

IC 24-5.5-6

Chapter 6. Enforcement

IC 24-5.5-6-1

Violations; deceptive act; Class A misdemeanor

Sec. 1. A person who knowingly or intentionally violates this article commits:

- (1) a Class A misdemeanor;
- (2) a deceptive act that is actionable by the attorney general under IC 24-5-0.5-4 and is subject to the penalties and remedies available to the attorney general under IC 24-5-0.5; and
- (3) a deceptive act that is actionable by the attorney general under IC 24-9-8-2 and is subject to the penalties and remedies available to the attorney general under IC 24-9.

As added by P.L.209-2007, SEC.2. Amended by P.L.114-2010, SEC.17; P.L.231-2013, SEC.6.

IC 24-5.5-6-2

Homeowner's cause of action; damages; attorney's fees

Sec. 2. (a) A homeowner may bring an action against a person for damages incurred as a result of a violation of this article.

(b) A homeowner who:

- (1) brings an action under this section; and
- (2) is awarded damages;

may seek reasonable attorney's fees.

As added by P.L.209-2007, SEC.2.

IC 24-5.5-6-3

Attorney's fees; treble damages

Sec. 3. (a) A court may award attorney's fees under section 2(b) of this chapter.

(b) If the court finds that a person willfully or knowingly violated this article, the court may award damages equal to three (3) times the amount of actual damages.

As added by P.L.209-2007, SEC.2.

IC 24-5.5-6-4

Indiana housing and community development authority; list of nonprofit organizations

Sec. 4. (a) The Indiana housing and community development authority shall maintain a list of nonprofit organizations that:

- (1) offer counseling or advice to homeowners in foreclosure or loan defaults; and
- (2) do not contract for services with for-profit lenders or foreclosure purchasers.

(b) The Indiana housing and community development authority shall provide names and telephone numbers of the organizations described in subsection (a) to a homeowner upon request.

As added by P.L.209-2007, SEC.2.

IC 24-5.5-6-5

Attorney general's authority to adopt rules

Sec. 5. The attorney general may adopt rules under IC 4-22-2 necessary to implement this article.

As added by P.L.209-2007, SEC.2.

IC 24-5.5-6-6

Credit services organizations statute not preempted

Sec. 6. Except as provided in IC 24-5-15-7(d), this article may not be construed to preempt the provisions of IC 24-5-15-1 through IC 24-5-15-11.

As added by P.L.209-2007, SEC.2.