

## **.48 PENALTIES**

**The Office may institute legal proceedings:**

- A. Enjoin any person not registered who is providing family day care from continuing to operate; or**

INTENT: The Office may request a court to order an unregistered provider to stop operating.

- B. Ask a court in the jurisdiction of the family day care home to impose a fine of up to the maximum amount permitted by law on a person found to be operating in violation of these regulations.**

INTENT: The Office may request a court to fine an unregistered caregiver for operating without authorization from the Office.

General Notes:

- Operation of a family care home without a certificate of registration is a misdemeanor. If an unregistered provider continues to operate in violation of a court injunction, the court may impose a fine.
- A person served with a civil citation (see [Section .49](#) of this Manual) is subject to a civil penalty. The total amount of the civil penalty may not exceed \$5,000.
- The Office can request the issuance of a criminal summons against an alleged unregistered provider by filing an application for statement of charges with the court commissioner in the District Court. If the provider is found guilty of the misdemeanor charge, a criminal fine of up to \$1,000 may be imposed for each occurrence.