

(H) ANY WRITTEN ASSURANCE OF DISCONTINUANCE OR SETTLEMENT AGREEMENT OR ANY CEASE AND DESIST ORDER PROVIDED FOR BY THIS SUBHEADING MAY INCLUDE STIPULATIONS OR CONDITIONS FOR THE PAYMENT BY THE VIOLATOR OF THE COSTS OF INVESTIGATION BY THE DIVISION, AND MAY ALSO INCLUDE STIPULATIONS OR CONDITIONS FOR THE RESTITUTION BY THE VIOLATOR TO CONSUMER OF MONEY, PROPERTY OR OTHER THINGS RECEIVED FROM THE CONSUMER IN CONNECTION WITH A VIOLATION OF THIS SUBHEADING. THESE STIPULATIONS AND CONDITIONS [[SHALL]] DO NOT PRECLUDE THE DIVISION FROM UTILIZING ANY OTHER STIPULATION, CONDITION OR REMEDY IT DEEMS NECESSARY TO CORRECT A VIOLATION OF THIS SUBHEADING.

20G.

(A) [[THE DIVISION, ]] WITH RESPECT TO A MATTER WHICH IT BELIEVES MAY INVOLVE A VIOLATION OF THESE REGULATIONS THE DIVISION, MAY HOLD A PUBLIC HEARING TO DETERMINE [[WHETHER]] IF A VIOLATION OF THESE REGULATIONS HAS BEEN COMMITTED. THE DIVISION SHALL SERVE UPON THE PERSON COMPLAINED AGAINST A STATEMENT OF CHARGES AND SHALL SERVE UPON ALL PARTIES OF RECORD A NOTICE OF THE TIME AND PLACE OF HEARING. THE HEARING SHALL BE OPEN TO THE PUBLIC AND SHALL BE HELD NOT LESS THAN TEN DAYS AFTER SERVICE OF THE STATEMENT OF CHARGES. THE PARTIES OF RECORD MAY, AT THEIR OPTION, APPEAR BEFORE THE DIVISION IN PERSON OR BY DULY AUTHORIZED REPRESENTATIVE AND MAY HAVE THE ASSISTANCE OF AN ATTORNEY. THE PARTIES MAY PRESENT TESTIMONY AND EVIDENCE, AND THE RIGHT TO CROSS-EXAMINE WITNESSES SHALL BE PRESERVED. ALL TESTIMONY AND EVIDENCE SHALL BE GIVEN UNDER OATH OR BY AFFIRMATION AND MAY BE REQUIRED BY THE ISSUANCE OF A SUBPOENA SIGNED BY THE DIVISION. IRRELEVANT, UNDULY REPETITIOUS OR PROTRACTED TESTIMONY AND EVIDENCE [[SHALL NOT BE]] IS NOT PERMITTED. HEARINGS MAY BE LIMITED BY THE DIVISION, PROVIDED THE PARTIES ARE SO NOTIFIED PRIOR TO THE HEARING. THE DIVISION SHALL KEEP A FULL RECORD OF THE HEARING<sup>[[, WHICH RECORD SHALL BE PUBLIC AND]]</sup>. THE RECORD SHALL BE OPEN TO INSPECTION BY ANY PERSON<sup>[[, AND]]</sup>. UPON REQUEST BY ANY INTERESTED PARTY TO THE PROCEEDING, THE DIVISION SHALL FURNISH THE PARTY A COPY OF THE HEARING RECORD AT A COST THE DIVISION DEEMS APPROPRIATE.

(B) IF, AT THE CONCLUSION OF THE HEARING, THE DIVISION DETERMINES, UPON THE PREPONDERANCE OF [[TESTIMONY AND]] EVIDENCE, THAT THE PERSON COMPLAINED AGAINST HAS VIOLATED THESE REGULATIONS, THE DIVISION SHALL STATE ITS FINDINGS AND ISSUE AN ORDER REQUIRING THE PERSON COMPLAINED AGAINST TO CEASE AND DESIST FROM THE UNLAWFUL CONDUCT OR PRACTICE AND TO TAKE AFFIRMATIVE ACTION, INCLUDING BUT NOT LIMITED TO AN ORDER FOR RESTITUTION OF MONEY OR PROPERTY, AS WILL EFFECTUATE THE PURPOSES OF THIS SUBHEADING, WITH NOTICE THAT IF THE