

227.630 Grounds for denial, suspension, or revocation of license or certificate of acceptability -- Payments in lieu of suspension.

- (1) A license, certification, or certificate of acceptability may be denied, suspended, or revoked on the following grounds:
 - (a) A showing of insolvency in a court of competent jurisdiction;
 - (b) Material misstatement in application for license, certification, or certificate of acceptability;
 - (c) Willful failure to comply with any provisions of KRS 227.550 to 227.660 or any administrative regulation promulgated by the department under KRS 227.550 to 227.660;
 - (d) Willfully defrauding any buyer;
 - (e) Willful failure to perform any written agreement with any buyer or retailer;
 - (f) Failure to have or to maintain an established place of business;
 - (g) Failure to furnish or maintain the required insurance;
 - (h) Making a fraudulent sale, transaction, or repossession;
 - (i) Employment of fraudulent devices, methods, or practices in connection with the requirements under the statutes of this state with respect to the retaking of goods under retail installment contracts and the redemption and resale of such goods;
 - (j) Failure by a retailer to put the title to a manufactured home, mobile home, or recreational vehicle in his name after said retailer has acquired ownership of the manufactured home, mobile home, or recreational vehicle by trade or otherwise; or
 - (k) Violation of any law relating to the sale or financing of manufactured homes, mobile homes, or recreational vehicles, if in accordance with KRS Chapter 335B.
- (2) If a licensee is a firm or corporation, it shall be sufficient cause for the denial, suspension, or revocation of a license if any officer, director, or trustee of the firm or corporation, or any member in case of a partnership, has been guilty of any act or omission which would be cause for refusing, suspending, or revoking a license to that party as an individual. Each licensee shall be responsible for any or all of his or her salespersons while they are acting as agents of the licensee and within the scope of their authority.
- (3) Upon proceedings for the suspension of a license, certification, or certificate of acceptability for any of the violations enumerated in KRS 227.550 to 227.660, the licensee or holder of a certificate of acceptability may have the alternative, subject to the approval of the department, to pay in lieu of part or all of the days of any suspension the sum of fifty dollars (\$50) per day. Payments in lieu of suspension collected by the department shall be deposited in the State Treasury and credited to the general expenditure fund.

Effective: June 29, 2017

History: Amended 2017 Ky. Acts ch. 158, sec. 39, effective June 29, 2017; and ch. 169, sec. 82, effective June 29, 2017. -- Amended 2004 Ky. Acts ch. 74, sec. 10, effective July 13, 2004. -- Amended 1996 Ky. Acts ch. 340, sec. 9, effective July 15, 1996. -- Amended 1976 Ky. Acts ch. 136, sec. 9. -- Created 1974 Ky. Acts ch. 76, sec. 9.

Legislative Research Commission Note (6/29/2017). This statute was amended by 2017 Ky. Acts chs. 158 and 169, which do not appear to be in conflict and have been codified together.