

[4-315.] 4-313.

Each licensee shall display the license conspicuously in the barbershop where the licensee practices [or teaches] barbering.

[4-316.] 4-314.

(A) Subject to the hearing provisions of [§ 4-317] § 4-315 of this subtitle, the Board may deny a license to any applicant, reprimand any licensee, or suspend or revoke a license if the applicant or licensee:

(1) fraudulently or deceptively obtains or attempts to obtain a license for the applicant or licensee or for another;

(2) fraudulently or deceptively uses a license;

(3) is [grossly] incompetent;

(4) habitually is intoxicated or under the influence of any drug;

(5) falsifies a record submitted to the Board;

(6) fails to use proper sanitary methods while practicing barbering;

(7) fails to keep a barbershop in a sanitary condition; or

(8) violates any provision of this title.

(B) INSTEAD OF OR IN ADDITION TO SUSPENDING OR REVOKING A LICENSE, THE BOARD MAY IMPOSE A PENALTY NOT EXCEEDING \$300 FOR ALL VIOLATIONS CITED ON A SINGLE DATE.

(C) IN DETERMINING THE AMOUNT OF FINANCIAL PENALTY TO BE IMPOSED UNDER THIS SECTION, THE BOARD 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 COMPLAINANT, THE PUBLIC, AND THE BARBER INDUSTRY; AND

(5) ANY OTHER FACTORS RELEVANT TO THE DETERMINATION OF THE FINANCIAL PENALTY.

(D) THE BOARD SHALL COMMENCE PROCEEDINGS UNDER THIS SECTION ON A COMPLAINT TO THE BOARD BY A MEMBER OF THE BOARD OR ANY PERSON.

(E) (1) A COMPLAINT SHALL:

(I) BE IN WRITING;