

[(10)] (X) fails to exercise reasonable diligence to develop, prepare, or communicate an appraisal;

[(11)] (XI) commits negligence or incompetence in developing, preparing, or communicating an appraisal;

[(12)] (XII) violates any other provision of this title; or

[(13)] (XIII) violates any regulation adopted under this title.

(2) (I) INSTEAD OF OR IN ADDITION TO REPRIMANDING A LICENSEE OR A CERTIFICATE HOLDER OR SUSPENDING OR REVOKING A LICENSE OR A CERTIFICATE UNDER THIS SUBSECTION, THE BOARD MAY IMPOSE A PENALTY NOT EXCEEDING \$5,000 FOR EACH VIOLATION.

(II) TO DETERMINE THE AMOUNT OF THE PENALTY IMPOSED, THE BOARD SHALL CONSIDER:

1. THE SERIOUSNESS OF THE VIOLATION;
2. THE HARM CAUSED BY THE VIOLATION;
3. THE GOOD FAITH OF THE LICENSEE; AND
4. ANY HISTORY OF PREVIOUS VIOLATIONS BY THE

LICENSEE.

(3) THE BOARD SHALL PAY ANY PENALTY COLLECTED UNDER THIS SUBSECTION INTO THE GENERAL FUND OF THE STATE.

(b) The Commission shall consider the following facts in the granting, denial, renewal, suspension, or revocation of a license or certificate or the reprimand of a licensee or certificate holder when an applicant, certificate holder, or licensee is convicted of a felony or a misdemeanor described in subsection [(a)(5)] (A)(1)(V) of this section:

- (1) the nature of the crime;
- (2) the relationship of the crime to the activities authorized by the license or certificate;
- (3) with respect to a felony, the relevance of the conviction to the fitness and qualification of the applicant, licensee, or certificate holder to provide real estate appraisal services;
- (4) the length of time since the conviction; and
- (5) the behavior and activities of the applicant, licensee, or certificate holder before and after the conviction.

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(A) A person who violates any provision of this title is guilty of a misdemeanor and on conviction is subject to a fine not exceeding \$5,000 or imprisonment not exceeding 1 year or both.