

Filing request for hearing.

- (A) In order to request a hearing ~~under~~ pursuant to Chapter 119. of the Revised Code, a the respondent or the respondent's attorney or attorneys shall ~~his representative~~ must, in accordance with rule 4731-13-08 of the Administrative Code, file in writing a written request for an statement requesting such adjudication hearing in accordance with rule 4731-13-08 of the Administrative Code. The request shall be filed within thirty days of the date of mailing of the board's notice of opportunity for hearing upon which service is perfected, or of the date of personal service of the board's notice of opportunity for hearing or of the date of publication of the board's notice of opportunity for hearing in accordance with Chapter 119. of the Revised Code, in the event of summary suspension, whichever occurs first. The date of mailing of the board's notice of opportunity for hearing shall be the date appearing postmarked on the certified mail receipt.
- (B) A respondent ~~or his representative~~ properly filing a request for an adjudication hearing, whether personally or by attorney or attorneys, shall be entitled to such adjudication hearing within fifteen days but not sooner than seven days after such request has been filed unless both ~~representatives~~ parties agree otherwise or a continuance is granted pursuant to section 119.09 of the Revised Code and rule 4731-13-06 of the Administrative Code.

Effective: 02/28/2004

R.C. 119.032 review dates: 11/17/2003 and 03/25/2007

Certification

Date

Promulgated Under: 119.03
Statutory Authority: 4731.05
Rule Amplifies: 119.07, 119.09
Prior Effective Dates: 6/30/89