

(B) IN DETERMINING WHETHER THE LICENSE OF A LICENSEE SHOULD BE SUSPENDED OR REVOKED FOR A REASON DESCRIBED IN SUBSECTION (A)(2) OF THIS SECTION, THE COMMISSIONER SHALL CONSIDER:

- (1) THE NATURE OF THE CRIME;
- (2) THE RELATIONSHIP OF THE CRIME TO THE ACTIVITIES AUTHORIZED BY THE LICENSE;
- (3) WITH RESPECT TO A FELONY, THE RELEVANCE OF THE CONVICTION TO THE FITNESS AND QUALIFICATION OF THE LICENSEE TO ENGAGE IN THE MORTGAGE LENDING BUSINESS;
- (4) THE LENGTH OF TIME SINCE THE CONVICTION; AND
- (5) THE BEHAVIOR AND ACTIVITIES OF THE LICENSEE SINCE THE CONVICTION.

[(b)](C) (1) The Commissioner may enforce the provisions of this subtitle, regulations adopted under § 11-503 OF THIS SUBTITLE, and the applicable provisions of Title 12 of the [Maryland] Commercial Law Article by [issuing an order]:

(I) ISSUING AN ORDER:

[(i)] 1. To cease and desist from the violation and any further similar violations; and

[(ii)] 2. Requiring the violator to take affirmative action to correct the violation including the restitution of money or property to any person aggrieved by the violation; AND

(II) IMPOSING A CIVIL PENALTY NOT EXCEEDING \$1,000 FOR EACH VIOLATION.

(2) If a violator fails to comply with an order issued under [paragraph (1)] PARAGRAPH (1)(I) of this subsection, the Commissioner may impose a civil penalty [of up to] NOT EXCEEDING \$1,000 for each violation from which the violator failed to cease and desist or for which the violator failed to take affirmative action to correct.

[(c)](D) The Commissioner may file a petition in the circuit court for any county seeking enforcement of an order issued under this section.

[(d)](E) In determining the amount of financial penalty to be imposed under subsection [(b)] (C) 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;