

MONTGOMERY COUNTY

THE HEARING IS PUBLIC, SHALL BE OPEN TO INSPECTION BY ANY PERSON, AND, UPON REQUEST BY ANY PRINCIPAL PARTY TO THE PROCEEDING, THE COMMISSION SHALL FURNISH SUCH PARTY A COPY OF THE HEARING RECORD, IF ANY, AT SUCH CHARGES AS ARE NECESSARY TO MEET COSTS. THE COMMISSION MAY EXTEND THE TIME FOR ANY HEARING AND THE ISSUANCE OF ANY FINDINGS, OPINIONS AND ORDERS.

93A-41. RELIEF PENDING COMMISSION HEARING.

IF, AT ANY TIME AFTER A COMPLAINT HAS BEEN FILED, THE COMMISSION BELIEVES THAT APPROPRIATE CIVIL ACTION TO PRESERVE THE STATUS QUO OR TO PREVENT IRREPARABLE HARM APPEARS ADVISABLE, THE COMMISSION MAY REFER THE MATTER TO THE COUNTY ATTORNEY TO BRING ANY ACTION NECESSARY TO PRESERVE SUCH STATUS QUO OR TO PREVENT SUCH IRREPARABLE HARM, INCLUDING, BUT NOT LIMITED TO, TEMPORARY RESTRAINING ORDERS AND PRELIMINARY INJUNCTIONS.

93A-42. COMMISSION ACTION; VIOLATION OF CHAPTER OR DEFECTIVE TENANCY NOT FOUND.

IF, AT THE CONCLUSION OF THE HEARING, THE COMMISSION DETERMINES, UPON THE PREPONDERANCE OF THE EVIDENCE OF RECORD, THAT THE RESPONDENT HAS NOT VIOLATED THIS CHAPTER OR CAUSED A DEFECTIVE TENANCY OR HAS NOT ALLOWED A DEFECTIVE TENANCY TO CONTINUE FOR AN UNREASONABLE PERIOD OF TIME, THE COMMISSION SHALL STATE AND PUBLISH ITS FINDINGS, INCLUDING WHETHER OR NOT THE COMPLAINT WAS BONA FIDE AND ISSUE AN ORDER DISMISSING THE COMPLAINT OR AN ORDER PROVIDING ANY OTHER ACTION DEEMED APPROPRIATE.

93A-43. COMMISSION ACTION; VIOLATION OF CHAPTER OR DEFECTIVE TENANCY FOUND.

(A) IF, AT THE CONCLUSION OF THE HEARING, THE COMMISSION DETERMINES, UPON THE PREPONDERANCE OF THE EVIDENCE OF RECORD, THAT A VIOLATION OF THIS CHAPTER HAS OCCURRED OR A DEFECTIVE TENANCY EXISTS, THE COMMISSION SHALL STATE ITS FINDINGS AND ISSUE AN ORDER. SUCH ORDER SHALL REQUIRE THE RESPONDENT TO CEASE AND DESIST FROM SUCH UNLAWFUL CONDUCT AND TO TAKE SUCH APPROPRIATE ACTION AS WILL EFFECTUATE THE PURPOSES OF THIS CHAPTER. THE ORDER SHALL ALSO CONTAIN A NOTICE THAT IF THE COMMISSION DETERMINES THAT THE RESPONDENT HAS NOT, AFTER FIFTEEN (15) CALENDAR DAYS FOLLOWING SERVICE OF THE COMMISSION'S ORDER, MADE A BONA FIDE EFFORT TO COMPLY WITH THE