

Approved April 12, 1988.

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CHAPTER 42

(Senate Bill 511)

AN ACT concerning

Home Improvement Commission - Small Claims

FOR the purpose of empowering the Commission to issue a proposed order resolving a claim filed with the Commission if the claim does not exceed a certain amount; requiring the Commission to issue a revised proposed order within a certain time period; providing that the claimant has the burden of proof at a hearing; providing for the proposed order to become a final order if no exceptions are filed within a certain time period; and generally relating to claims filed with the Maryland Home Improvement Commission.

BY repealing and reenacting, with amendments,

Article 56 - Licenses  
Section 257D(c)  
Annotated Code of Maryland  
(1983 Replacement Volume and 1987 Supplement)

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

Article 56 - Licenses

257D.

(c) (1) 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.

(2) IF A CLAIMANT'S TOTAL CLAIM ARISING FROM THE CONDUCT OF ONE LICENSED CONTRACTOR DOES NOT EXCEED \$2,500, THE COMMISSION MAY ISSUE A PROPOSED ORDER TO EITHER PAY THE CLAIM IN WHOLE OR IN PART OR TO DENY THE CLAIM. THE COMMISSION SHALL SEND