Article - State Government

§20–1028.

(a) (1) Unless it is impracticable to do so, the administrative law judge shall make findings of fact and conclusions of law within 60 days after submission of posthearing memoranda.

(2) If the administrative law judge is unable to make findings of fact and conclusions of law within the 60–day period or any succeeding 60–day period, the administrative law judge shall notify the Commission, the aggrieved person on whose behalf the charge was filed, and the respondent in writing of the reasons for the delay.

(b) (1) If the administrative law judge finds that a respondent has engaged or is about to engage in a discriminatory housing practice, the administrative law judge shall promptly issue an order for appropriate relief, which may include actual damages suffered by the aggrieved person and injunctive or other equitable relief.

(2) (i) Except as provided in subparagraph (ii) of this paragraph, the order may assess a civil penalty against the respondent, to be paid to the General Fund of the State:

1. if the respondent has not been adjudicated to have committed any prior discriminatory housing practice, in an amount not exceeding $10,000;

2. if the respondent has been adjudicated to have committed one other discriminatory housing practice during the 5–year period ending on the date of the filing of the current charge, in an amount not exceeding $25,000; and

3. if the respondent has been adjudicated to have committed two or more discriminatory housing practices during the 7–year period ending on the date of the filing of the current charge, in an amount not exceeding $50,000.

(ii) If the discriminatory housing practice is committed by an individual who has been previously adjudicated to have committed one or more discriminatory housing practices, the time periods set forth in paragraph (2)(i)2 and 3 of this subsection do not apply.

(c) An order issued under subsection (b) of this section may not affect any contract, sale, encumbrance, or lease consummated before the issuance of the order and involving a bona fide purchaser, encumbrancer, or tenant without actual notice of the charge filed under this part.

(d) (1) If the administrative law judge finds that the respondent has not engaged in a discriminatory housing practice, the administrative law judge shall enter an order dismissing the charge.

(2) The Commission shall publicly disclose each dismissal.