

(4) the length of time since the conviction; and

(5) the behavior and activities of the applicant or licensee before and after the conviction.

9A-505.

(a) (1) In this section, "officer" includes a superintendent, manager, or agent of a corporation regardless of whether the corporation provides heating, ventilation, air-conditioning, or refrigeration services.

(2) Any person, including an officer, who violates § 9A-501, § 9A-502, § 9A-503, or § 9A-504 of this title is guilty of a misdemeanor, and on conviction is subject to a fine not exceeding \$50 for each day or part of each day that the violation continues.

(b) Any person who knowingly and willfully violates any provision of § 9A-402 of this title is guilty of a misdemeanor, and on conviction is subject to a fine not exceeding \$1,000 or imprisonment not exceeding 6 months or both.

(C) (1) EXCEPT AS OTHERWISE PROVIDED BY THIS TITLE, THE BOARD MAY IMPOSE ON A PERSON WHO VIOLATES ANY PROVISION OF THIS TITLE A PENALTY NOT EXCEEDING \$5,000 FOR EACH VIOLATION.

(2) IN SETTING THE AMOUNT OF THE PENALTY, THE BOARD SHALL CONSIDER:

- (I) THE SERIOUSNESS OF THE VIOLATION;
- (II) THE HARM CAUSED BY THE VIOLATION;
- (III) THE GOOD FAITH OF THE VIOLATOR;
- (IV) ANY HISTORY OF PREVIOUS VIOLATIONS BY THE VIOLATOR;

AND

- (V) ANY OTHER RELEVANT FACTORS.

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

12-209.

(a) (1) Except as otherwise provided, in this subsection, a dealer's or applicant's agents, employees, management personnel, or partners include only those individuals who are directly involved in pawn transactions or the acquisition or sale of secondhand precious metals on behalf of the dealer or applicant.

(2) Subject to the hearing provisions of § 12-210 of this subtitle, the Secretary may deny a license to an applicant, reprimand a licensee, or suspend or revoke a license if the applicant or licensee or an agent, employee, manager, or partner of the applicant or licensee: