

Article – Business Occupations and Professions

16-209.

(a) (1) The Commission shall administer and enforce the provisions of this title.

(2) In connection with any disciplinary action under Subtitle 3 of this title or any investigation or proceeding brought for an alleged violation of this title, the Commission, a hearing board, the executive director of the Commission, or the assistant director of the Commission may:

(i) hold hearings;

(ii) administer oaths;

(iii) issue a subpoena for the attendance of a witness to testify or the production of evidence; and

(iv) take depositions, in the same manner and with the same fees and compensation for mileage as provided in civil cases in the State.

(3) [The police department of Baltimore City, the sheriff of a county, or a private process server shall serve a subpoena issued under this subsection.

(4)] If a person fails to comply with a subpoena issued under this subsection, on petition of the Commission or another party, a circuit court may compel compliance with the subpoena.

(b) (1) If the Commission concludes that conduct alleged to be a violation of any provision of this title may result in irreparable harm to a person, the Commission may sue to enforce a provision of this title by ex parte, interlocutory, or final injunction.

(2) In seeking an injunction under this subsection, the Commission is not required to:

(i) post bond, if the injunction is sought against a person who does not hold a license issued under this title; or

(ii) allege or prove that an adequate remedy at law does not exist.

(c) (1) Subject to the provisions of this section, the Commission shall conduct an investigation that relates to any complaint alleging that an unauthorized person has provided real estate brokerage services.

(2) A complaint shall:

(i) be in writing;

(ii) state specifically the facts on which the complaint is based; and

(iii) be filed with the Commission.

(3) If a complaint is made by any person other than a member of the Commission, the complaint shall be made under oath by the person who submits the complaint.