

(B) NOTICE OF VIOLATION.

(1) THE COMMISSIONER SHALL GIVE A PERSON WRITTEN NOTICE IF, AFTER INVESTIGATION, THE COMMISSIONER HAS REASON TO BELIEVE THAT:

(I) THE PERSON IS DOING BUSINESS AS AN EMPLOYMENT AGENCY OR ACTING AS AN EMPLOYMENT COUNSELOR WITHOUT AN APPROPRIATE LICENSE; BUT

(II) IMMEDIATE, IRREPARABLE LOSS AND INJURY TO THE GENERAL PUBLIC HAS NOT OCCURRED AND WILL NOT OCCUR.

(2) THE NOTICE SHALL DIRECT THAT, WITHIN 15 DAYS AFTER RECEIPT OF THE NOTICE, AN ALLEGED VIOLATOR MAY SHOW CAUSE IN WRITING WHY THE COMMISSIONER SHOULD NOT PASS AN ORDER THAT REQUIRES THE ALLEGED VIOLATOR TO CEASE AND DESIST FROM THE ALLEGED VIOLATION.

(3) UNLESS AN ALLEGED VIOLATOR SUBMITS A TIMELY RESPONSE, THE COMMISSIONER MAY PASS AN ORDER THAT REQUIRES THE ALLEGED VIOLATOR IMMEDIATELY TO CEASE AND DESIST FROM THE ALLEGED VIOLATION.

(4) IF AN ALLEGED VIOLATOR SUBMITS A TIMELY RESPONSE, THE COMMISSIONER MAY:

(I) TERMINATE PROCEEDINGS AGAINST THE ALLEGED VIOLATOR, IF THE COMMISSIONER FINDS THAT THERE IS NO BASIS FOR PASSING AN ORDER TO CEASE AND DESIST; OR

(II) SCHEDULE A HEARING AND, BY CERTIFIED MAIL, GIVE THE ALLEGED VIOLATOR WRITTEN NOTICE OF THE DATE, PLACE, AND TIME OF THE HEARING.

(5) (I) IF, AFTER A HEARING, THE COMMISSIONER FINDS THAT THE ALLEGED VIOLATOR IS DOING BUSINESS AS AN EMPLOYMENT AGENCY OR ACTING AS AN EMPLOYMENT COUNSELOR WITHOUT AN APPROPRIATE LICENSE, THE COMMISSIONER SHALL PASS AN ORDER THAT REQUIRES THE PERSON TO CEASE AND DESIST FROM THE VIOLATION.

(II) 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 TERMINATE PROCEEDINGS AGAINST THE PERSON.

(C) PROCEEDING FOR ENFORCEMENT.