

DEPARTMENT OF LABOR
LICENSING AND REGULATION,

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v.

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CASE NO.: SPMG 11-0016

NATHAN HALL GWOZDECKI
dba S&L Estate Buyers,

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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 Department. Upon a review of the complaint, the Department has determined that administrative charges against Nathan Hall Gwozdecki dba S&L Estate Buyers (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 holds a secondhand precious metal object dealers and pawnbrokers license (License No. 2397) with the Department, at the business address of 5784 Fringetree Court, Frederick, Maryland, 21703, which was originally issued on March 8, 2010.
3. On September 4 and September 11, 2010, the Respondent conducted a total eight transaction at a gold buying event that was held at Motel 6, which is located at 999 Spectrum Drive, Frederick, Maryland 21702.
4. The Respondent provided written notice of these two events to the Frederick County Sheriff’s Department on September 10, 2010.
5. The Respondent timely filed all of the transactions that occurred at the September 4 and September 11, 2010 events.

6. The Respondent knew, or should have known, of the requirements to provide seven days advance written notice of the September 4 and September 11, 2010 events to the Frederick County Sheriff's Office

7. Based on the aforementioned facts, the Respondent acknowledges that he has violated Business Regulation Article §12-206 (b) (1), Annotated Code of Maryland, which provide:

§12-206. Required of Records

(a) In general.- A license authorizes the licensee to do business as a dealer only at the address for which the license is issued.

(b) Location of business.- Notwithstanding subsection (a) of this section, a dealer who holds a license under this subtitle may:

(1) transact business as a dealer for up to 7 consecutive days at an event that takes place at a location other than the fixed business address at which a transaction may occur after giving written notice at least 7 days in advance of the event to the primary law enforcement unit and to the local law enforcement unit with jurisdiction over the place where the event will be held.

(2) make purchases at an estate and judicial sale; and

(3) transact business at the residence of the owner of a precious metal object or a place where the owner keeps a precious metal object:

(i) on request of the owner; and

(ii) after giving written notice of the proposed transaction and its location to the local law enforcement unit with jurisdiction over that location.

8. Based on the aforementioned violation, the Respondent agrees to pay to the Department a civil penalty of \$ 500.00 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 18th DAY OF October, 2010, BY THE DEPARTMENT OF LABOR, LICENSING AND REGULATION:

ORDERED that the Respondent has violated Business Regulation Article §12-206 (b) (1), Annotated Code of Maryland;

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 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
APPEARS ON ORIGINAL ORDER)

Nathan Hall Gwozdecki

DEPUTY SECRETARY'S SIGNATURE
APPEARS ON ORIGINAL ORDER

LEONARD J. HOWIE III
DEPUTY SECRETARY
MARYLAND DEPARTMENT OF LABOR,
LICENSING AND REGULATION

10/11/2010
Date