

12-926.

(A) EXCEPT AS PROVIDED IN SUBSECTION (C) OF THIS SECTION, AND SUBJECT TO THE HEARING PROVISIONS OF § 12-927 OF THIS SUBTITLE, THE COMMISSIONER MAY DENY A LICENSE TO AN APPLICANT, REPRIMAND A LICENSEE, OR SUSPEND OR REVOKE THE LICENSE OF A LICENSEE IF THE APPLICANT OR LICENSEE OR AN OWNER, OFFICER, DIRECTOR, OR PRINCIPAL OF THE APPLICANT OR LICENSEE:

(1) FRAUDULENTLY OR DECEPTIVELY OBTAINS OR ATTEMPTS TO OBTAIN A LICENSE;

(2) FRAUDULENTLY OR DECEPTIVELY USES A LICENSE OR DEBT MANAGEMENT SERVICES LICENSE NUMBER;

(3) PRESENTS OR ATTEMPTS TO PRESENT THE DEBT MANAGEMENT SERVICES LICENSE NUMBER OF ANOTHER LICENSEE AS THE APPLICANT'S OR LICENSEE'S DEBT MANAGEMENT SERVICES LICENSE NUMBER;

(4) VIOLATES ANY PROVISION OF THIS SUBTITLE OR ANY REGULATION ADOPTED UNDER THIS SUBTITLE;

(5) IS CONVICTED UNDER THE LAWS OF THE UNITED STATES OR OF ANY STATE OF:

(I) A FELONY; OR

(II) A MISDEMEANOR THAT IS DIRECTLY RELATED TO THE FITNESS AND QUALIFICATION OF THE APPLICANT OR LICENSEE TO ENGAGE IN THE BUSINESS OF PROVIDING DEBT MANAGEMENT SERVICES;

(6) IN CONNECTION WITH THE PROVISION OF DEBT MANAGEMENT SERVICES:

(I) COMMITS A FRAUD;

(II) ENGAGES IN AN ILLEGAL OR DISHONEST ACTIVITY;

(III) HAS ENGAGED OR PARTICIPATED IN AN UNSAFE OR UNSOUND ACT; OR

(IV) MISREPRESENTS OR FAILS TO DISCLOSE A MATERIAL FACT TO A PERSON ENTITLED TO THAT INFORMATION;

(7) ENGAGES IN FALSE, MISLEADING, OR DECEPTIVE ADVERTISING; OR

(8) OTHERWISE DEMONSTRATES UNWORTHINESS, BAD FAITH, DISHONESTY, OR ANY OTHER QUALITY THAT INDICATES THAT THE BUSINESS OF THE APPLICANT OR LICENSEE HAS NOT BEEN OR WILL NOT BE CONDUCTED HONESTLY, FAIRLY, AND EQUITABLY.

(B) IN DETERMINING WHETHER TO DENY A LICENSE TO AN APPLICANT, REPRIMAND A LICENSEE, OR SUSPEND OR REVOKE THE LICENSE OF A LICENSEE FOR A REASON LISTED IN SUBSECTION (A)(5) OF THIS SECTION, THE COMMISSIONER SHALL CONSIDER: