

licensee has by false or fraudulent representation obtained a license, or where the licensee in performing or attempting to perform any of the acts mentioned herein, is deemed to be guilty of:

225.

(a) The Commission shall, before denying an application for license, or before suspending or revoking any license, OR IMPOSING ANY [IFINE] PENALTY set the matter down for a hearing before the Commission or a real estate hearing board, and at least ten days prior to the date set for the hearing, it shall notify in writing the applicant, or license holder of the charges made, and shall afford said applicant, or license holder an opportunity to be heard in person or by counsel in reference thereto. Provided, however, that in cases involving revocation of the license of a nonresident of this State licensed under this subtitle by the real estate commission of the state or district in which such nonresident licensee is a resident, or where there is a conviction by a court of competent jurisdiction of any licensee under this subtitle of any act which constitutes a violation of this subtitle and the order of such Commission or court of competent jurisdiction is certified to the Commission, any real estate license may be revoked by the Commission without any hearing whatsoever. Such written notice may be served by delivery of same personally to the applicant, or license holder, or by mailing same by registered mail to the last known business address of such applicant, or license holder. If said applicant, or license holder, be a salesman, the Commission shall also notify the broker named in the salesman's application or license by mailing notice by registered mail to the broker's last known business address. The hearing on such charges shall be at such time and place as the Commission shall prescribe. Any member of the Commission, its secretary-treasurer, or member of a real estate hearing board shall have power to administer oaths and to subpoena and bring before it any person in the State, or take testimony of any such person by deposition with the same fees and mileage in the same manner as prescribed by law in judicial procedure in courts of this State in civil cases. Any party to any hearing before the Commission or a real estate hearing board shall have the right to the attendance of witnesses, in his behalf at such hearing, upon making request therefor to the Commission or a real estate hearing board and designating the person or persons sought to be subpoenaed.

(c) If the Commission shall determine that any applicant is not qualified to receive a license, a license shall not be granted to said applicant. And if the Commission shall determine that any license holder is guilty of a violation of any of the provisions of this subtitle, his or its license may be suspended or revoked OR A [IFINE] PENALTY IMPOSED PURSUANT TO § 224(A). The findings made by the Commission, acting within its powers shall be subject to review by the Superior Court of Baltimore City or the circuit court in any county; and further provided that during any stay of any suspension or revocation granted by any such court the licensee may continue to perform the duties of a broker or salesman only upon the providing of a corporate bond in the sum of \$25,000 for the use and benefit of the public who may suffer or sustain any loss by reason of a violation of this subtitle by such broker or salesman.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1973.

Approved May 7, 1973.

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