

(6) -- THE -- SELLER -- OF -- HEALTH -- CLUB -- SERVICES -- SHALL -- INFORM -- THE -- BUYER -- ORALLY -- OF -- THE -- RIGHT -- TO -- CANCEL -- AT -- THE -- TIME -- THE -- AGREEMENT -- IS -- EXECUTED.

(7) -- ANY -- PERSON -- ATTEMPTING -- TO -- COLLECT -- MONEYS -- DUE -- FOR -- HEALTH -- CLUB -- SERVICES -- SHALL -- DISCLOSE -- TO -- THE -- CONSUMER -- ORALLY, -- AND -- ON -- ALL -- COLLECTION -- CORRESPONDENCE, -- WHETHER -- THE -- COLLECTION -- AND -- HEALTH -- CLUB -- FACILITY -- ARE -- OWNED, -- OPERATED, -- OR -- MANAGED, -- IN -- WHOLE -- OR -- IN -- PART, -- BY -- THE -- SAME -- PERSON.

14-12B-06 14-12B-07.

(A) -- ON -- CLOSING -- A -- FACILITY ON THE PERMANENT CLOSING OF A FACILITY OR BANKRUPTCY BY THE SELLER, THE SELLER OF THE HEALTH CLUB SERVICES SHALL PROVIDE THE FOLLOWING INFORMATION TO THE DIVISION WITHIN 15 BUSINESS DAYS:

(1) A LIST OF THE NAMES AND ADDRESSES OF ALL MEMBERS OF THE HEALTH CLUB;

(2) A -- DESCRIPTION -- OF -- THE -- TERMS -- OF -- EACH -- HEALTH -- CLUB -- SERVICES -- AGREEMENT THE ORIGINAL OR A COPY OF ALL MEMBERSHIP AGREEMENTS; AND

(3) THE -- AMOUNT -- OF -- REFUND -- TO -- WHICH -- EACH -- MEMBER -- IS -- ENTITLED A RECORD OF ALL PAYMENTS RECEIVED UNDER THE MEMBERSHIP AGREEMENTS.

(B) -- IN -- THE -- CASE -- OF -- A -- SELLER -- THAT -- IS -- A -- CORPORATE -- ENTITY, -- EACH -- OFFICER -- AND -- DIRECTOR -- OF -- THE -- CORPORATION -- SHALL -- BE -- JOINTLY -- AND -- SEVERALLY -- RESPONSIBLE -- TO -- DELIVER -- THE -- LIST -- UNDER -- SUBSECTION -- (A) -- OF -- THIS -- SECTION.

(C) -- (1) -- ANY -- PERSON -- WHO -- IS -- REQUIRED -- TO -- PRODUCE -- A -- LIST -- UNDER -- SUBSECTION -- (A) -- OF -- THIS -- SECTION -- AND -- FAILS -- TO -- PRODUCE -- THE -- LIST -- SHALL -- BE -- LIABLE -- FOR -- A -- CIVIL -- PENALTY -- OF -- \$1,000 -- FOR -- EACH -- WEEK -- THAT -- THE -- INFORMATION -- IS -- WITHHELD.

(2) -- THE -- PENALTY -- MAY -- BE -- COLLECTED -- BY -- THE -- DIVISION -- THROUGH -- PROCEEDINGS -- UNDER -- § -- 13-403 -- OR -- § -- 13-406 -- OF -- THIS -- ARTICLE.

[14-12B-06.] 14-12B-07 14-12B-08.

(A) IN ADDITION TO ANY REMEDIES OTHERWISE AVAILABLE, IF THE DIVISION DETERMINES THAT A PERSON IS SELLING HEALTH CLUB SERVICES AGREEMENTS IN VIOLATION OF § 14-12B-02(E) OF THIS SUBTITLE, THE DIVISION MAY ISSUE A CEASE AND DESIST ORDER WITHOUT CONDUCTING A HEARING UNDER § 13-403 OF THIS TITLE. ANY A CEASE AND DESIST ORDER SHALL GRANT THE RESPONDENT AN OPPORTUNITY TO REQUEST A HEARING UNDER § 13-403, AND THE HEARING SHALL BE HELD NO LATER THAN 7 DAYS AFTER THE REQUEST. IF NO REQUEST IS MADE, ANY ORDER ENTERED UNDER THIS SECTION SHALL BE FINAL 30 DAYS AFTER ENTRY.

(B) [Failure to comply with § 14-12B-02] EACH SALE OF A HEALTH CLUB SERVICES AGREEMENT THAT VIOLATES ANY PROVISION OF