

508E.16 Injunctions — civil remedies — cease and desist orders — civil penalty.

1. In addition to the penalties and other enforcement provisions of [this chapter](#), if any person violates [this chapter](#) or any rule implementing [this chapter](#), the commissioner may seek an injunction in a court of competent jurisdiction and may apply for a temporary or permanent order that the commissioner determines is necessary to restrain the person from committing the violation.

2. A person damaged by the act of a person in violation of [this chapter](#) may bring a civil action against the person committing the violation in a court of competent jurisdiction.

3. The commissioner may issue, in accordance with [chapter 17A](#), a cease and desist order upon a person that violates any provision of [this chapter](#), any rule or order adopted by the commissioner, or any written agreement entered into with the commissioner.

4. When the commissioner finds that an activity in violation of [this chapter](#) presents an immediate danger to the health, safety, or welfare of the public requiring immediate agency action, the commissioner may proceed under [section 17A.18A](#).

5. In addition to the penalties and other enforcement provisions of [this chapter](#), any person who violates [this chapter](#) is subject to a civil penalty of up to five thousand dollars for each violation of [this chapter](#). The civil penalty shall be deposited as provided in [section 505.7](#). If a person has not been ordered to pay restitution by a court, the commissioner's order may require a person found to be in violation of [this chapter](#) to make restitution to a person aggrieved by a violation of [this chapter](#).

6. Except for a fraudulent viatical settlement act committed by a viator, the enforcement provisions and penalties of [this section](#) shall not apply to a viator.

2008 Acts, ch 1155, §16; 2009 Acts, ch 181, §70

For future repeal of 2009 amendment to subsection 5, effective July 1, 2011, see 2009 Acts, ch 179, §146