

5 members and the vote requirement of 4 members constituted greater than a majority of the membership. Ch. 584, Acts of 1974, added 1 consumer member to the Board while, in the same year, the Governor added a second consumer member under the provisions now codified as Art. 41, § 8-102(c) of the Code. However, a corresponding change was not made to the vote requirement. Since it does not seem that this omission was deliberate, the General Assembly may wish to consider reinstating the greater than majority standard by raising the vote requirement to 5 members.

Defined terms: "Board" § 3-101
"License" § 3-101 "Permit" § 3-101
"Person" § 1-101 "Practice architecture" § 3-101

3-312. SAME -- COMMENCEMENT OF PROCEEDINGS.

(A) IN GENERAL.

SUBJECT TO THE PROVISIONS OF THIS SECTION, THE BOARD SHALL COMMENCE PROCEEDINGS UNDER § 3-311 OF THIS SUBTITLE ON A COMPLAINT MADE TO THE BOARD BY A MEMBER OF THE BOARD OR ANY OTHER PERSON.

(B) FORM AND CONTENTS OF COMPLAINT.

(1) A COMPLAINT SHALL:

(I) BE IN WRITING; AND

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

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

(C) HEARING; DISMISSAL.

IF THE BOARD FINDS THAT A COMPLAINT ALLEGES FACTS THAT ARE ADEQUATE GROUNDS FOR ACTION UNDER § 3-311 OF THIS SUBTITLE, THE BOARD SHALL ACT ON THE COMPLAINT AS PROVIDED UNDER § 3-313 OF THIS SUBTITLE. IF THE BOARD DOES NOT MAKE THAT FINDING, IT SHALL DISMISS THE COMPLAINT.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 56, § 473(b) and, as it related to the requirement that a hearing be provided or that the charges be dismissed, the first clause of (c).