

MARYLAND DEPARTMENT OF
LABOR, LICENSING AND
REGULATION

v.

JOHN DOYLE,

Respondent

* BEFORE THE MARYLAND
* DEPARTMENT OF LABOR,
* LICENSING, AND REGULATION
* COMPLAINT NOS. SPMG-14-0003 &
0005

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* * * * *

CONSENT ORDER

This matter comes before the Maryland Department of Labor, Licensing and Regulation (“Department”) based on complaints filed by the Baltimore County Police Department against John Doyle (“Respondent”). Based on those complaints, the Department determined that administrative charges against the Respondent were appropriate and that a hearing on those charges should be held. This matter was scheduled to be heard at the Office of Administrative Hearings on November 12 and 13, 2014, but the case was withdrawn by the Department to allow for settlement to occur. The Department and the Respondent consent to the entry of this Order as resolution of this action in regard to the administrative charges in Complaint Nos. SPMG-14-0003 and 0005.

IT IS STIPULATED BY THE PARTIES that:

1. The Respondent is currently licensed (License No. 01-836) as a secondhand precious metal object dealer (“dealer”); the name of his business is J D Loan Company.
2. That dealer’s license was first issued on November 15, 1993.
3. The Respondent has renewed his dealer’s license since that time; his license expires on August 31, 2015.

4. The Statement of Charges and Order for Hearing, dated June 29, 2014, in Complaint Nos. SPMG-14-0003 and 0005 is incorporated by reference into this Consent Order and is attached as Exhibit A.

5. The Respondent admits to the factual allegations which begin with "The charges in this case arise out of complaints filed against you by the Baltimore County Police Department on or about August 5 and August 27, 2013" on page 1 of Exhibit A and which continue through "It is further alleged that, based on your application for a dealer's license, your applications to renew that license, and/or information provided by law enforcement and the Department of Labor, Licensing and Regulation, you knew, or should have known, of the requirements for the proper reporting of secondhand precious metal object transactions, as well as the maintaining of records of those transactions" on page 9 of Exhibit A (except as to the language referenced in Stipulation 6 below).

6. The allegations that the Respondent included incorrect addresses for the sellers, or "customers," on pages 4-5 and 7-9 of Exhibit A are dismissed by the Department.

7. The Respondent has been charged criminally in the District Court for Baltimore County in Case No. OC00405440.

8. Trial in that case is scheduled for December 8, 2014.

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

10. By entering into this Consent Order, the Respondent expressly waives the right to any hearing or further proceedings to which he may be entitled in this matter and any rights to appeal from the Consent Order.

11. The Respondent agrees to abide by the Maryland Secondhand Precious Metal Object Dealers and Pawnbrokers Act, Maryland Annotated Code, Business Regulation Article, §12-101 *et seq.*, and regulations of the Department in future transactions.

BASED ON THESE STIPULATIONS, IT IS, THIS 1st day of December, 2014, BY THE MARYLAND DEPARTMENT OF LABOR, LICENSING AND REGULATION,

ORDERED that Respondent John Doyle has violated Business Regulation Article, Maryland Annotated Code, §§12-209(a)(2)(iv), (vii) and (viii), 12-301(a) - (d) and (f), 12-302, 12-303, 12-304(a)(1), (b)(1) and (c), and 12-305(d), and it is further

ORDERED that the Respondent dealer's license is suspended for 15 days effective November 13, 2014, and it is further

ORDERED that the Respondent is assessed a total civil penalty of \$10,000.00 for those violations, which amount is payable to the Department as follows: \$2,500.00 no later than 15 days from November 12, 2014, and the remainder, \$7,500.00, no later than 5 days after December 8, 2014, and it is further

ORDERED that, if a fine is imposed against the Respondent on December 8, 2014 in Case No. OC00405440, that fine amount shall offset and reduce the amount due of the remainder of the total civil penalty of \$10,000.00, and it is further

ORDERED that, if the Respondent does not pay the \$2,500.00 portion of the total civil penalty on or before November 27, 2014, the Respondent's dealer's license shall be automatically suspended until payment of that portion of the total civil penalty amount is made, and it is further

ORDERED that, if the Respondent does not pay the \$7,500.00 portion of the total civil penalty on or before December 13, 2014 (less the above-referenced offset, if applicable), the Respondent's license shall be automatically suspended until payment of that portion of the total civil penalty is made, and it is further

ORDERED, that, during the period of suspension, the Respondent may not acquire commercially in any manner, including, but not limited to, purchase, pawn, or consignment, from members of the public, or may not trade commercially with members of the public, any secondhand precious metal objects, as defined in Business Regulation Article, §12-101(i), as well as any items enumerated in Business Regulation Article, §12-301(b)(3). However, the Respondent may, during the suspension period, allow members of the public to redeem pawned secondhand precious metal objects or items enumerated in §12-301(b)(3) if those objects or items were taken in pawn prior to the suspension. The term "members of the public" as it is used herein shall not include a licensed dealer within the meaning of §12-101 *et seq.* of the Business Regulation Article, and it is further

ORDERED that, if the Respondent is convicted in the case referenced in Stipulation No. 7 above (whether in the District Court for Baltimore County or in the Circuit Court for Baltimore County if the case is heard in that court), his dealer's license shall be immediately revoked upon conviction, and it is further

ORDERED that, if such conviction and immediate revocation occur, the Respondent shall have no right to any hearing or further proceedings to which he may be entitled and any rights to appeal in regard to that revocation, and it is further

ORDERED that the Department's records and publications shall reflect the terms of this Consent Order.

RESPONDENT'S SIGNATURE
ON ORIGINAL DOCUMENT
John Doyle

DEPUTY SECRETARY'S SIGNATURE
ON ORIGINAL DOCUMENT
Scott Jenson, Deputy Secretary
MARYLAND DEPARTMENT OF LABOR,
LICENSING AND REGULATION

11/21/2014
DATE