

*a guarantor under this Act, but any such designation shall not relieve the guarantor of his duties to the person guaranteed.*

174. *Enforcement by the Attorney General*

*If a person has engaged in or is engaging in any practice declared to be unlawful by this subtitle the Attorney General may seek and obtain in an action in a circuit court an injunction prohibiting that person from continuing such practices or engaging therein or doing any acts in furtherance thereof after appropriate notice to that person. Such notice shall state generally the relief sought and be served at least seven days prior to the institution of such action. The court may make such orders or judgments as may be necessary to prevent the use or employment by a person of any prohibited practices, or which may be necessary to restore to any person found to have been damaged any moneys or property, real or personal which may have been acquired by means of any practice in this subtitle declared to be unlawful.*

175. *Remedies*

*(a) It is declared to be the policy of this State to encourage guarantors voluntarily to establish procedures whereby consumer disputes related to guaranties are fairly and expeditiously settled through informal dispute settlement mechanisms. Guarantors who establish informal dispute settlement procedures may elect to do so in cooperation with any private agency or the Consumer Protection Division of the Attorney General's office.*

*(b) Any person guaranteed may sue in any court of competent jurisdiction for any breach of a guarantor's duties under this Act.*

*(c) The guarantor shall be liable to the person guaranteed for any wrongful breach of a guaranty and shall be under a duty to perform as required under this Act and to compensate the person guaranteed for all reasonable incidental expenses incurred by the person guaranteed because of any such breach.*

*(d) If any person guaranteed shall finally prevail in any suit or proceeding brought under Section 175(b) of this Act, he shall be allowed to recover as part of the judgment a sum equal to the aggregate amount of cost and expenses (including attorney's fees based on actual time expended) determined by the court to have been reasonably incurred by such person guaranteed for or in connection with the institution and prosecution of such suit or proceeding, unless the court in its discretion shall determine that such an award of attorney's fees would be inappropriate. However, any person guaranteed, in a suit brought under Section 175(b) must have first afforded the guarantor a reasonable opportunity to cure the breach in the manner provided for in Section 175(a) in order to be eligible for these costs and expenses.*

176. *Rules of Construction*

*(a) This Act shall be liberally construed and applied to promote its purposes and policies. It is the intent of the General Assembly that in construing this Act due consideration and great weight shall be given to the Consumer Protection Act in this Article.*