

4781-8-11 Adjudication hearings.

(A) General.

The commission shall determine the need for adjudication hearings in accordance with sections 119.06 to 119.13 of the Revised Code.

(1) After a denial, revocation, or suspension of a license issued pursuant to Chapter 4781. of the Revised Code, the manufactured homes commission shall notify the licensee or applicant of their right to request a hearing. The notice shall be in writing and sent by certified mail, return receipt requested.

(2) The notice shall include:

(a) The charges or reasons for the denial, suspension or revocation;

(b) The applicable laws or rules directly involved; and

(c) A statement informing the licensee or applicant that:

(i) The licensee or applicant is entitled to a hearing if the request is received by the manufactured homes commission within thirty days of the date the notice was mailed;

(ii) The licensee or applicant may appear in person or be represented by an attorney;

(iii) The licensee or applicant may choose to present their position, argument, or contentions in writing; and

(iv) The licensee or applicant may present evidence, and examine witnesses appearing on the licensee or applicant's behalf and cross-examine the commission's witnesses at the hearing.

(3) Upon receiving a request within thirty days of the date of the mailing of the notice for hearing from the licensee or applicant, the commission or its executive director shall immediately set the date, time, and location of the hearing. The date set for hearing shall be within seven and fifteen days of receiving the request for hearing, unless continued by the commission on its own motion or continued by agreement of both parties.

(4) The executive director may issue subpoenas for any witnesses or to compel the production of any books, records, or papers in accordance with Chapter 119. of the Revised Code upon request of the licensee, applicant, or legal counsel to the board. Such request for subpoenas shall be made no later than fourteen days prior to the date of the adjudication hearing. The service and enforcement of subpoenas shall be made in accordance with Chapter 119. of the Revised Code.

(5) A licensee, applicant or representative of the licensee or applicant may request a continuance of the scheduled hearing by submitting a written request no later than fourteen days prior to the scheduled hearing date. The executive director may grant a continuance upon good cause.

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Promulgated Under: 119.03

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