

(2) GET OR GRANT CREDIT OR A LOAN ON THE SECURITY OF THE RIGHT TO RECEIVE PAYMENT UNDER A HOME IMPROVEMENT CONTRACT.

(C) PENALTY.

A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A MISDEMEANOR AND, ON CONVICTION, IS SUBJECT TO A FINE NOT EXCEEDING \$5,000 OR IMPRISONMENT NOT EXCEEDING 3 YEARS OR BOTH.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 56, § 266.

In subsection (a) of this section, the word "receive" is deleted as unnecessary in light of the word "accept".

Defined terms: "Home improvement contract" § 8-101

"Owner" § 8-101

"Person" § 1-101

8-603. RESERVED.

8-604. RESERVED.

PART II. MISCELLANEOUS PROHIBITED ACTS.

8-605. ABANDONMENT OF OR FAILURE TO PERFORM CONTRACT.

A CONTRACTOR MAY NOT:

(1) ABANDON OR FAIL TO PERFORM, WITHOUT JUSTIFICATION, A HOME IMPROVEMENT CONTRACT; OR

(2) DEVIATE MATERIALLY FROM PLANS OR SPECIFICATIONS WITHOUT THE CONSENT OF THE OWNER.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 56, § 261(a)(1).

In item (1) of this section, the former word "project" is deleted as unnecessary in light of the words "home improvement contract". A project regulated by this title is performed under a home improvement contract.

In item (2) of this section, the former word "disregard" is deleted as unnecessary in light of the broad reference to "deviate".

The Business Regulation Article Review Committee notes, for consideration by the General Assembly, that the prohibition in item (2) of this section is limited to contractors. The Committee suggests that the prohibition should apply to subcontractors as well.