

COUNTY LOCAL LAWS

APPROVAL TO THE CONDOMINIUM PROJECT. IT SHALL BE UNLAWFUL TO MAKE OR CAUSE TO BE MADE TO A PROSPECTIVE PURCHASER ANY REPRESENTATION CONTRARY TO THE FOREGOING. IT SHALL LIKEWISE BE UNLAWFUL FOR ANY PERSON TO MAKE OR CAUSE TO BE MADE IN A PROPERTY REPORT TO A PROSPECTIVE PURCHASER ANY STATEMENT OR REPRESENTATION THAT IS KNOWINGLY FALSE OR MISLEADING.

11A-7. COMPLAINTS, PENALTIES AND ENFORCEMENT.

A. ANY PERSON SUBJECTED TO ANY UNLAWFUL PRACTICE AS SET FORTH IN THIS CHAPTER MAY FILE A COMPLAINT IN WRITING WITH THE MONTGOMERY COUNTY OFFICE OF CONSUMER AFFAIRS PURSUANT TO THE PROVISIONS FOR FILING SUCH COMPLAINTS AS SET FORTH IN CHAPTER 11 OF THIS CODE.

B. THE OFFICE OF CONSUMER AFFAIRS IS HEREBY AUTHORIZED AND DIRECTED TO RECEIVE COMPLAINTS FILED PURSUANT TO THIS CHAPTER AND TO CONDUCT SUCH INVESTIGATIONS AND HEARINGS AS IT DEEMS NECESSARY PURSUANT TO THE AUTHORITY VESTED TO THAT OFFICE BY CHAPTER 11 OF THIS CODE.

C. WHENEVER IT IS DETERMINED BY THE OFFICE OF CONSUMER AFFAIRS THAT THERE HAS BEEN A VIOLATION OF THIS CHAPTER OR ANY DULY ADOPTED RULE OR REGULATION OF THE COUNTY, THAT OFFICE IS AUTHORIZED, AT ITS DISCRETION TO COMMENCE WITH ONE OR MORE OF THE FOLLOWING PROCEDURES:

(1) ATTEMPT TO CONCILIATE THE MATTER BY CONFERENCE OR OTHERWISE AND SECURE A WRITTEN CONCILIATION AGREEMENT; OR

(2) SEEK A WRITTEN ASSURANCE OF DISCONTINUANCE WHICH SHALL BE SIGNED BY THE DEVELOPER AND THE DIRECTOR OF THE OFFICE OF CONSUMER AFFAIRS; OR

(3) ISSUE APPROPRIATE CEASE AND DESIST ORDERS; OR

(4) REFER THE MATTER TO THE COUNTY ATTORNEY FOR INJUNCTIVE OR OTHER APPROPRIATE LEGAL ACTION.

D. ANY PERSON WHO VIOLATES ANY PROVISION OF THIS CHAPTER, OR WHO MAKES AN UNTRUE OR MISLEADING STATEMENT OF FACT IN A PROPERTY REPORT, OR FAILS TO STATE ANY FACT REQUIRED TO BE STATED THEREIN SHALL BE LIABLE FOR THE PAYMENT TO THE COUNTY OF A CIVIL PENALTY, RECOVERABLE IN A CIVIL ACTION, IN THE SUM OF NOT MORE THAN FIVE HUNDRED DOLLARS FOR EACH SUCH VIOLATION. EACH COPY OF A PROPERTY REPORT CONTAINING AN UNTRUE OR MISLEADING STATEMENT OF FACT OR OMISSION OF ANY FACT REQUIRED TO BE STATED THEREIN SHALL CONSTITUTE A SEPARATE OFFENSE.