

(II) IF THE ADMINISTRATION ALSO FINDS THAT THE INSURER FAILED TO ACT IN GOOD FAITH, THE ADMINISTRATION SHALL ALSO DETERMINE THE OBLIGATION OF THE INSURER TO PAY:

1. EXPENSES AND LITIGATION COSTS INCURRED BY THE INSURED, INCLUDING REASONABLE ATTORNEY'S FEES, IN PURSUING RECOVERY UNDER THIS SUBTITLE; AND

2. INTEREST ON ALL EXPENSES AND LITIGATION COSTS INCURRED BY THE INSURED COMPUTED:

A. AT THE RATE ALLOWED UNDER § 11-107(A) OF THE COURTS ARTICLE; AND

B. FROM THE APPLICABLE DATE OR DATES ON WHICH THE INSURED'S EXPENSES AND COSTS WERE INCURRED.

(3) AN INSURER MAY NOT BE FOUND TO HAVE FAILED TO ACT IN GOOD FAITH UNDER THIS SECTION SOLELY ON THE BASIS OF DELAY IN DETERMINING COVERAGE OR THE EXTENT OF PAYMENT TO WHICH THE INSURED IS ENTITLED IF THE INSURER ACTED WITHIN THE TIME PERIOD SPECIFIED BY STATUTE OR REGULATION FOR INVESTIGATION OF A CLAIM BY AN INSURER.

(4) THE AMOUNT OF THE ATTORNEY'S FEES DETERMINED TO BE PAYABLE TO AN INSURED UNDER PARAGRAPH (2) OF THIS SUBSECTION MAY NOT EXCEED ONE-THIRD OF THE ACTUAL DAMAGES PAYABLE TO THE INSURED.

(5) THE ADMINISTRATION SHALL SERVE A COPY OF THE DECISION ON THE INSURED AND THE INSURER IN ACCORDANCE WITH § 2-204(C) OF THIS ARTICLE.

(F) (1) ~~A~~ IF A PARTY RECEIVES AN ADVERSE DECISION, THE PARTY SHALL HAVE 30 DAYS AFTER THE DATE OF SERVICE OF THE ADMINISTRATION'S DECISION TO REQUEST A HEARING.

(2) ALL HEARINGS REQUESTED UNDER THIS SECTION SHALL:

(i) BE REFERRED BY THE COMMISSIONER TO THE OFFICE OF ADMINISTRATIVE HEARINGS FOR A FINAL DECISION UNDER TITLE 10, SUBTITLE 2 OF THE STATE GOVERNMENT ARTICLE;

(ii) BE HEARD DE NOVO;