

## 2-209. REPORTS OF EXAMINATIONS AND INVESTIGATIONS.

## (A) REQUIRED FOR EXAMINATIONS.

THE COMMISSIONER OR AN EXAMINER SHALL MAKE A COMPLETE REPORT OF EACH EXAMINATION MADE UNDER § 2-205 OF THIS SUBTITLE AND § XX-XXX [48A § 486B] OF THIS ARTICLE.

## (B) CONTENTS OF EXAMINATION REPORT.

AN EXAMINATION REPORT SHALL CONTAIN ONLY FACTS:

(1) FROM THE BOOKS, RECORDS, OR DOCUMENTS OF THE PERSON BEING EXAMINED; OR

(2) DETERMINED FROM STATEMENTS OF INDIVIDUALS ABOUT THE PERSON'S AFFAIRS.

## (C) PROCEDURES BEFORE FILING PROPOSED REPORT.

(1) AT LEAST 30 DAYS BEFORE FILING A PROPOSED EXAMINATION REPORT WITH THE COMMISSIONER, THE COMMISSIONER SHALL GIVE A COPY OF THE PROPOSED REPORT TO THE PERSON THAT WAS EXAMINED.

(2) IF THE PERSON REQUESTS A HEARING IN WRITING WITHIN THE 30-DAY PERIOD, THE COMMISSIONER:

(I) SHALL GRANT A HEARING ON THE PROPOSED REPORT; AND

(II) MAY NOT FILE THE PROPOSED REPORT UNTIL AFTER:

1. THE HEARING IS HELD; AND

2. ANY MODIFICATIONS OF THE REPORT THAT THE COMMISSIONER CONSIDERS PROPER ARE MADE.

## (D) ADMISSIBILITY OF REPORT AS EVIDENCE.

(1) AFTER AN EXAMINATION REPORT IS FILED WITH THE COMMISSIONER, THE EXAMINATION REPORT IS ADMISSIBLE AS EVIDENCE OF THE FACTS CONTAINED IN IT IN ANY ACTION BROUGHT BY THE COMMISSIONER AGAINST THE PERSON EXAMINED OR AN OFFICER OR AGENT OF THE PERSON.

(2) REGARDLESS OF WHETHER A WRITTEN EXAMINATION REPORT HAS BEEN MADE, SERVED, OR FILED WITH THE COMMISSIONER, THE COMMISSIONER OR AN EXAMINER MAY TESTIFY AND OFFER OTHER PROPER EVIDENCE ABOUT INFORMATION OBTAINED DURING AN EXAMINATION.

## (E) WITHHOLDING REPORT FROM PUBLIC INSPECTION.

THE COMMISSIONER MAY WITHHOLD AN EXAMINATION OR INVESTIGATION REPORT FROM PUBLIC INSPECTION FOR AS LONG AS THE COMMISSIONER CONSIDERS THE WITHHOLDING TO BE: