

~~(iii) Misrepresents or fails to disclose any material facts to anyone entitled to that information;~~

~~(4) Violates any provision of this subtitle or any rule or regulation adopted under it or any other law regulating mortgage loan lending in the State; or~~

~~(5) Otherwise demonstrates unworthiness, bad faith, dishonesty, or any other quality that indicates that the business of the licensee has not been or will not be conducted honestly, fairly, equitably, and efficiently.~~

~~(b) (1) The Commissioner may enforce the provisions of this subtitle, regulations adopted under § 11-503, and the applicable provisions of Title 12 of the Maryland Commercial Law Article by issuing an order:~~

~~(i) To cease and desist 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 violation from which the violator failed to cease and desist or for which the violator failed to take affirmative action to correct.~~

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

~~(d) In determining the amount of financial penalty to be imposed under subsection (b) 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 and mortgage industry;~~

~~(5) The assets of the violator; and~~

~~(6) Any other factors relevant to the determination of the financial penalty.~~

~~(E) IN CONSULTATION WITH THE DIVISION OF CONSUMER PROTECTION OF THE OFFICE OF THE ATTORNEY GENERAL, THE COMMISSIONER SHALL EXAMINE AND ENCOURAGE AFFECTED PARTIES TO UTILIZE THE MARYLAND CONSUMER PROTECTION ACT, TITLE 12 OF THE COMMERCIAL LAW ARTICLE OF THE CODE, TO ADDRESS AND COMBAT ANY PRACTICE OF THE MORTGAGE LENDING BUSINESS THAT, THOUGH NOT FRAUDULENT, IS UNSCRUPULOUS.~~