

reciprocal license; defining certain terms; and generally relating to real estate licenses.

BY repealing and reenacting, with amendments,

Article – Business Occupations and Professions

Section 17-322(b)(33) and (34) and (c)

Annotated Code of Maryland

(2004 Replacement Volume and 2005 Supplement)

BY adding to

Article – Business Occupations and Professions

Section 17-322(b)(35); and 17-3A-01 through ~~17-3A-11~~ 17-3A-10, inclusive, to be under the new subtitle “Subtitle 3A. Reciprocity”

Annotated Code of Maryland

(2004 Replacement Volume and 2005 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

**Article – Business Occupations and Professions**

17-322.

(b) Subject to the hearing provisions of § 17-324 of this subtitle, the Commission may deny a license to any applicant, reprimand any licensee, or suspend or revoke a license if the applicant or licensee:

(33) violates any regulation adopted under this title or any provision of the code of ethics; [or]

(34) violates § 17-320(d) of this subtitle by failing as a branch office manager to exercise reasonable and adequate supervision over the provision of real estate brokerage services by any [sales agent] SALESPERSON or associate broker registered with that office; OR

(35) HAS BEEN DISCIPLINED UNDER A REAL ESTATE LICENSING LAW OF ANOTHER JURISDICTION.

(c) (1) Instead of or in addition to reprimanding a licensee or suspending or revoking a license under this section, the Commission may impose a penalty not exceeding \$5,000 for each violation.

(2) To determine the amount of the penalty imposed, the Commission shall consider:

- (i) the seriousness of the violation;
- (ii) the harm caused by the violation;
- (iii) the good faith of the licensee; and
- (iv) any history of previous violations by the licensee.