

(9) AS A CONTRACTOR OR SUBCONTRACTOR FAILS TO SHOW FINANCIAL SOLVENCY, BASED ON THE INTENDED SCOPE AND SIZE OF THE BUSINESS IN RELATION TO TOTAL ASSETS, LIABILITIES, CREDIT RATING, AND NET WORTH;

(10) AS A CONTRACTOR OR SUBCONTRACTOR LACKS COMPETENCE, AS SHOWN BY THE PERFORMANCE OF AN UNWORKMANLIKE, INADEQUATE, OR INCOMPLETE HOME IMPROVEMENT;

(11) VIOLATES THIS TITLE;

(12) ATTEMPTS TO VIOLATE THIS TITLE; OR

(13) VIOLATES A REGULATION ADOPTED UNDER THIS TITLE.

(B) RESPONSIBILITY FOR VIOLATIONS BY OTHERS.

SUBJECT TO THE HEARING PROVISIONS OF § 8-312 OF THIS SUBTITLE, THE COMMISSION MAY REPRIMAND A CONTRACTOR OR SUBCONTRACTOR OR SUSPEND OR REVOKE THE LICENSE OF A CONTRACTOR OR SUBCONTRACTOR FOR A VIOLATION OF THIS TITLE BY AN AGENT, DIRECTOR, EMPLOYEE, MANAGER, OFFICER, PARTNER, OR SALESPERSON OF THE CONTRACTOR OR SUBCONTRACTOR, UNLESS THE COMMISSION FINDS THAT THE CONTRACTOR OR SUBCONTRACTOR OR MANAGEMENT PERSONNEL OF THE CONTRACTOR OR SUBCONTRACTOR:

(1) HAD NO KNOWLEDGE OF THE WRONGFUL CONDUCT; OR

(2) COULD NOT PREVENT THE VIOLATION.

(C) PENALTY.

INSTEAD OF OR IN ADDITION TO REPRIMANDING A LICENSEE OR SUSPENDING OR REVOKING A LICENSE, THE COMMISSION MAY IMPOSE A CIVIL PENALTY UNDER § 8-620 OF THIS TITLE.

REVISOR'S NOTE: The introductory language of subsection (a) and subsections (a)(1) and (3) through (12), (b), and (c) of this section are new language derived without substantive change from former Art. 56, § 258(a), (c), and, except the third sentence of (b)(1), (b), § 260(c)(1) and (2), and § 261(b)(1).

Subsection (a)(2) of this section is new language added, and subsection (a)(1) of this section is revised in standard language, to conform to almost all of the occupational licensing acts adopted by the General Assembly in the past several years. See, e.g., the comparable sections on disciplinary actions in the various titles of the Business Occupations and Professions Article.

Subsection (a)(13) of this section is new language added to state expressly that which only was implied in the former law.