

Maryland State Commission on Criminal Sentencing Policy



New Sentencing Guidelines Offenses (2008)

Seriousness categories (CAT) adopted effective December 1, 2008

OFFENSE	SOURCE	LEVEL	MAX	MIN	TYPE	CAT	FINE
Commercial Fraud, Other <i>Commission of mortgage fraud</i>	RP, §7-407(a)	Felony	10Y		Property	V	\$5,000
Commercial Fraud, Other <i>Commission of mortgage fraud involving victim who is a vulnerable adult under CR, §3-604</i>	RP, §7-407(b)	Felony	15Y		Property	V	\$15,000
Commercial Fraud, Other <i>Commission of mortgage fraud, engaging in a pattern of mortgage fraud</i>	RP, §7-407(c)	Felony	20Y		Property	IV	\$100,000
Commercial Fraud, Other <i>Failure of foreclosure consultant to obtain a real estate broker's license</i>	RP, §7-318.1(a) RP, §7-321 (penalty)	Misd.	3Y		Property	VI	\$10,000
Commercial Fraud, Other <i>Violation of any provision of Business Occupations and Professions Article, Title 17, by foreclosure consultant</i>	RP, §7-318.1(b) RP, §7-321 (penalty)	Misd.	3Y		Property	VI	\$10,000
Commercial Fraud, Other <i>Violation of certain provisions of the Maryland Real Estate Brokers Act, 1st offense^a</i>	BO, §17-613(a)	Misd.	1Y		Property	VII	\$5,000
Commercial Fraud, Other <i>Violation of certain provisions of the Maryland Real Estate Brokers Act, 2nd offense</i>	BO, §17-613(d)(1)	Misd.	2Y		Property	VII	\$15,000
Commercial Fraud, Other <i>Violation of certain provisions of the Maryland Real Estate Brokers Act, 3rd or subsequent offense</i>	BO, §17-613(d)(2)	Misd.	3Y		Property	VI	\$25,000

^a This is not a new offense, but it was not previously listed in the Guidelines Offense Table. The Legislature created additional penalties for 2nd and 3rd or subsequent violations.

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New Sentencing Guidelines Offenses (2008) (cont.)

OFFENSE	SOURCE	LEVEL	MAX	MIN	TYPE	CAT	FINE
Counterfeiting <i>Forge, falsify, or counterfeit the signature of a judge, court officer, or court employee; or use a document with forged signature of a court official</i>	CR, §8-606.1	Misd.	5Y		Property	VI	\$10,000
Identity Fraud <i>Use a re-encoder or skimming device for purpose of identity theft. Benefit less than \$500</i>	CR, §8-301(d) CR, §8-301(g)(2) (penalty)	Misd.	18M		Property	VII	\$5,000
Identity Fraud <i>Use a re-encoder or skimming device for purpose of identity theft. Benefit \$500 or greater</i>	CR, §8-301(d) CR, §8-301(g)(1) (penalty)	Felony	15Y		Property	V	\$25,000
Identity Fraud <i>Possess, obtain, or help another obtain a re-encoder or skimming device for purpose of identity theft</i>	CR, §8-301(e) CR, §8-301(g)(4) (penalty)	Misd.	18M		Property	VII	\$5,000
Statewide DNA Data Base System, Crimes Involving <i>Willfully testing DNA for information not related to identification of individuals</i>	PS, §2-512 (c), (e)	Felony	5Y		Property	V	\$5,000