

PRIOR TO ASSESSING A CIVIL PENALTY, THE DIVISION DIRECTOR SHALL SERVE BY CERTIFIED MAIL, RETURN RECEIPT REQUESTED, ON THE PERSON TO BE CHARGED, A NOTICE CONTAINING:

(1) THE SPECIFICATIONS OF THE CHARGE; AND

(2) THE TIME AND PLACE FOR A HEARING TO BE HELD WITH RESPECT TO THE CHARGES, WHICH MAY BE NOT LESS THAN 20 DAYS FROM THE DATE OF MAILING THE NOTICE.

(C) HEARING.

THE DIVISION DIRECTOR SHALL CONDUCT A HEARING ON THE CHARGES IN ACCORDANCE WITH THE TERMS OF § 8-402 OF THIS ARTICLE AND RULES ADOPTED BY THE DIVISION DIRECTOR.

(D) FINAL ORDER.

FOLLOWING THE HEARING, OR IF THE PERSON CHARGED DOES NOT APPEAR, FOLLOWING THE DATE OF THE HEARING, THE DIVISION DIRECTOR SHALL ISSUE A FINAL ORDER PURSUANT TO § 8-402 OF THIS ARTICLE.

(E) APPEAL.

AN APPEAL MAY BE TAKEN FROM A FINAL ORDER OF THE DIVISION DIRECTOR TO THE ~~CIRCUIT--COURT--FOR-BALTIMORE-CITY~~ APPROPRIATE CIRCUIT COURT FOR BALTIMORE CITY.

(F) FORFEITURE OF GAIN.

IN ADDITION TO ANY OF THE OTHER PENALTIES AND REMEDIES SET FORTH IN THIS SECTION, ANY PERSON WHO IS FOUND TO HAVE FINANCIALLY GAINED FROM THE VIOLATION OF ANY PROVISION OF THIS TITLE OR TITLE 8, OR REGULATIONS ADOPTED BY THE DIVISION DIRECTOR, SHALL BE REQUIRED TO FORFEIT THE GAIN.

(G) LITIGATION.

THIS SECTION MAY NOT BE CONSTRUED TO PREVENT ANY PERSON DAMAGED BY A DIRECTOR, OFFICER, CONTROLLING PERSON, OR EMPLOYEE OF AN ASSOCIATION FROM BRINGING A SEPARATE CAUSE OF ACTION IN A COURT OF COMPETENT JURISDICTION.

9-913. CRIMINAL PENALTIES.

(A) EXCEPT AS OTHERWISE PROVIDED IN THIS SECTION AND IN THIS TITLE, ANY VIOLATION OF ANY PROVISION OF THIS TITLE OR ANY REGULATION ADOPTED IN ACCORDANCE WITH THIS TITLE BY A DIRECTOR, OFFICER, CONTROLLING PERSON, OR EMPLOYEE OF AN ASSOCIATION IS PUNISHABLE BY A FINE NOT TO EXCEED \$10,000 OR IMPRISONMENT IN THE PENITENTIARY FOR NOT MORE THAN 18 MONTHS, OR BOTH.

(B) (1) IN ADDITION TO ANY OF THE REMEDIES PROVIDED BY THIS TITLE OR TITLE 8 OF THIS ARTICLE, THE WILLFUL OMISSION, MAKING, OR CONCURRENCE IN MAKING OR PUBLISHING A WRITTEN REPORT, EXHIBIT,