325N.06 REMEDIES.

(a) A violation of sections 325N.01 to 325N.09 is considered to be a violation of section 325F.69, and all remedies of section 8.31 are available for such an action. A private cause of action under section 8.31 by an owner is in the public interest. An owner may bring an action against a solicitor for any violation of sections 325N.01 to 325N.09. Judgment must be entered for actual damages, reasonable attorney fees and costs, and appropriate equitable relief.

(b) The rights and remedies provided in paragraph (a) are cumulative to, and not a limitation of, any other rights and remedies provided by law. Any action brought pursuant to this section must be commenced within six years from the date of the alleged violation.

(c) The court may award exemplary damages up to 1-1/2 times the compensation charged by the solicitor if the court finds that the solicitor violated the provisions of section 325N.04, clause (1), (2), or (4), and the solicitor's conduct was in bad faith.

(d) Notwithstanding any other provision of this section, no action may be brought on the basis of a violation of sections 325N.01 to 325N.09, except by an owner against whom the violation was committed or by the attorney general. This limitation does not apply to administrative action by the commissioner of commerce.

History: *2004 c 263 s 6,26; 2007 c 106 s 22; 2008 c 341 art 5 s 23; 2021 c 7 s 10*