

(A) RIGHT TO PARTICIPATE IN HEARING.

THE COMMISSION SHALL GIVE THE CLAIMANT AND THE LICENSEE OR UNLICENSED EMPLOYEE ALLEGED TO BE RESPONSIBLE FOR THE ACT OR OMISSION GIVING RISE TO THE CLAIM AN OPPORTUNITY TO PARTICIPATE IN THE HEARING BEFORE THE COMMISSION.

(B) NOTICE.

THE COMMISSION SHALL GIVE NOTICE OF THE HEARING TO:

(1) THE CLAIMANT;

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

(3) EACH UNLICENSED EMPLOYEE ALLEGED TO BE RESPONSIBLE FOR THE ACT OR OMISSION GIVING RISE TO THE CLAIM.

(C) PROOF OF NOTICE REQUIRED.

THE COMMISSION MAY NOT PROCEED WITH THE HEARING UNLESS THE RECORDS OF THE COMMISSION SHOW THAT ALL NOTICES REQUIRED UNDER THIS SUBTITLE WERE SENT TO EACH LICENSEE AND EACH UNLICENSED EMPLOYEE ALLEGED TO BE RESPONSIBLE FOR THE ACT OR OMISSION GIVING RISE TO THE CLAIM.

REVISOR'S NOTE: This section formerly appeared as Art. 56A, § 4-408.

The only changes are in style.

Defined terms: "Commission" § 16-101  
"License" § 16-101

16-409. JOINDER OF PROCEEDINGS.

(A) IN GENERAL.

IF A CLAIM AGAINST THE GUARANTY FUND ALLEGES THAT THE ACT OR OMISSION GIVING RISE TO THE CLAIM WAS PERFORMED BY A LICENSED REAL ESTATE BROKER, A LICENSED ASSOCIATE REAL ESTATE BROKER, OR A LICENSED REAL ESTATE SALESPERSON, THE COMMISSION SHALL JOIN THE PROCEEDING ON THE CLAIM WITH ANY DISCIPLINARY PROCEEDING AGAINST THE LICENSEE UNDER THIS TITLE ARISING FROM THE SAME FACTS ALLEGED IN THE CLAIM.

(B) RIGHTS OF CLAIMANT.

(1) FOR THAT PART OF A HEARING ON CONSOLIDATED PROCEEDINGS THAT RELATES TO DISCIPLINARY ACTION BUT DOES NOT RELATE TO THE GUARANTY FUND CLAIM AGAINST A LICENSEE, THE CLAIMANT: