

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

~~8-405.~~

~~(a) Subject to this subtitle, an owner may recover compensation from the Fund for an actual loss that results from an act or omission by a licensed contractor or a violation of § 8-607(4) of this title as found by the Commission or a court of competent jurisdiction.~~

~~(b) For purposes of recovery from the Fund, the act or omission of a licensed contractor includes the act or omission of a subcontractor, salesperson, or employee of the licensed contractor, whether or not an express agency relationship exists.~~

~~(c) A claimant shall comply with a written agreement to submit a dispute to arbitration before seeking recovery from the Fund.~~

~~(d) The Commission may deny a claim if the Commission finds that the claimant unreasonably rejected good faith efforts by the contractor to resolve the claim.~~

~~(e) The Commission may not award from the Fund:~~

~~(1) more than \$15,000 to 1 claimant for acts or omissions of 1 contractor;~~

~~(2) more than \$100,000 to all claimants for acts or omissions of 1 contractor unless, after the Commission has paid out \$100,000 on account of acts or omissions of the contractor, the contractor reimburses \$100,000 to the Fund;~~

~~(3) EXCEPT AS PROVIDED IN SUBSECTION (F) OF THIS SECTION, an amount for attorney fees, consequential damages, court costs, interest, personal injury damages, or punitive damages; or~~

~~(4) an amount as a result of a default judgment in court.~~

~~(F) THE COMMISSION MAY AWARD FROM THE FUND AN AMOUNT FOR ATTORNEY FEES, CONSEQUENTIAL DAMAGES, COURT COSTS, INTEREST, PERSONAL INJURY DAMAGES, OR PUNITIVE DAMAGES IF:~~

~~(1) THE CONTRACTOR PERFORMS HOME IMPROVEMENT WORK WITHOUT THE GENERAL LIABILITY INSURANCE REQUIRED BY § 8-307.1 OF THIS TITLE, AND~~

~~(2) A CLAIM AGAINST THE FUND IS MADE BASED ON THE HOME IMPROVEMENT WORK PERFORMED WITHOUT GENERAL LIABILITY INSURANCE.~~

~~[(9)] (G) (1) A claim against the Fund based on the act or omission of a particular contractor may not be made by:~~

~~(i) a spouse or other immediate relative of the contractor;~~

~~(ii) an employee, officer, or partner of the contractor; or~~