

223-11

DEPARTMENT OF LABOR,  
LICENSING AND REGULATION

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v.

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CASE NO.: SPMG-11-0020

YGOR VAIMAN  
Brother's Pawn,

\*

Respondent

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\* \* \* \* \*

CONSENT ORDER

This matter comes before the Maryland Department of Labor, Licensing and Regulation ("Department") based on a complaint filed by the Baltimore County Police Department. Based on that complaint, the Department determined that administrative charges against Ygor Vaiman ("Respondent") were appropriate and that an administrative hearing on those charges should be held. This matter was scheduled for a hearing at the Office of Administrative Hearings on April 13, 2011, but the Department and the Respondent agreed to resolve the matter by Consent Order in lieu of that hearing. The Department and the Respondent consent to the entry of this Order as final resolution of Case No. SPMG-11-0020.

IT IS STIPULATED BY THE PARTIES that:

1. The Respondent is currently licensed (No. 2135) as a secondhand precious metal object dealer ("dealer"), as defined in Section 12-101(b) of the Business Regulation Article of the Maryland Annotated Code, and was licensed at all relevant times in this case.

2. The name of the company through which the Respondent acquires secondhand precious metal objects is Brother's Pawn.

3. On or about September 2, 2010, a Rolex watch valued at \$9,000.00, was stolen from a residence in Baltimore County.

4. On or about September 9, 2010, the Respondent's store acquired that watch, giving \$225.00 to the seller.

5. An individual who was not registered with and approved by the Department of Labor, Licensing, and Regulation to be an "employee," as defined in Section 12-101(c) of the Business Regulation Article, acquired the watch on the Respondent's behalf.

6. The Respondent reported this transaction electronically to law enforcement, describing the watch as "18K Yellow Gold Plated Watch, Engraving ROLEX 750 8570K OYSTER PERPETUAL DATE JUST 045 W/SMALL DIA STONES INSIDE."

7. Corporal Christine Sisk of the Baltimore County Police Department visited the Respondent's store on September 24, 2010 as part of an investigation of the theft of the watch.

8. Corporal Sisk met with a Tony Abramov, identified as the store manager, concerning the Respondent's store's acquisition of the watch.

9. Mr. Abramov took a watch from a safe and handed it to the corporal.

10. Corporal Sisk was able to determine that the watch was a replica, or cheap copy, of the stolen watch.

11. Mr. Abramov offered an explanation which was false.

12. Corporal Sisk advised Mr. Abramov that he needed to contact the theft victim's husband and have the actual stolen watch returned to the victim.

13. Soon thereafter, Mr. Abramov contacted the victim's husband and returned the watch that had been stolen.

14. Mr. Abramov had previously acknowledged to the victim's husband that the store used a "diversion."

15. Mr. Abramov explained that, if the store believes an object is stolen, the store electronically reports information about a fake object or cheap copy, i.e., watch in this case, to law enforcement and retains the real watch to sell.

16. The information which the Respondent electronically reported to law enforcement concerning this transaction and object was, therefore, false and/or inaccurate.

17. The actual watch which the Respondent's store acquired was 18k gold with a gold face, with multiple diamonds around the watch face, and the serial number of 9-5893925.

18. The Respondent failed to hold the object in question for the required 18-day holding period or failed to hold the object at his store or at an approved storage facility for the required 18-day holding period.

19. The Respondent failed to cooperate with law enforcement and, as a result, law enforcement was unable to inspect the object at issue.

20. By entering this Consent Order, the Respondent expressly waives his 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.

21. The Respondent enters this Consent Order freely, knowingly, and voluntarily, and having had the opportunity to seek the advice of counsel.

22. The Respondent agrees to comply with the requirements of Section 12-101 *et seq.*, of

the Business Regulation Article, Maryland Annotated Code, and the Code of Maryland Regulations 09.25.01.01 *et seq.* in future transactions.

BASED ON THESE STIPULATIONS, IT IS, THIS 4<sup>th</sup> day of Apr, 2011, BY THE DEPARTMENT OF LABOR, LICENSING AND REGULATION,

ORDERED that Respondent Ygor Vaiman violated Maryland Annotated Code, Business Regulation Article, §§12-202(d), 12-203, 12-301(a)-(c), 12-302(a) and (b), 12-304(a)-(c), 12-305(a)(1) and (d), and 12-306(a), as well as Code of Maryland Regulations 09.25.01.05A-C, and it is further

ORDERED that the Respondent is assessed a total civil penalty of \$5,000.00 for those violations, which amount is payable to the Department within 30 days of the date this Consent Order is executed by the Department, and it is further

ORDERED that, if payment of the civil penalty is not made within that 30-day period, the Respondent's license as a "dealer" shall be automatically suspended until that payment is made, and it is further

ORDERED that the Department's records and publications shall reflect the discipline imposed on the Respondent.

RESPONDENT'S SIGNATURE  
APPEARS ON ORIGINAL ORDER  
Ygor Vaiman

DEPUTY SECRETARY'S SIGNATURE  
APPEARS ON ORIGINAL ORDER  
Leonard J. Howie, III  
Deputy Secretary

DEPARTMENT OF LABOR, LICENSING  
& REGULATION

3/29/11  
Date