

(1) VIOLATES OR FAILS TO MEET THE REQUIREMENTS OF THIS SUBTITLE OR ANY REGULATION ADOPTED UNDER THIS SUBTITLE; OR

(2) FRAUDULENTLY OR DECEPTIVELY OBTAINS A LICENSE.

4-316.

(A) EXCEPT AS OTHERWISE PROVIDED IN THE ADMINISTRATIVE PROCEDURE ACT, BEFORE THE DEPARTMENT TAKES ANY FINAL ACTION UNDER § 4-311 OR § 4-315 OF THIS SUBTITLE, THE SECRETARY SHALL GIVE THE PERSON AGAINST WHOM THE ACTION IS CONTEMPLATED AN OPPORTUNITY FOR A HEARING BEFORE THE DEPARTMENT.

(B) THE DEPARTMENT SHALL GIVE NOTICE AND HOLD THE HEARING IN ACCORDANCE WITH THE ADMINISTRATIVE PROCEDURE ACT.

(C) THE DEPARTMENT SHALL SEND THE HEARING NOTICE TO THE APPLICANT OR LICENSEE BY CERTIFIED MAIL, RETURN RECEIPT REQUESTED, BEARING A POSTMARK FROM THE UNITED STATES POSTAL SERVICE.

(D) WITHIN 30 DAYS AFTER THE HEARING REQUIRED UNDER THIS SECTION, THE DEPARTMENT SHALL DECIDE THE ISSUE AND IMMEDIATELY NOTIFY THE PARTIES TO THE HEARING.

4-317.

(A) ANY PERSON AGGRIEVED BY A FINAL DECISION OF THE DEPARTMENT IN DENYING, SUSPENDING, OR REVOKING A LICENSE ISSUED UNDER THIS SUBTITLE MAY NOT APPEAL TO THE BOARD OF REVIEW, BUT MAY TAKE A DIRECT JUDICIAL APPEAL.

(B) THE APPEAL SHALL BE MADE AS PROVIDED FOR JUDICIAL REVIEW OF FINAL DECISIONS IN THE ADMINISTRATIVE PROCEDURE ACT.

(C) EITHER PARTY MAY APPEAL THE DECISION OF THE CIRCUIT COURT TO THE COURT OF SPECIAL APPEALS.

4-318.

(A) IF THE DEPARTMENT BELIEVES THAT A PERSON IS VIOLATING ANY PROVISION OF THIS SUBTITLE OR OF ANY REGULATION ADOPTED UNDER THIS SUBTITLE, THE DEPARTMENT MAY HAVE THE PERSON SERVED WITH A WRITTEN ORDER THAT DIRECTS THE PERSON SERVED TO ABATE THE VIOLATION WITHIN A TIME SPECIFIED IN THE ORDER.

(B) EXCEPT AS OTHERWISE PROVIDED IN THE ADMINISTRATIVE PROCEDURE ACT, THE DEPARTMENT SHALL GIVE ANY PERSON SERVED WITH AN ORDER UNDER THIS SECTION AN OPPORTUNITY FOR A HEARING BEFORE THE DEPARTMENT.

(C) AFTER A HEARING UNDER THIS SECTION, THE DEPARTMENT MAY AFFIRM, MODIFY, OR WITHDRAW THE ORDER.