

Addendum to the Final Statement of Reasons

1. The necessity for subsection (a) of Section 250.70's language that "the Commissioner may consider a variety of factors including, but not limited to the following:" is to allow the Commissioner flexibility when determining whether or not to use the specified criteria outlined in Section 250.70 as well as to not limit the Commissioner to the factors specified in the rule. This flexibility is necessary because each violation presents a different situation for the Commissioner's consideration.
2. The following revision of the Summary and Response to Comment 5 supersedes the summary and response to comment 5 contained on page 4 of the Final
3. Statement of Reasons.

Comment 5: On page 5, the commentors suggest the rule should be clarified to apply only to persons who are subject to Part 3, Division 1, Title 4 of the Corporations Code.

Response: The Department agrees with the commentors and has made a nonsubstantive change to add "subject to Part 3, Division 1, Title 4 of the Corporations Code" to subsection (a) in order to be consistent with Corporations Code Section 25252.