

§9011. Enforcement and penalties

1. Inspection of violations. The board may, upon complaint or probable cause, inspect the manufactured housing, manufacturing facilities, a licensee's business facilities or such records as may be necessary to verify whether a violation has occurred. If the board finds that a violation has occurred, it shall proceed pursuant to section 9009.

[PL 2017, c. 210, Pt. B, §13 (AMD).]

2. Petition to initiate legal action. The board may petition the Attorney General to initiate legal action in any court of competent jurisdiction for monetary or injunctive relief to enforce this chapter.

[PL 1993, c. 642, §21 (AMD).]

3. Penalties. Any person found guilty of violation of this chapter may be required to pay a civil penalty of not more than \$1,000 for each such violation, but not more than \$5,000 for an action consisting of separate violations.

[PL 1977, c. 550, §1 (NEW).]

4. Private actions. The private rights of action created by this subsection are in addition to any rights of enforcement and relief granted to the board in this chapter. The board shall notify all claimants of their right to seek remedy.

A. A person damaged as a result of a violation of this chapter also has a cause of action in court against the person responsible for the manufacture, brokering, distribution, sale, lease, installation or service, and the court may award appropriate damages and cost for litigation in its judgment.

[PL 2005, c. 344, §11 (AMD).]

B. After exhausting all administrative remedies, a person damaged as a result of a violation of section 9042 also has a cause of action in court against the political subdivision of the State that fails to comply with the provisions of section 9042, and the court may award injunctive relief. [PL 1999, c. 725, §2 (NEW).]

[PL 2005, c. 344, §11 (AMD).]

5. Crime designated. An individual or a director, officer or agent of a corporation who knowingly and willfully violates section 9008 in a manner that threatens the health or safety of any purchaser commits a Class E crime.

[PL 1993, c. 642, §21 (AMD).]

SECTION HISTORY

PL 1977, c. 550, §1 (NEW). PL 1993, c. 642, §21 (AMD). PL 1999, c. 725, §2 (AMD). PL 2005, c. 344, §11 (AMD). PL 2017, c. 210, Pt. B, §13 (AMD).

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