

THE COMMISSION SHALL ACT PROMPTLY ON A CLAIM FILED UNDER THIS SUBTITLE.

(B) NOTICE OF CLAIM.

UPON RECEIPT OF A CLAIM, THE COMMISSION SHALL:

(1) FORWARD A COPY OF THE CLAIM TO:

(I) EACH LICENSEE ALLEGED TO BE RESPONSIBLE FOR THE ACT OR OMISSION GIVING RISE TO THE CLAIM;

(II) EACH UNLICENSED EMPLOYEE ALLEGED TO BE RESPONSIBLE FOR THE ACT OR OMISSION GIVING RISE TO THE CLAIM; AND

(III) IF THE LICENSEE ALLEGED TO BE RESPONSIBLE FOR THE ACT OR OMISSION GIVING RISE TO THE CLAIM IS AN ASSOCIATE REAL ESTATE BROKER OR A REAL ESTATE SALESPERSON, EACH REAL ESTATE BROKER WITH WHOM THE ASSOCIATE REAL ESTATE BROKER OR THE REAL ESTATE SALESPERSON IS AFFILIATED.

(2) REQUEST FROM EACH OF THOSE INDIVIDUALS A WRITTEN RESPONSE WITHIN 10 DAYS TO THE ALLEGATIONS SET FORTH IN THE CLAIM.

(C) HEARING; DISMISSAL.

(1) THE COMMISSION:

(I) SHALL REVIEW THE CLAIM AND ANY RESPONSE TO THE CLAIM; AND

(II) MAY CONDUCT AN INVESTIGATION OF THE CLAIM.

(2) ON THE BASIS OF ITS REVIEW AND ANY INVESTIGATION IT CONDUCTS, THE COMMISSION SHALL:

(I) SET THE MATTER FOR A HEARING; OR

(II) IF THE CLAIM IS FRIVOLOUS, MADE IN BAD FAITH, OR LEGALLY INSUFFICIENT, DISMISS THE CLAIM.

SUBCOMMITTEE COMMENT: This section is new language derived without substantive change from former Art. 56, § 217A(d)(2)(ii), the first sentence of (a)(4), and the first clause of (d)(3).

In subsection (b)(1)(ii) of this section, the reference to "each unlicensed employee" is added for clarity and to conform to the current practice of the Commission.