

4501:1-3-24

Rehearings.

- (A) Should the license holder desire a rehearing before the board, such license holder shall file ~~his application~~ for rehearing in writing with the secretary or acting secretary of the board, within fifteen days after receipt of the decision of the board and shall accompany the application with a verified statement setting out the grounds on which such rehearing is sought.
- (B) Grounds for rehearing shall be for the following causes only:
- (1) For mistake, neglect or omission on the part of the board, or irregularity in obtaining a favorable decision or order on the part of the successful party.
 - (2) For fraud practiced by the successful party in obtaining a favorable order or decision.
 - (3) For unavoidable casualty or misfortune, preventing the license holder from prosecuting his case before the board.
 - (4) When a decision or order was obtained, in whole or a material part by false testimony on the part of the successful party, or any witness ~~in his~~ on the license holders behalf, which ordinary prudence could not have anticipated or guarded against.
 - (5) Newly discovered evidence, material for the license holder applying for rehearing, which with reasonable diligence could not have been discovered and produced at the hearing and which is not merely corroborative of evidence produced or offered at the hearing, and the license holder ~~in his application~~ the request for rehearing shall state the nature of such evidence.

Effective:

Five Year Review (FYR) Dates: 11/6/2017

Certification

Date

Promulgated Under: 119.03
Statutory Authority: 4517.32
Rule Amplifies: 4517.32
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