

(2) THE COMMISSIONER MAY NOT GRANT AN APPLICATION FILED UNDER PARAGRAPH (1) OF THIS SUBSECTION UNLESS THE COMMISSIONER FINDS THAT:

(I) IT IS IN THE PUBLIC INTEREST TO MODIFY OR RESCIND THE ORDER; AND

(II) IT IS REASONABLE TO BELIEVE THAT THE AUTHORIZED DELEGATE, IF AND WHEN PERMITTED TO RESUME ACTING AS AN AUTHORIZED DELEGATE OF A LICENSEE, WILL COMPLY WITH ALL APPLICABLE PROVISIONS OF THIS SUBTITLE AND ANY REGULATION ADOPTED OR ORDER ISSUED UNDER THIS SUBTITLE.

[(c) (1)] (E)(1) The Commissioner may enforce the provisions of this subtitle by issuing an order:

(i) To cease and desist AND TO TAKE AFFIRMATIVE ACTION from the violation and any further similar violations; and

(ii) 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.

(2) If a violator fails to comply with an order issued under paragraph (1) of this subsection, the Commissioner may impose a civil penalty of up to \$1,000 for [each] THE FIRST violation AND \$5,000 FOR EACH SUBSEQUENT VIOLATION from which the violator failed to cease and desist or for which the violator failed to take affirmative action.

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

[(e)] (G) In determining the amount of financial penalty to be imposed under subsection [(c)] (E) 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;
- (5) The assets of the violator; and
- (6) Any other factors relevant to the determination of the financial penalty.

12-427.

A PERSON THAT ENGAGES IN THE BUSINESS OF MONEY TRANSMISSION IS SUBJECT TO THE ENFORCEMENT PROVISIONS OF §§ ~~2-113~~ 2-114 THROUGH 2-116 OF THIS ARTICLE IF THE PERSON: