



# Disciplinary Review Committee Hearings

**Q I received a citation and I do not agree; what should I do?**

**A** After receiving the citation in the mail, the citation is due and payable. You have the option of appealing the citation if you do not agree with it.

In order to request an appeal, make sure to mark the box "All Violations" or "Selected Violations" and list all violations you're appealing. After the Board receives the citation appeal request, an acknowledgment letter will be sent to you, if the request is made by the deadline indicated on the citation. An informal appeal hearing will then be scheduled with the Board's Disciplinary Review Committee.

**Q How much time do I have to appeal my citation?**

**A** All appeals must be submitted by the due date indicated on the citation. The due date must be within 30 days of the date of notice, violation or citation was issued. Appeals that are not submitted in a timely manner will be rejected. Only the individual who received the citation can appeal it.

**Q How and when will I be notified of my hearing?**

**A** Approximately 30 days before the date of your hearing, you will be notified by mail of the date, time and location of your hearing. To ensure that the Notices of Hearing are delivered, the Board will send two Notices to your address of record - the address on your license - one via regular mail and the other via certified mail. If you have recently moved or have cancelled your establishment license, you must notify the Board within 30 days of your new address.

**Q What can I do if I am unable to attend in person?**

**A** You may send an authorized representative to speak on your behalf. You must provide a signed authorization letter allowing the representative to appear in your absence. If you are an employee of an establishment, the owner of the establishment cannot represent you at the hearing. You may also choose to withdraw your request for a hearing by sending in a written request prior to the hearing and subsequently pay the full amount of the fine. A "withdraw request" form is included on the second page of your Notice of Hearing.

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**Q If I fail to show up at my hearing, can I reschedule?**

**A** You must show “good cause” in order to reschedule your hearing. “Good Cause” is defined by the Board as personal illness, auto accident, death or severe illness in the immediate family or other severe physical or emotional hardship. For any condition to be considered good cause, it must be verified in writing.

**Q What can I expect during the informal appeal hearing?**

**A** During the appeal hearing, you will have the opportunity to discuss your case with the Disciplinary Review Committee, which consists of a panel of three Board members. You will have 15 minutes to state your case and explain why you are appealing. You are allowed, but are not required, to bring appropriate legal representation, witnesses, written documentation or photos to support your case.

Here are some examples of evidence that you may want to consider bringing:

- Photos of corrected violations
- Copy of Foot spa cleaning logs
- Surveillance video on CD
- Copy of license (if cited for unlicensed or expired)
- Proof of mailing/certified mail receipt
- Copies of front and back of checks cashed by DCA
- Lease agreement with start/end date
- Death certificate
- Time card/appointment book
- Health insurance bills/letter from doctor
- Inspection report from future visit showing No Violations
- Photo I.D. (if cited no photographic ID)
- The actual tools/implements that were cited; bottles of Barbicide/disinfectant

**Q If I need an interpreter, will there be one present?**

**A** If requested in advance, the Board will provide a Spanish or Vietnamese speaking interpreter. You may provide your own interpreter if needed and the interpreter cannot have a pending appeal hearing for a citation issued to him or her at the same location.

**Q When will I be informed of the results of my appeal?**

**A** You will be notified by mail of the Committee’s decision 30 days after your hearing date. The Decision Document mailed to you will state whether your violations are upheld, modified, or dismissed. It will also state the total amount owed on the citation.

**Q Can I contest the committee’s decision?**

**A** Yes. If you do not agree with the committee’s decision, you may appeal by sending the Board a written request to be heard before an Administrative Law Judge. Your request must be submitted before the effective date of the decision, or 59 days after your hearing date. Your appeal will then be forwarded to the Office of the Attorney General.

