

(C) THE LICENSE OF A CONTRACTOR SHALL AUTOMATICALLY BE SUSPENDED UNLESS PAYMENT OF AN ASSESSMENT IS MADE WITHIN 60 DAYS OF NOTICE OF THE ASSESSMENT. THE SUSPENSION SHALL CONTINUE UNTIL PAYMENT OF THE ASSESSMENT IS RECEIVED BY THE COMMISSION.

257D.

(A) THE FUND IS ESTABLISHED TO PROVIDE AN ADDITIONAL AND CUMULATIVE REMEDY FOR CLAIMANTS AGGRIEVED UNDER § 257A OF THIS SUBTITLE AND MAY NOT BE CONSTRUED TO LIMIT THE AVAILABILITY OF OTHER LEGAL OR EQUITABLE REMEDIES OR TO REQUIRE EXHAUSTION OF ADMINISTRATIVE REMEDIES BEFORE THE COMMISSION PRIOR TO FILING AN ACTION AT LAW OR EQUITY.

(B) (1) TO INITIATE AN ADMINISTRATIVE PROCEEDING BEFORE THE COMMISSION TO RECOVER MONEYS FROM THE FUND, A CLAIMANT SHALL FILE A VERIFIED CLAIM, UNDER OATH OR AFFIRMATION, STATING:

(I) THE AMOUNT CLAIMED BASED ON ACTUAL LOSS;

(II) THE FACTS AND CIRCUMSTANCES GIVING RISE TO THE CLAIM; AND

(III) ANY OTHER EVIDENCE SUPPORTING THE CLAIM OR INFORMATION REQUIRED BY THE COMMISSION.

(2) A CLAIMANT MAY NOT BE:

(I) A SPOUSE OR OTHER IMMEDIATE RELATIVE OF AN INDIVIDUAL LICENSEE ALLEGED TO BE RESPONSIBLE FOR THE CLAIM; OR

(II) A PARTNER, OFFICER, EMPLOYEE OF A LICENSEE, OR IMMEDIATE RELATIVE OF THEM IF THE CLAIM IS A RESULT OF CONDUCT ALLEGED OF THE LICENSEE.

(C) UPON RECEIPT OF A CLAIM, THE COMMISSION SHALL FORWARD A COPY OF THE CLAIM TO THE LICENSED CONTRACTOR ALLEGED TO BE RESPONSIBLE FOR THE MONETARY LOSS OF THE CLAIMANT AND SHALL REQUIRE A WRITTEN RESPONSE TO THE ALLEGATIONS SET FORTH IN THE CLAIM WITHIN 10 DAYS. AFTER REVIEW OF BOTH THE CLAIM AND ANY RESPONSE RECEIVED AND ANY INVESTIGATION, THE COMMISSION MAY EITHER SCHEDULE THE MATTER FOR HEARING OR DISMISS THE CLAIM IF IT IS FRIVOLOUS, MADE IN BAD FAITH, OR LEGALLY INSUFFICIENT. NOTICE TO APPEAR AT A HEARING SHALL BE GIVEN TO ANY SUBCONTRACTOR OR SALESMAN, IF NECESSARY, TO FAIRLY ADJUDICATE A CLAIM.

(D) (1) PROCEDURES AS TO NOTICE, HEARINGS, AND JUDICIAL REVIEW OF THE COMMISSION'S PROCEEDINGS ADJUDICATING A CLAIM AGAINST THE FUND SHALL BE AS SPECIFIED IN § 260 OF THIS SUBTITLE.

(2) THE COMMISSION MAY CONSOLIDATE PROCEEDINGS ON CLAIMS BROUGHT UNDER THIS SECTION WITH ANY DISCIPLINARY PROCEEDING AGAINST A LICENSEE UNDER § 258 OF THIS SUBTITLE ARISING FROM THE SAME FACTS AND CIRCUMSTANCES ALLEGED IN THE