(A)   PROHIBITION.

WITH RESPECT TO ANY LOAN, A LENDER MAY NOT:

(1)   DIRECTLY   OR   INDIRECTLY   CONTRACT   FOR, CHARGE, OR RECEIVE ANY INTEREST, DISCOUNT, FEE, FINE, COMMISSION, CHARGE, BROKERAGE, OR OTHER CONSIDERATION IN EXCESS OF THAT PERMITTED BY THIS SUBTITLE; OR

(2)   DIVIDE INTO SEPARATE PARTS ANY CONTRACT MADE FOR THE PURPOSE OR WITH THE EFFECT OF OBTAINING CHARGES IN EXCESS OF THAT PERMITTED BY THIS SUBTITLE.

(B)   WHEN LOAN CONTRACT VOID.

EXCEPT FOR AN ACCIDENTAL OR BONA FIDE ERROR OF COMPUTATION, IF ANY AMOUNT IN EXCESS OF THE CHARGES PERMITTED BY THIS SUBTITLE IS DIRECTLY OR INDIRECTLY CONTRACTED FOR, CHARGED, OR RECEIVED, THE LOAN CONTRACT IS VOID, AND THE LENDER MAY NOT RECEIVE OR RETAIN ANY PRINCIPAL, INTEREST, CHARGES, OR COMPENSATION WITH RESPECT TO THE LOAN.

REVISOR'S NOTE: Subsection (a) of this section presently appears as Art. 11, §196(b)(1) and (2),   except   for   the   second   clause   of §196(b)(2)   which   is   now   contained   in §12—303(b).   In item (1), the words "directly or indirectly" are taken from the almost identical provision presently appearing in the first sentence of Art. 11, §196(c); and the word "brokerage" is added to conform to the similar provisions relating to small loans, contained in §12—210 of this title.

Subsection (b) of this section presently appears as the first clause of the second sentence of Art. 11, §196(c).   The first sentence of that section is deleted as unnecessary in light of the provisions of subsection   (a)(1).   The balance of that section now appears in §12—315.   The word "collect" is deleted as unnecessary in light of the word "receive." Also, the words "or retain" are added to conform this section with Art. 11, §168, as well as present Art. 58A, §16(d) — now §12—210(b) — the small loan counterpart to this subsection. This addition makes no substantive change as regards the right of the borrower to recoup by judicial action payments made on a void loan. See, e.g., Credit Finance Service v. Able, 227 A.2d 396 (1956), decided by the Municipal Court of Appeals for the District of Columbia under the