

- (1) for any applicable ground under ~~[\\$ 5-320] § 5-318~~ of this title;
- (2) if a school permit holder violates any applicable standard specified in ~~§ 5-512[,], OR § 5-513[, or § 5-514]~~ of this subtitle;
- (3) if the applicant or holder fraudulently or deceptively obtains or attempts to obtain a beauty salon permit or school permit for the applicant or holder or for another; or
- (4) if the applicant or holder fraudulently or deceptively uses a beauty salon permit or school permit.

~~(b) Instead of or in addition to suspending or revoking a beauty salon permit or school permit, the Board may impose a penalty not exceeding \$500 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 COSMETOLOGY INDUSTRY; AND~~
- ~~(5) ANY OTHER FACTORS RELEVANT TO THE DETERMINATION OF THE FINANCIAL PENALTY.~~

~~[\\$ 5-524.] § 5-523.~~

~~(a) Except as otherwise provided in Title 10, Subtitle 4 of the State Government Article, before the Board takes any final action under ~~[\\$ 5-523] § 5-522~~ of this subtitle, it shall give the person against whom the action is contemplated an opportunity for a hearing before the Board.~~

~~(b) The Board shall give notice and hold the hearing in accordance with Title 10, Subtitle 2 of the State Government Article.~~

~~(c) The hearing notice to be given to the person shall be served at least 5 days before the hearing.~~

~~(d) The person may be represented at the hearing by counsel.~~

~~(e) (1) The Board may issue a subpoena for the attendance of a witness to testify or the production of evidence in connection with any proceeding under this section.~~

~~(2) A subpoena issued under this subsection shall be served by:~~

~~(i) certified mail; or~~