



## Ohio Administrative Code Rule 122:1-1-05 Decertification.

Effective: February 10, 2014

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(A) If upon review of the statement required by paragraph (A) of rule 122:1-1-04 of the Administrative Code, the director of the development services agency determines that a workable program no longer meets the criteria of rule 122:1-1-02 of the Administrative Code, then the director shall send to the executive officer of the municipal corporation notice that the workable program of the municipal corporation is decertified effective thirty days after receipt of the notice. The notice of decertification shall include the reasons for decertification.

(B) In the event of decertification pursuant to paragraph (A) of this rule, the chief executive officer of the affected municipal corporation may request a formal conference with the director of the development services agency or the director's representative by giving written notice of the request within thirty days after receipt of notice of decertification. A request for a formal conference shall stay decertification of the municipal corporation's workable program. The executive officer of the applying municipal corporation shall send, either together with the notice of a request for a formal conference or within a reasonable time thereafter, any additional information, evidence, or argument, which the executive officer contemplates the municipal corporation may wish to present in support of continued certification at the formal conference.

(C) Within thirty days from receipt of a request for a formal conference, the director of the development services agency or the director's representative shall set a time and place for the formal conference.

(D) The applying municipal corporation may provide at the formal conference in support of continued certification any additional information, evidence, or argument, which shall not be restricted to that submitted earlier.

(E) Within ten days after the formal conference the director shall notify the applying municipal corporation of his decision on rehearing which may be any of the following:



- (1) Affirmation of the prior decision to decertify,
  - (2) Reversal of the prior decision to decertify,
  - (3) Continuance of the matter until a date certain, during which time the applicant may show that each criterion set forth in rule 122:1-1-02 of the Administrative Code is substantially satisfied.
- (F) If a municipal corporation that has become decertified pursuant to paragraph (A) of this rule wishes to regain its status as an impacted city under Chapter 1728. of the Revised Code, it shall complete a new application consistent with that chapter and rules 122:1-1-02 and 122:1-1-03 of the Administrative Code.