

**286.8-044 Notice of order in writing -- Administrative complaint -- Service -- Hearing.**

- (1) Notice of entry of any order of suspension or denial of a license, registration, or claim of exemption to any applicant, registrant, or licensee shall be given in writing and served personally or sent by certified mail to the last known address of the person affected. The affected person, upon timely written request to the commissioner, shall be entitled to a hearing in accordance with the provisions of KRS Chapter 13B; but if no written request is received within twenty (20) days of service of the notice, the commissioner shall enter a final order suspending or denying the license or registration.
- (2) The commissioner may file an administrative complaint against any person if it appears on grounds satisfactory to the commissioner that a potential or actual violation of this subtitle has been committed and when the person may be subject to the penalties of KRS 286.8-046, 286.8-090, and 286.8-990. The commissioner shall serve the administrative complaint by certified mail or personal delivery to the last known address of the person named in the complaint. The person named in the administrative complaint shall be entitled to a hearing, but only upon timely receipt of a written answer and request for a hearing within twenty (20) days of the service or hand delivery of the administrative complaint. If timely requested, an administrative hearing shall be held in accordance with the provisions of KRS Chapter 13B. If a written answer and request for hearing are not made within twenty (20) days of service or delivery of the complaint, the commissioner shall enter a final order granting the relief requested in the complaint.
- (3) Service by certified mail shall be complete upon the earlier of the following:
  - (a) The date on which the person receives the mail;
  - (b) The date on which the agency receives the return receipt; or
  - (c) The date on which the agency receives notice that the mail has been returned undelivered.

**Effective:** July 15, 2010

**History:** Amended 2010 Ky. Acts ch. 24, sec. 768, effective July 15, 2010. -- Amended 2009 Ky. Acts ch. 104, sec. 7, effective June 25, 2009. -- Created 2008 Ky. Acts ch. 175, sec. 24, effective April 24, 2008.