

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend the Code of Virginia by adding a section numbered 54.1-2105.2, relating to the Real*
3 *Estate Board; powers; cease and desist orders; civil penalty.*

4 [H 2843]

5 Approved

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7 **Be it enacted by the General Assembly of Virginia:**8 **1. That the Code of Virginia is amended by adding a section numbered 54.1-2105.2 as follows:**9 *§ 54.1-2105.2. Cease and desist orders for unlicensed activity; civil penalty.*

10 *A. Notwithstanding any other provision of law, the Board may issue an order requiring any person*
11 *to cease and desist from acting as a real estate broker or salesperson when such person is not licensed*
12 *by the Board in accordance with this chapter. The order shall be effective upon its entry and shall*
13 *become final unless such person files an appeal with the Board in accordance with the Administrative*
14 *Process Act (§ 2.2-4000 et seq.) within 21 days of the date of entry of the order.*

15 *B. If the person fails to cease and desist the unlicensed activity after entry of an order in accordance*
16 *with subsection A, the Board may refer the matter for enforcement pursuant to § 54.1-306.*

17 *C. Any person engaging in unlicensed activity shall be subject to further proceedings before the*
18 *Board and the Board may impose a civil penalty not to exceed \$1,000 for any real estate transaction or*
19 *the compensation received from any such real estate transaction, whichever is greater. Any penalties*
20 *collected under this section shall be paid to the Literary Fund after deduction of the administrative costs*
21 *of the Board in furtherance of this section.*

ENROLLED

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