

Defined terms: "Commissioner" § 9-101
"Employment agency" § 9-101

9-206. MEDIATION.

IF A CLIENT SUBMITS TO THE COMMISSIONER A WRITTEN COMPLAINT AGAINST AN EMPLOYMENT AGENCY OR EMPLOYMENT COUNSELOR, THE COMMISSIONER MAY MEDIATE THE DISPUTE.

REVISOR'S NOTE: This section is new language derived without substantive change from the first sentence of former Art. 56, § 169(a).

The word "may" is substituted for the former word "shall" in light of the reference, in the first sentence of former § 169(a), to "if, in his discretion, it is necessary to do so".

Defined terms: "Client" § 9-101
"Commissioner" § 9-101
"Employment agency" § 9-101
"Employment counselor" § 9-101

9-207. CEASE AND DESIST ORDERS.

(A) IN GENERAL.

(1) THE COMMISSIONER MAY PASS AN ORDER THAT REQUIRES A PERSON IMMEDIATELY TO CEASE AND DESIST FROM DOING BUSINESS AS AN EMPLOYMENT AGENCY OR ACTING AS AN EMPLOYMENT COUNSELOR IF, AFTER INVESTIGATION, THE COMMISSIONER HAS REASON TO BELIEVE THAT:

(I) THE PERSON HAS BEEN DOING SO WITHOUT AN APPROPRIATE LICENSE; AND

(II) IMMEDIATE, IRREPARABLE LOSS AND INJURY TO THE GENERAL PUBLIC HAS OCCURRED OR WILL OCCUR.

(2) THE COMMISSIONER SHALL SERVE THE ORDER ON THE ALLEGED VIOLATOR BY EITHER CERTIFIED MAIL OR PERSONAL SERVICE.

(3) WITHIN 15 DAYS AFTER SERVICE OF THE ORDER ON AN ALLEGED VIOLATOR, THE ALLEGED VIOLATOR MAY SUBMIT TO THE COMMISSIONER A WRITTEN REQUEST FOR A HEARING ON THE ALLEGED VIOLATION.

(4) UNLESS THE ALLEGED VIOLATOR SUBMITS A TIMELY REQUEST FOR A HEARING, THE ORDER IS FINAL.

(5) IF, AFTER A HEARING, THE COMMISSIONER FINDS THAT THE ALLEGED VIOLATOR IS NOT DOING BUSINESS AS AN EMPLOYMENT AGENCY OR ACTING AS AN EMPLOYMENT COUNSELOR WITHOUT AN APPROPRIATE LICENSE, THE COMMISSIONER SHALL REVOKE THE ORDER.