

## VETOES

(1) Reprimand, suspend, or revoke the license of any mortgage banker or mortgage broker if the licensee or any owner, director, officer, or partner of the licensee:

(i) Without exercising due care makes any material misstatement in an application for a license;

(ii) Has been convicted of any crime of moral turpitude;

(iii) In connection with any mortgage banker or mortgage broker transaction:

1. Commits any fraud;

2. Engages in any illegal banking activities;

3. Knowingly misrepresents or fails to disclose any material facts to anyone entitled to that information; or

(iv) Knowingly or without exercising due care violates any provision of the Mortgage Bankers and Mortgage Brokers Law or of the Code of Conduct adopted under it; and

(2) Enforce the provisions of this subtitle through the imposition of penalties up to \$1,000 for each violation of the provisions.

(b) In determining the amount of financial penalty to be imposed under subsection (a)(2) of this section, the Commissioner shall consider the following:

(1) The seriousness of the violation;

(2) The good faith of the violator;

(3) The violator's history of previous violations;

(4) The deleterious effect of the violation on the public and mortgage industry; and

(5) The assets of the violator.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1989, contingent upon the failure to take effect of Chapter of the Acts of the General Assembly of 1989 (H.B. 1604), and if Chapter becomes effective, this Act is null and void without the necessity of further action by the General Assembly.