

## SECTION .0600 – DENIALS, DISCIPLINE, AND ENFORCEMENT

### 18 NCAC 07B .0601 FACTORS FOR DISCIPLINARY ACTIONS

When determining whether and what disciplinary action to take, the Department shall consider:

- (1) the qualifications of the person;
- (2) the nature, number, timing, and severity of any acts, offenses, official misconduct, or crimes under consideration;
- (3) evidence pertaining to the honesty, credibility, truthfulness, and integrity of the person;
- (4) actual or potential harm;
- (5) the history of complaints against the person received by the Department;
- (6) the record of prior disciplinary actions against the person;
- (7) evidence in mitigation;
- (8) evidence in aggravation;
- (9) occupational, vocational, or professional license disciplinary record;
- (10) evidence of rehabilitation;
- (11) criminal history record;
- (12) information and reports received from other law enforcement agencies;
- (13) willfulness;
- (14) negligence;
- (15) the response of the person to any alleged violations;
- (16) whether the person self-reported a matter affecting qualification or the performance of an activity pursuant to authorization; and
- (17) the purposes of the Notary Act as set forth in G.S. 10B-2.

*History Note:* Authority G.S. 10B-4; 10B-14(f); 10B-60;  
Eff. April 1, 2007;  
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest  
Eff. December 6, 2016;  
Transferred from 18 NCAC 07B .0901 Eff. June 1, 2023;  
Amended Eff. July 1, 2025; July 1, 2024.