

Article - Business Regulation

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§8-711.

(a) Subject to the hearing provisions of § 8-712 of this subtitle, the Commission may deny a license to any applicant, reprimand any licensee, or suspend or revoke a license if the Commission finds that the applicant or licensee:

- (1) obtained a license by false or fraudulent representation;
- (2) transferred the authority granted by the license to another person;
- (3) willfully or deliberately disregarded and violated any regulations established by the Commission under this subtitle;
- (4) willfully or deliberately disregarded and violated laws of the State or of any municipality, city, or county of the State;
- (5) is convicted of:
 - (i) a felony; or
 - (ii) a misdemeanor that is directly related to the fitness and qualification of the applicant or licensee to provide mold remediation services;
- (6) aided or abetted a person to evade a provision of this subtitle by allowing a license to be used by an unlicensed person, firm, or corporation;
- (7) performed work under a mold remediation services contract or project that is inadequate or incomplete;
- (8) made any material misrepresentation in the procurement of a mold remediation services contract or project; or
- (9) violated this subtitle.

(b) Subject to the hearing provisions of § 8-712 of this subtitle, the Commission may reprimand a licensee or suspend or revoke a license of a licensee for a violation of this title by an agent, director, employee, manager, officer, partner, or salesperson of the licensee, unless the Commission finds that the licensee:

- (1) had no knowledge of the wrongful conduct; or
- (2) could not prevent the violation.

(c) Instead of or in addition to reprimanding a licensee or suspending or revoking a license, the Commission may impose a civil penalty under § 8-620 of this

title.

(d) The Commission shall consider the following facts in the granting, denial, renewal, suspension, or revocation of a license or the reprimand of a licensee when an applicant or licensee is convicted of a felony or misdemeanor:

- (1) the nature of the crime;
- (2) the relationship of the crime to the activities authorized by the license;
- (3) with respect to a felony, the relevance of the conviction to the fitness and qualification of the applicant or licensee to provide mold remediation services;
- (4) the length of time since the conviction; and
- (5) the behavior and activities of the applicant or licensee before and after the conviction.

(e) The Commission shall pay any penalty collected under this section into the General Fund of the State.

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