

DEPARTMENT OF LABOR  
LICENSING AND REGULATION,

v.

DENNIS BRADLEY DAVIS  
Buddahs and Beads,

CASE NO: SPMG 13-0018

Respondent

\* \* \* \* \*

**CONSENT ORDER**

This matter comes before the Maryland Department of Labor, Licensing and Regulation ("Department") as a result of a complaint filed by the Maryland State Police. Upon a review of the complaint, the Department has determined that administrative charges against Dennis Davis (the "Respondent") t/a Buddahs and Beads, 12638 Ocean Gateway, Ocean City, Maryland 21832 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 01-522-02), holds secondhand precious metal object dealers and pawnbrokers license with the Department, which was initially issued on June 27, 2010.
3. On November 8, 2012, a member of the Maryland State Police conducted an inspection of the Respondent's place business to determined compliance with the provisions of the Maryland Secondhand Precious Metal Object Dealers and Pawnbrokers Act.
4. During the inspection, the State Police found that the Respondent's license was not prominently displayed, signage that was not attached to the business location did not include the Respondent's license number, the Respondent's business cards did not contain the dealer's license number, the Respondent failed electronically report transactions, the Respondent's records were not located in a secure location and the Respondent's scale that

was used in transactions was not inspected by the Department of Agriculture Bureau of Weight and Measures.

5. The Respondent was advised by the Maryland State Police of these violations and was directed to correct these deficiencies and have the scale inspected by the Department of Agriculture Bureau of Weights and Measures.

6. On April 1, 2013 an investigator of the Department conducted a follow up inspection to determine the Respondent's compliance with the instruction given by the Maryland State Police Officer. The inspection determined that the Respondent corrected the advertising and reporting deficiencies found in the November 8, 2012 inspection

7. The follow up inspection by the Department's investigator determined that the Respondent had not contacted the Department of Agriculture Bureau of Weight and Measure to inspect the scale.

8. Based on the aforementioned facts, the Respondent acknowledges the Respondent has violated Code of Maryland Regulations COMAR 09.25.02.02, which provides:

**COMAR.02.25.02.02 Registration Required.**

A. A licensed dealer shall register with the Department of Agriculture any weights and measures which are used in buying from, selling to, or trading commercially with the public, any secondhand precious metal object.

B. Registration with the Department of Agriculture shall be in accordance with Agriculture Article, 11-204.1-----11-204.7, Annotated Code of Maryland.

C. A licensed dealer shall display the registration conspicuously in the place of business of the licensee.

9. Based on the aforementioned violations, the Respondent agrees to pay to the Department a civil penalty of \$ 500.00 upon the Respondent's execution of this Consent Order.

10. 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.

11. 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.

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

BASED ON THESE STIPULATIONS, IT IS, THIS 5<sup>th</sup> DAY OF June, 2013, BY THE DEPARTMENT OF LABOR, LICENSING AND REGULATION:

**ORDERED** that the Respondent has Code of Maryland Regulations COMAR 09.25.02.02;

**ORDERED** that the Respondent is, hereby, reprimanded;

**ORDERED** that the Respondent be assessed a civil penalty of \$500.00 for the violation, which amount is to be 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 \$500.00 imposed on the Respondent.

RESPONDENT'S SIGNATURE  
ON ORIGINAL DOCUMENT  
**Dennis B. Davis**

DEPUTY SECRETARY'S SIGNATURE  
ON ORIGINAL DOCUMENT  
**Scott Jenson,**  
**Deputy Secretary**

Deputy Secretary  
MARYLAND DEPARTMENT OF LABOR,  
LICENSING AND REGULATION

6.3.13  
Date