

(C) INVESTIGATIVE POWER.

(1) SUBJECT TO THE PROVISIONS OF THIS SECTION, THE COMMISSION SHALL CONDUCT AN INVESTIGATION THAT RELATES TO ANY COMPLAINT ALLEGING THAT AN UNAUTHORIZED PERSON HAS PROVIDED REAL ESTATE BROKERAGE SERVICES.

(2) A COMPLAINT SHALL BE:

(I) BE IN WRITING;

(II) STATE SPECIFICALLY THE FACTS ON WHICH THE COMPLAINT IS BASED; AND

(III) BE FILED WITH THE COMMISSION.

(3) IF A COMPLAINT IS MADE BY ANY PERSON OTHER THAN A MEMBER OF THE COMMISSION, THE COMPLAINT SHALL BE MADE UNDER OATH BY THE PERSON WHO SUBMITS THE COMPLAINT.

SUBCOMMITTEE COMMENT: Subsections (a), (b)(1) and (2)(i), and (c) of this section are new language derived without substantive change from former Art. 56, § 231A, § 225(b) and the sixth sentence of (a), the first sentence of § 214(a), as that sentence related to the duty of the Commission to effect the purposes of former Art. 56, §§ 212 through 232A, the third sentence of § 220, as that sentence related to the power of the Commission to enforce regulations, and the first sentence of § 224(a), as that sentence related to the power of the Commission to investigate certain complaints regarding the unauthorized provision of real estate brokerage services.

Subsection (b)(2)(ii) of this section is new language added, on the recommendation of the Joint Subcommittee on the Business Occupations Article, to expand the power of the Commission to sue for an injunction. Similarly, in subsection (b)(1) of this section, the broad reference to "any person" is substituted for the former, narrower reference to a "citizen of the State".

In subsection (a)(1) of this section, the reference to enforcing the "provisions" of this title is substituted, on the recommendation of the Joint Subcommittee on the Business Occupations Article, for the former reference to effecting the "purposes" of the title, which the Joint Subcommittee found to be overly broad.

On the recommendation of the Joint Subcommittee on the Business Occupations Article Committee, subsection (a)(2) of this section is revised to clarify that the specified powers apply generally to any disciplinary