

PERSON ALLEGED TO HAVE COMMITTED THE PARTICULAR TRADE PRACTICE AND ANY OTHER INFORMATION REQUIRED BY THE BOARD.

(R) (1) UPON THE FILING OF A COMPLAINT THE BOARD SHALL MAKE ANY INVESTIGATION IT DEEMS APPROPRIATE TO ASCERTAIN FACTS AND ISSUES. WHENEVER APPROPRIATE THE BOARD SHALL REFER A COMPLAINT TO THE STATE CONSUMER PROTECTION DIVISION OF THE STATE ATTORNEY GENERAL'S OFFICE OR TO THE FEDERAL TRADE COMMISSION. IF THE BOARD DETERMINES THERE ARE REASONABLE GROUNDS TO BELIEVE AN UNLAWFUL, UNFAIR OR DECEPTIVE TRADE PRACTICE HAS OCCURRED, IT SHALL ATTEMPT TO CONCILIATE THE MATTER BY METHODS OF INITIAL CONFERENCE AND PERSUASION WITH ALL INTERESTED PARTIES AND ANY REPRESENTATIVES AS THE PARTIES MAY CHOOSE TO ASSIST THEM. CONCILIATION CONFERENCES SHALL BE INFORMAL AND NOT PUBLIC.

(2) THE TERMS OF CONCILIATION AGREED TO BY THE PARTIES MAY BE REDUCED TO WRITING AND INCORPORATED INTO A WRITTEN ASSURANCE OF DISCONTINUANCE OR SETTLEMENT AGREEMENT TO BE SIGNED BY THE PARTIES, WHICH WRITTEN ASSURANCE OR AGREEMENT IS FOR CONCILIATION PURPOSES ONLY AND DOES NOT CONSTITUTE AN ADMISSION BY ANY PARTY THAT THE LAW HAS BEEN VIOLATED. A WRITTEN ASSURANCE OF DISCONTINUANCE OR SETTLEMENT AGREEMENT SHALL BE SIGNED ON BEHALF OF THE BOARD BY THE EXECUTIVE DIRECTOR OF THE BOARD.

(3) NO PERSON MAY VIOLATE OR FAIL TO ADHERE TO ANY PROVISION CONTAINED IN A WRITTEN ASSURANCE OR AGREEMENT OF DISCONTINUANCE OR SETTLEMENT AGREEMENT. ANY FAILURE BY THE BOARD TO ENFORCE A VIOLATION OF ANY PROVISION OF A WRITTEN ASSURANCE SHALL NOT CONSTITUTE A WAIVER OF ANY RIGHT OF THE BOARD OR PROVISION OF THE AGREEMENT. A PERSON WHO VIOLATES THIS SECTION SHALL BE LIABLE FOR PAYMENT TO THE COUNTY OF A CIVIL PENALTY, RECOVERABLE IN A CIVIL ACTION, NOT EXCEEDING \$500 FOR EACH VIOLATION.

(S) IF THE BOARD FAILS TO CONCILIATE A COMPLAINT AFTER THE PARTIES HAVE, IN GOOD FAITH, ATTEMPTED A CONCILIATION; OR, FAILS TO EFFECT AN ASSURANCE OF DISCONTINUANCE OR SETTLEMENT AGREEMENT; OR, DETERMINES THAT A COMPLAINT IS NOT SUSCEPTIBLE OF CONCILIATION, HE SHALL TRANSMIT THE MATTER TO THE COUNTY ATTORNEY FOR APPROPRIATE LEGAL ACTION.

(T) NOTHING IN THIS SUBTITLE SHALL PREVENT ANY PERSON FROM EXERCISING ANY RIGHT OR SEEKING ANY REMEDY TO WHICH HE MIGHT OTHERWISE BE ENTITLED OR FROM FILING ANY COMPLAINT WITH ANY OTHER AGENCY, COURT OF LAW OR EQUITY.