



Ohio Administrative Code

Rule 3301-73-06 Filing.

Effective: July 27, 2023

(A) A certificate of service is not required for a filing of a request for hearing under section 119.07 of the Revised Code. A hearing request is properly filed when it is made after the issuance of a notice of an opportunity for hearing, made in writing by the named individual or his or her duly authorized representative, and received by the department within thirty days of the mailing of the notice of an opportunity for hearing.

(B) Paragraphs (C) to (H) of this rule apply after a proper request for an administrative hearing is received by the department.

(C) A document is "filed" when it is received by the department by midnight. The burden of ensuring that the document(s) is properly and timely filed is borne by the party filing the document(s).

(D) A party may file a document with the department in person, by mail, facsimile, or electronic mail.

(E) All documents will contain the name, mailing address, email address and telephone number of the party submitting it and will be appropriately captioned to indicate the name of the party on whose behalf the document is filed.

(F) Any document necessitating service by a party may be served in person, by mail, facsimile, or electronic mail. Service is complete on the date of mailing, date of personal service, date of facsimile of the document, or date of the electronic mail of the document.

(G) Any signed statement is an acceptable certificate of service so long as it contains all of the following information:

(1) Date of service;



(2) Email and physical address where service was made;

(3) Name of the party or authority that was served; and

(4) Method of service.

(H) If a document(s) is not filed in accordance with this rule, the state board or hearing officer may, at its/ his/her discretion, accept the document upon establishment of proof of good faith.

(I) This rule does not apply when a respondent is perfecting an appeal under section 119.12 of the Revised Code.