

(ii) The lack of good faith on the part of the developer;

(iii) The adverse impact, if any, on other persons;

(iv) Any efforts made by the developer to remedy or correct the violation; and

(v) The developer's history of prior violations, particularly violations of the same or similar nature.

(3) (i) If any penalty is not paid in full within 30 days after becoming final, the Commission may summarily revoke the developer's registration, and the Commission or the State Central Collection Unit may bring suit in the District Court or other court of competent jurisdiction to enforce payment.

(ii) A judgment shall be entered against the developer upon a showing that:

1. The penalty was assessed against the developer;

2. The penalty has become final;

3. No appeal is pending;

4. The penalty remains unpaid in whole or part; and

5. The developer contested the charge for which the penalty was assessed, or was duly served with a copy of the charge under any applicable rules and regulations of the Commission.

DRAFTER'S NOTE:

Error: Function paragraph of bill being cured indicated that § 11A-121(f), (g), (h), and (i), of the Real Property Article was renumbered to be § 11A-121(h), (i), (j), and (k), but renumbering was not reflected in the body of the bill.

Occurred: Ch. 563 (Senate Bill 201) of the Acts of 1988.

Noted by: The Computer Division of the Department of Legislative Reference.

Article - State Finance and Procurement