

DEPARTMENT OF LABOR  
LICENSING AND REGULATION,

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v.

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CASE NO: SPMG 12-0058

ALFRED S. SHAPOSHNIKOV  
dba Westside Pawn,

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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 City Police Department. Upon a review of the complaint, the Department has determined that administrative charges against Alfred S. Shaposhnikov (the “Respondent”) dba Westside Pawn, 2421 Frederick Avenue, Baltimore, Maryland 21223 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 01-819) with the Department dba Westside Pawn, 2421 Frederick Avenue, Baltimore, Maryland 21223, which was initially issued on July 21, 1993.
3. On March 12, 2012, Mr. Alexander Chase Pinchur conducted a secondhand precious metal object transaction (Transaction No. 47152) on behalf of the Respondent. The transaction involved the acquisition of 10 karat yellow gold women’s jewelry.
4. The Respondent had not reported Mr. Pinchur to the Department and the Department had not authorized Mr. Pinchur to conduct secondhand precious metal objects at the time of the March 12, 2012 Transaction No. 47152.

5. The transaction report to the Baltimore City Police Pawn Units for Transaction No. 47152 did not adequately describe the secondhand precious metal objects that were acquired.

6. The Respondent acknowledges that the Respondent knew, or should have known, of the requirement of the Secondhand Precious Metal Object Dealers and Pawnbrokers Act for a dealer to file a report to the Department to request that an individual to be authorized by the Department before engaging in a secondhand precious metal object transaction.

7. The Respondent acknowledges that the Respondent knew, or should have known, of the requirement of the Secondhand Precious Metal Object Dealers and Pawnbrokers Act for a the Respondent to file complete and adequate description of secondhand precious metal objects.

8. Based on the aforementioned facts, the Respondent acknowledges that the Respondent has violated Business Regulation Article §§12-203, 12-302 (a) (1)-(3), Annotated Code of Maryland and Code of Maryland Regulations COMAR 09.25.01.05, which provide:

**§12-203. Fees for employees.**

Before an individual may begin work for a dealer as an employee:

- (1) the dealer shall submit to the Secretary, on the form that the Secretary provides, the name of the individual; and
- (2) the individual shall apply for a national and State criminal history records check required under § 12-204(b) of this subtitle.

**§ 12-302. Contents of records.**

(a) In addition to any other information required by the Secretary, the records of a dealer shall include:

- (1) the date, place, and time of each transaction that involves the acquisition of a precious metal object;
- (2) the name and address of the principal, if the transaction is by an agent;
- (3) a description of the precious metal object, including:
  - (i) its approximate metallic composition;

- (ii) any jewels, stones, or glass parts;
- (iii) any mark, number, word, or other identification on the precious metal object;
- (iv) its weight, if payment is based on weight;
- (v) a statement whether it appears to have been altered by any means, including:
  - 1. obscuring a serial number or identifying feature;
  - 2. melting; or
  - 3. recutting a gem; and
- (vi) the amount paid or other consideration;

(4) for each individual from whom the dealer acquires a precious metal object:

- (i) the name, date of birth, and driver's license number of the individual; or
- (ii) identification information about the individual that:
  - 1. positively identifies the individual from at least 2 forms of identification, which may include an age of majority card, military identification, or passport; and
  - 2. provides a physical description of the individual, including the sex, race, any distinguishing features, and approximate age, height, and weight of the individual;

(5) a statement indicating whether or not the person making the transaction is personally known to the dealer; and

(6) the signature of the person from whom the precious metal object or personal property is acquired and the dealer or employee who accepted the precious metal object.

(b) In addition to any other information required by the Secretary, the records of a pawnbroker shall include, for each item pawned:

- (1) the type of item;
- (2) its manufacturer, model number, year of manufacture if known, and serial number if known; and
- (3) its color and size.

9. Based on the aforementioned violation, the Respondent agrees to pay to the Department a civil penalty of \$800.00 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 8 DAY OF August, 2012, BY THE DEPARTMENT OF LABOR, LICENSING AND REGULATION:

**ORDERED** that the Respondent has violated Business Regulation Article §§12-203, 12-302 (a) (1)-(3), Annotated Code of Maryland and Code of Maryland Regulations COMAR 09.25.01.05.

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

**ORDERED** that the Respondent be assessed a civil penalty of \$ 800.00 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 \$ 800.00 imposed on the Respondent.

RESPONDENT'S SIGNATURE  
APPEARS ON ORIGINAL ORDER  
Alfred S. Shaposhnikov

INTERIM SECRETARY'S SIGNATURE  
APPEARS ON ORIGINAL ORDER  
Scott Jensen  
Interim Secretary

MARYLAND DEPARTMENT OF LABOR,  
LICENSING AND REGULATION

8.2.2012  
Date