

DIVISION DETERMINES THAT THE PERSON COMPLAINED AGAINST HAS NOT, AFTER 30 CALENDAR DAYS FOLLOWING SERVICE OF ITS ORDER, CORRECTED THE UNLAWFUL CONDUCT OR PRACTICE AND COMPLIED WITH THE ORDER, THE DIVISION WILL PROCEED WITH ENFORCEMENT PURSUANT TO THIS SUBHEADING. THE DIVISION MAY INSTITUTE CIVIL PROCEEDINGS, INCLUDING THE SEEKING OF RESTRAINING ORDERS AND TEMPORARY OR PERMANENT INJUNCTIONS[[, AS ARE NECESSARY AND POSSIBLE]] TO OBTAIN COMPLETE COMPLIANCE WITH THE DIVISION'S ORDER.

(C) IF, AT ANY TIME AFTER A COMPLAINT HAS BEEN FILED, THE DIVISION BELIEVES THAT APPROPRIATE CIVIL ACTION TO PRESERVE THE STATUS QUO OR TO PREVENT IRREPARABLE HARM APPEARS ADVISABLE, THE DIVISION MAY BRING ANY ACTION NECESSARY TO PRESERVE THE STATUS QUO OR TO PREVENT THE HARM, INCLUDING THE SEEKING OF TEMPORARY RESTRAINING ORDERS AND PRELIMINARY INJUNCTIONS.

(D) IF, AT THE CONCLUSION OF THE HEARING, THE DIVISION DETERMINES, UPON THE PREPONDERANCE OF THE [[TESTIMONY AND]] EVIDENCE, THAT THE PERSON COMPLAINED AGAINST HAS NOT VIOLATED THIS SUBHEADING, THE DIVISION SHALL STATE ITS FINDINGS AND ISSUE AN ORDER DISMISSING THE COMPLAINT.

20H.

[[ANY]] A MERCHANT WHO IS FOUND TO HAVE COMMITTED A VIOLATION OF ANY OF THE PROVISIONS OF THIS SUBHEADING RELATING TO UNLAWFUL TRADE PRACTICES SHALL BE LIABLE FOR THE PAYMENT TO THE STATE OF A CIVIL PENALTY, RECOVERABLE IN A CIVIL ACTION, IN THE SUM OF NOT MORE THAN \$300 FOR EACH VIOLATION. IN THE EVENT OF SUBSEQUENT VIOLATIONS FOR THE SAME UNFAIR TRADE PRACTICE, THE MERCHANT [[SHALL BE]] IS LIABLE TO THE STATE IN THE AMOUNT OF \$500 AS A CIVIL PENALTY FOR EACH SUBSEQUENT VIOLATION.

20I.

[[ANY PERSON, FIRM OR CORPORATION WHO DISAGREES WITH OR IS AGGRIEVED BY ANY ORDER OR DECISION OF THE DIVISION MAY INSTITUTE IN ANY COURT OF COMPETENT JURISDICTION SUCH LEGAL PROCEEDINGS AS HE MAY DEEM NECESSARY CONCERNING ANY ORDER OR DECISION.]] A PERSON WHO DISAGREES WITH OR IS AGGRIEVED BY ANY ORDER OR DECISION OF THE DIVISION MAY INSTITUTE LEGAL PROCEEDINGS HE DEEMS NECESSARY.

20J.

(A) THIS SUBHEADING DOES NOT APPLY TO:

(1) PROFESSIONAL SERVICES OF CERTIFIED PUBLIC ACCOUNTANTS, ARCHITECTS, CLERGYMEN, PROFESSIONAL ENGINEERS, LAWYERS, VETERINARIANS, INSURANCE AGENTS, AND