

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 56, § 261(a)(15) and (16).

In subsection (b) of this section, the defined term "home improvement contract" is substituted for the former reference to "contract" for clarity.

Defined terms: "Home improvement" § 8-101

"Home improvement contract" § 8-101

"Person" § 1-101

8-618. RESERVED.

8-619. RESERVED.

PART III. CIVIL PENALTIES.

8-620. CIVIL PENALTIES.

(A) IN GENERAL.

THE COMMISSION MAY IMPOSE ON A PERSON WHO VIOLATES THIS TITLE A CIVIL PENALTY NOT EXCEEDING \$5,000 FOR EACH VIOLATION, WHETHER OR NOT THE PERSON IS LICENSED UNDER THIS TITLE.

(B) CONSIDERATIONS.

IN SETTING THE AMOUNT OF A CIVIL PENALTY, THE COMMISSION SHALL CONSIDER:

- (1) THE SERIOUSNESS OF THE VIOLATION;
- (2) THE GOOD FAITH OF THE VIOLATOR;
- (3) ANY PREVIOUS VIOLATIONS;
- (4) THE HARMFUL EFFECT OF THE VIOLATION ON THE COMPLAINANT, THE PUBLIC, AND THE BUSINESS OF HOME IMPROVEMENT;
- (5) THE ASSETS OF THE VIOLATOR; AND
- (6) ANY OTHER RELEVANT FACTORS.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 56, § 267 and, as it related to former § 267, § 261(b)(2).

In subsection (a) of this section, the former phrase "[i]n addition to any other penalty imposed under this subtitle" is deleted as surplusage.

Defined terms: "Commission" § 8-101

"Home improvement" § 8-101

"Person" § 1-101