

(C) IN DETERMINING THE AMOUNT OF FINANCIAL PENALTY TO BE IMPOSED UNDER THIS SECTION, THE BOARD SHALL CONSIDER THE FOLLOWING:

- (1) THE SERIOUSNESS OF THE VIOLATION;
- (2) THE GOOD FAITH OF THE VIOLATOR;
- (3) THE VIOLATOR'S HISTORY OF PREVIOUS VIOLATIONS;
- (4) THE DELETERIOUS EFFECT OF THE VIOLATION ON THE COMPLAINANT, THE PUBLIC, AND THE COSMETOLOGY INDUSTRY; AND
- (5) ANY OTHER FACTORS RELEVANT TO THE DETERMINATION OF THE FINANCIAL PENALTY.

(D) THE BOARD SHALL COMMENCE PROCEEDINGS UNDER THIS SECTION ON A COMPLAINT TO THE BOARD BY A MEMBER OF THE BOARD OR ANY PERSON.

- (1) A COMPLAINT SHALL:
 - (I) BE IN WRITING;
 - (II) BE SIGNED BY THE COMPLAINANT;
 - (III) STATE SPECIFICALLY THE FACTS ON WHICH THE COMPLAINT IS BASED;
 - (IV) BE SUBMITTED TO THE SECRETARY OF THE BOARD;
- AND
- (V) BE SERVED ON THE PERSON TO WHOM IT IS DIRECTED:
 1. PERSONALLY; OR
 2. BY CERTIFIED MAIL, RETURN RECEIPT REQUESTED, BEARING A POSTMARK FROM THE UNITED STATES POSTAL SERVICE, TO THE PERSON'S LAST KNOWN ADDRESS AS SHOWN ON THE BOARD'S RECORDS.

(2) IF SERVICE IS MADE BY CERTIFIED MAIL, THE PERSON WHO MAILS THE DOCUMENT SHALL FILE WITH THE BOARD VERIFIED PROOF OF MAILING.

(3) IF A COMPLAINT IS MADE BY ANY PERSON OTHER THAN A MEMBER OF THE BOARD, THE COMPLAINT SHALL BE MADE UNDER OATH BY THE PERSON WHO SUBMITS THE COMPLAINT.

(E) (1) EXCEPT AS PROVIDED IN SUBSECTION (F) OF THIS SECTION, IF THE BOARD FINDS THAT A COMPLAINT ALLEGES FACTS THAT ARE ADEQUATE GROUNDS FOR ACTION UNDER THIS SECTION, THE BOARD