

21—95.7(203,203C) Criteria for assessing civil penalties. Licensees who violate Iowa Code chapter 203 or 203C or the rules promulgated thereunder may be subject to civil penalties. In evaluating a violation to determine which cases may be appropriate for assessment of civil penalties, or for purposes of assessing civil penalties, the department shall consider, among other relevant factors, the following:

1. Economic benefits realized by the violator through noncompliance.
2. Willfulness or recklessness of the violation.
3. Actual or threatened damage to sellers or depositors.
4. Actual or potential costs incurred by the department in discovering and responding to the violation.
5. Remedial or corrective action taken by the licensee.
6. Previous history of noncompliance by the licensee.

The amount of civil penalty assessed shall not exceed \$1500 per violation. Each day that a violation continues constitutes a separate violation.