



## Ohio Administrative Code

Rule 4146-5-05 Notice that an appeal has been transferred and a hearing officer level telephone hearing will be held; election of an in-person hearing.

Effective: August 17, 2015

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(A) Where the review commission intends to hold a telephone hearing at hearing officer level, the notice that an appeal has been transferred shall indicate that a telephone hearing is to be held. The notice also shall: (1) inform the interested parties that if they do not wish to have their appeal heard by telephone, any party may elect to have an in-person hearing where the party agrees to travel to a hearing site determined by the review commission (2) describe the telephone hearing procedure; and (3) explain how parties may submit documents and exhibits.

(B) A request for an in-person hearing must be filed with the review commission within ten days of the date the notice that an appeal has been transferred was sent or mailed.

(C) A request for in-person hearing is considered to be timely filed when it is received by the review commission and one of the following occurs:

(1) Receipt is before the close of business on the last day of the filing period;

(2) The request is mailed, and the enclosing envelope bears a postmark date, as governed by the United States postal regulations, before midnight of the last day of the filing period; or

(3) The request is mailed, the postmark date is illegible or missing, and it is received no later than the third calendar day following the last day of the filing period.

(4) The request is sent by facsimile device or other electronic means and received by midnight of the last day of the filing period.

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