

(6) Has violated any provision of this subtitle or is performing or attempting to perform any act prohibited by this subtitle.

(b) The Commission may refuse to grant a license to any contractor or subcontractor, or may suspend or revoke the license of any contractor or subcontractor, if it finds that the contractor or subcontractor or the contractor's or subcontractor's management personnel:

(1) Has failed to evidence financial solvency. A determination of financial solvency by the Commission shall take into account the intended scope and size of the person's business in relation to the person's total current assets, liabilities, credit rating, and net worth. The financial information shall be confidential and not a public record, but, where relevant, shall be admissible as evidence in any administrative hearing or judicial action or proceeding; or

(2) Lacks competence to engage in home-improvement contracting, as evidenced by [a practice of failure to perform contracts. A contractor or a subcontractor shall be deemed to have failed to perform when the Commission finds that the work involved in his contracts has been] WORK performed in a poor and unworkmanlike manner, or when the work involved is inadequate or incomplete.

(c) Any violation of any of the provisions of this subtitle by any director, manager, partner, officer, salesman, agent, or employee of a contractor or subcontractor shall be cause for suspension or revocation of the license of the contractor or subcontractor, unless it appears to the satisfaction of the Commission that the contractor or subcontractor or management personnel of the contractor or subcontractor had no knowledge of the wrongful conduct, or were unable to prevent the violation.

(D) EXCEPT AS PROVIDED UNDER SUBSECTION (C), IF THE COMMISSION PAYS ANY AMOUNT FROM THE FUND ON ACCOUNT OF THE CONDUCT OF A LICENSED CONTRACTOR THAT LICENSEE'S HOME IMPROVEMENT LICENSE SHALL MAY BE AUTOMATICALLY SUSPENDED UNTIL THAT PERSON HAS REPAID IN FULL, WITH 10 PERCENT ANNUAL INTEREST, THE AMOUNT PAID FROM THE FUND ON THAT PERSON'S ACCOUNT.

260.

(G) (1) THE COMMISSION MAY DESIGNATE, WITH THE APPROVAL OF THE SECRETARY OF LICENSING AND REGULATION, AT LEAST 3 OF ITS MEMBERS TO SIT AS A HOME IMPROVEMENT HEARING BOARD. THE COMMISSION SHALL DESIGNATE 1 OF THE MEMBERS AS CHAIRMAN OF THE BOARD. THE BOARD SHALL INCLUDE AT LEAST 1 MEMBER OF THE COMMISSION WHO IS QUALIFIED BY EXPERIENCE IN SOME PHASE OF THE HOME IMPROVEMENT INDUSTRY AND AT LEAST 1 MEMBER OF THE COMMISSION WHO IS A CONSUMER REPRESENTATIVE.