

(III) THE GOOD FAITH OF THE VIOLATOR;

(IV) ANY HISTORY OF PREVIOUS VIOLATIONS BY THE VIOLATOR;

AND

(V) ANY OTHER RELEVANT FACTORS.

(3) THE BOARD SHALL PAY ANY PENALTY COLLECTED UNDER THIS SUBSECTION INTO THE GENERAL FUND OF THE STATE.

9-310.

(a) (1) Subject to the hearing provisions of § 9-312 of this subtitle, the Board, on the affirmative vote of a majority of its members then serving, may deny a license to any applicant, reprimand any licensee, or suspend or revoke a license if:

[(1)](I) the applicant or licensee fraudulently or deceptively obtains or attempts to obtain a license for the applicant or licensee or for another;

[(2)](II) the applicant or licensee fraudulently or deceptively uses a license;

[(3)](III) under the laws of the United States or of any state, the applicant or licensee is convicted of:

[(i)] 1. a felony; or

[(ii)]2. a misdemeanor that is directly related to the fitness and qualification of the applicant or licensee to practice landscape architecture;

[(4)](IV) the applicant or licensee is guilty of gross negligence, incompetence, or misconduct while practicing landscape architecture;

[(5)](V) the applicant or licensee has had a license to practice landscape architecture in another state revoked or suspended by the other state for a cause that would justify revocation or suspension under this title, except for the failure to pay a license or license renewal fee;

[(6)](VI) the applicant or licensee knowingly violates any provision of the code of ethics adopted by the Board; or

[(7)](VII) the applicant or licensee knowingly violates any provision of this title.

[(b) (1)] (2) (I) Instead of or in addition to REPRIMANDING A LICENSEE OR suspending or revoking a license UNDER THIS SUBSECTION, the Board may impose a penalty not exceeding [\$1,000] \$5,000 for each violation.

[(2)](II) To determine the amount of the penalty imposed under this subsection, the Board shall consider:

[(i)] 1. the seriousness of the violation;

[(ii)]2. the harm caused by the violation;