

## COUNTY LOCAL LAWS

PRACTICE AS SET FORTH IN SECTION 118-4 OF THIS ACT OR THE EXECUTIVE DIRECTOR MAY FILE A COMPLAINT IN WRITING WHICH SHALL STATE THE NAME AND ADDRESS OF THE PERSON ALLEGED TO HAVE COMMITTED THE VIOLATION COMPLAINED OF AND THE PARTICULARS THEREOF, AND SUCH OTHER INFORMATION AS MAY BE REQUIRED BY THE OFFICE.

## 118-7. PROCEDURES AND ENFORCEMENT.

(A) UPON THE FILING OF A COMPLAINT AS SET FORTH IN SECTION 118-6, THE EXECUTIVE DIRECTOR OF THE OFFICE SHALL MAKE SUCH INVESTIGATION AS HE DEEMS APPROPRIATE TO ASCERTAIN FACTS AND ISSUES. IN MAKING SUCH INVESTIGATIONS AND DETERMINATIONS HE MAY USE THE AUTHORITY GRANTED TO THE OFFICE IN SECTION 118-2 OF THIS ACT. WHENEVER IN HIS OPINION APPROPRIATE, THE EXECUTIVE DIRECTOR SHALL REFER A COMPLAINT TO THE STATE CONSUMER PROTECTION DIVISION OF THE STATE ATTORNEY GENERAL'S OFFICE OR TO THE FEDERAL TRADE COMMISSION. IF THE EXECUTIVE DIRECTOR DETERMINES THAT THERE ARE REASONABLE GROUNDS TO BELIEVE A VIOLATION HAS OCCURRED, HE SHALL ATTEMPT TO CONCILIATE THE MATTER BY METHODS OF INITIAL CONFERENCE AND PERSUASION WITH ALL INTERESTED PARTIES AND SUCH REPRESENTATIVES AS THE PARTIES MAY CHOOSE TO ASSIST THEM. IN ATTEMPTING SUCH CONCILIATION TO ASSIST A COMPLAINING CONSUMER IN RESOLVING HIS INDIVIDUAL DISPUTE, HE MAY UTILIZE THE GOOD OFFICES OF THE ADVISORY COMMITTEE ON CONSUMER AFFAIRS. CONCILIATION CONFERENCES SHALL BE INFORMAL, AND NOTHING SAID OR DONE DURING SUCH INITIAL CONFERENCES SHALL BE MADE PUBLIC BY THE OFFICE, THE COMMITTEE OR ITS MEMBERS UNLESS THE PARTIES AGREE THERETO IN WRITING.

(B) THE TERMS OF CONCILIATION AGREED TO BY THE PARTIES MAY BE REDUCED TO WRITING AND INCORPORATED INTO A WRITTEN ASSURANCE OF DISCONTINUANCE OR SETTLEMENT AGREEMENT TO BE SIGNED BY THE PARTIES, WHICH WRITTEN ASSURANCE OR AGREEMENT IS FOR CONCILIATION PURPOSES ONLY AND DOES NOT CONSTITUTE AN ADMISSION BY ANY PARTY THAT THE LAW HAS BEEN VIOLATED. A WRITTEN ASSURANCE OF DISCONTINUANCE OR SETTLEMENT AGREEMENT SHALL BE SIGNED ON BEHALF OF THE OFFICE BY THE EXECUTIVE DIRECTOR OF THE OFFICE.

(C) IT SHALL BE A VIOLATION OF THIS ACT TO VIOLATE OR FAIL TO ADHERE TO ANY PROVISION CONTAINED IN A WRITTEN ASSURANCE OR AGREEMENT OF DISCONTINUANCE OR SETTLEMENT AGREEMENT. ANY FAILURE BY THE OFFICE TO ENFORCE A VIOLATION OF ANY PROVISION