§ 7816. Penalties and civil remedies. (a)(1) If, after notice and hearing, the superintendent determines that any information required by subsection (a) or (c) of section seven thousand eight hundred eleven of this article knowingly was not provided or knowingly was delayed in being provided by the life settlement broker to the material detriment of the owner, then the superintendent, in addition to any other penalty prescribed by law, may require the life settlement broker to pay to the people of this state an amount not to exceed the compensation due or provided to the life settlement broker.

(2) If, after notice and hearing, the superintendent determines that any information required by subsection (a) of section seven thousand eight hundred eleven of this article knowingly was not provided or knowingly was delayed in being provided by the life settlement provider to the material detriment of the owner, then the superintendent, in addition to any other penalty prescribed by law, may require the life settlement provider to pay to the people of this state an amount not to exceed forty-five thousand dollars.

(b) If, after notice and hearing, the superintendent determines any person knowingly violated subsection (c) of section seven thousand eight hundred fifteen of this article, then the superintendent, in addition to any other penalty prescribed by law, may require the person to pay to the people of this state an amount not to exceed one hundred thousand dollars.

(c) If, after notice and hearing, the superintendent determines that any person knowingly violated section seven thousand eight hundred ten of this article, then the superintendent, in addition to any other penalty prescribed by law, may require the person to pay the insured or owner an amount not to exceed twenty thousand dollars.

(d)(1) If, after notice and hearing, the superintendent determines that any person knowingly and willfully acted as a life settlement provider without a license in violation of subsection (a) of section seven thousand eight hundred three of this article, then the superintendent may impose a civil penalty payable to the people of this state not to exceed one hundred thousand dollars for each policy settled in violation thereof.

(2) If, after notice and hearing, the superintendent determines that any person knowingly and willfully acted as a life settlement broker

without a license in violation of subsection (a) of section two thousand one hundred thirty-seven of this chapter, then the superintendent may impose a civil penalty payable to the people of this state not to exceed fifty thousand dollars for each policy settled in violation thereof.

(3) If, after notice and hearing, the superintendent determines that any person knowingly and willfully acted as a life settlement intermediary without a registration in violation of subsection (a) of section seven thousand eight hundred four of this article, then the superintendent may impose a civil penalty payable to the people of this state not to exceed fifty thousand dollars for each transaction.

(e) Any person who has been injured by reason of a violation of subsection (a), (b) or (c) of this section may bring an action to recover damages suffered by reason of such violation. In any action brought under this section, the court may award reasonable attorney's fees to a prevailing plaintiff.

(f) Nothing provided in this article shall limit or restrict any common law, contractual or other right of action.