respondent”), should be filed and an administrative hearing should be held. Prior to any hearing, and prior to the filing of formal charges in SPMG-2023-0002, the Respondent and the Department agreed to enter into this Consent Order as final settlement.

THE PARTIES AGREE AND STIPULATE:

1. The Respondent holds a secondhand precious metal object dealers and pawnbrokers license with the Department (Reg. No. 2178), which is currently due to expire on March 9, 2024.
2. At all times relevant to the matters set forth in this Consent Order, the Department had jurisdiction over the subject matter and the Respondent.
3. On or about February 9, 2023, Corporal Davenport from the Maryland State Police conducted a RAPID compliance audit of TNT Jewelers located in Chester, Queen Anne’s County, Maryland. The audit was done electronically, and the transaction was selected based on dealer reporting data.
4. The trooper conducted a license check on TNT Jewelers. After further

investigation, Corporal Davenport discovered that License No. 2178 expired on March 9, 2022. Nevertheless, between the dates of July 30, 2022, and February 15, 2023, the Respondent conducted twenty-one (21) secondhand precious metal transactions. During that time period, the Respondent was operating without a license as required by law.

5. Based on the aforementioned facts, the Respondent acknowledges that he has violated Business Regulation Article §12-201(a)-(b), which provide in pertinent part:

§12-201 – License required

(a) Except as otherwise provided in this title, an individual shall have a license before the individual does business as a dealer in the State.

(b) Except those pawnbrokers who are exempt from State licensing under §12-102(c) of this title, all pawnbrokers must be licensed as dealers.

6. Based on the aforementioned violations, the Respondent agrees to pay to the Department a civil penalty of Five Hundred Dollars (\$500), to be paid within thirty (30) days of execution of this Consent Order.

7. The Respondent further agrees that he shall abide by all provisions of the Maryland Secondhand Precious Metal Object Dealers and Pawnbrokers Act, BR §12-101 *et. seq.*, and COMAR 09.25.01, *et. seq.* with regard to all relevant future activities.

8. The Respondent, by entering into this Consent Order, expressly waives the right to an administrative hearing on the charges and the making of Findings of Fact and Conclusions of Law, and any and all further proceedings before the Department to which the Respondent may be entitled in this matter, and any rights to appeal from this Order.

9. The Respondent enters into this Consent Order freely, knowingly, and voluntarily, and with the opportunity to seek the advice of counsel.

10. The Respondent agrees and acknowledges that this Consent Order shall constitute a Final Decision and Order of the Department and shall be enforceable as such.

Based on these stipulations, it is this _____ day of _____, 2023, by the Maryland Department of Labor:

ORDERED, that the Respondent has violated Business Regulation Article §12-201(a) - (b); and it is further

ORDERED, that the Respondent be assessed a civil penalty of Five Hundred Dollars (\$500) for the violations, which amount is payable to the Department within thirty (30) days of the execution of this Consent Order, and it is further

ORDERED, that if the Respondent fails to make the required payment in accordance with the terms of this Consent Order, the Respondent's license to act as a secondhand precious metal object dealer and pawnbroker shall be immediately and automatically suspended until such time as the required payment(s) is/are made; and it is further

ORDERED, that this matter shall be resolved in accordance with the terms of this Consent Order, and that the same shall be reflected among the records of the Department; and it is further

ORDERED, that this Consent Order shall constitute a Final Decision and Order of the Secretary of the Maryland Department of Labor.

**SIGNATURE APPEARS
ON ORIGINAL DOCUMENT**

08-15-23

THOMAS PRETE
Respondent

Date

**SIGNATURE APPEARS
ON ORIGINAL DOCUMENT**

8/14/23

PORTIA WU
Secretary
Maryland Department of Labor

Date