

Article - Business Regulation

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§8-620.

(a) The Commission may impose on a person who violates this title, including § 8-607(4) of this subtitle, a civil penalty not exceeding \$5,000 for each violation, whether or not the person is licensed under this title.

(b) 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.

(c) (1) The Commission may establish by regulation a schedule of violations and fines to be used for civil citations issued under this title.

(2) A citation issued by the Commission shall include:

- (i) the name and address of the person charged;
- (ii) the nature of the violation;
- (iii) the location and time of the violation;
- (iv) the amount of the fine;
- (v) the manner, location, and time in which the fine may be paid;
- (vi) the cited person's right to a hearing for the violation; and
- (vii) a warning that failure to pay the fine or to contest liability in a timely manner in accordance with the citation:
 1. is an admission of liability; and
 2. may result in an entry of a default judgment that may include the fine, court costs, and administrative expenses.

(3) The Commission shall retain a copy of the citation.

(4) All money collected under this subsection shall be paid in accordance with § 8–403(b) of this title.

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