

(D) THE COMMISSIONER MAY FILE A PETITION IN THE CIRCUIT COURT FOR A COUNTY SEEKING ENFORCEMENT OF AN ORDER ISSUED UNDER THIS SECTION.

(E) IN DETERMINING THE AMOUNT OF FINANCIAL PENALTY TO BE IMPOSED UNDER SUBSECTION (C) OF THIS SECTION, THE COMMISSIONER SHALL CONSIDER:

- (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 HOLDERS OF CREDIT UNION SHARE OR DEPOSIT ACCOUNTS;
- (5) THE ASSETS OF THE VIOLATOR; AND
- (6) ANY OTHER FACTORS RELEVANT TO THE DETERMINATION OF THE FINANCIAL PENALTY.

(F) (1) BEFORE THE COMMISSIONER TAKES ANY ACTION UNDER SUBSECTION (A) OR (C) OF THIS SECTION, THE COMMISSIONER SHALL GIVE THE CREDIT UNION SHARE GUARANTY CORPORATION AN OPPORTUNITY FOR A HEARING.

(2) A HEARING UNDER THIS SUBTITLE SHALL BE HELD IN ACCORDANCE WITH THE ADMINISTRATIVE PROCEDURE ACT.

(3) THE HEARING NOTICE SHALL BE SENT BY CERTIFIED MAIL, RETURN RECEIPT REQUESTED, TO THE CREDIT UNION SHARE GUARANTY CORPORATION TO THE PRINCIPAL PLACE OF BUSINESS OF THE CREDIT UNION SHARE GUARANTY CORPORATION AT LEAST 30 DAYS BEFORE THE HEARING.

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(A) (1) THE COMMISSIONER.

(I) SHALL EXAMINE THE BUSINESS OF EACH CREDIT UNION SHARE GUARANTY CORPORATION AT LEAST ONCE EVERY 24 MONTHS; AND

(II) MAY EXAMINE THE BUSINESS OF EACH CREDIT UNION SHARE GUARANTY CORPORATION AT ANY TIME THAT THE COMMISSIONER REASONABLY CONSIDERS NECESSARY.

(2) THE COMMISSIONER MAY ENTER INTO AGREEMENTS WITH THIRD-PARTIES AND DELEGATE THE AUTHORITY TO CONDUCT AN EXAMINATION REQUIRED OR PERMITTED UNDER THIS SUBSECTION.

(3) IN LIEU OF PERFORMING AN EXAMINATION OF A CREDIT UNION SHARE GUARANTY CORPORATION, THE COMMISSIONER MAY ACCEPT AN EXAMINATION REPORT FROM THE RESPONSIBLE SUPERVISORY OFFICIAL OF THE CREDIT UNION SHARE GUARANTY CORPORATION'S STATE OF DOMICILE.

(B) (1) A PERSON AGGRIEVED BY THE CONDUCT OF A CREDIT UNION SHARE GUARANTY CORPORATION UNDER THIS SUBTITLE IN CONNECTION WITH THE