

10A NCAC 05E .0105 ANSWERS TO THE PETITION

(a) A respondent who is served notice of filing of a petition shall file a written response to the petition and shall serve a copy of such response with certificate of service upon all other parties within 15 days after service of notice. The written answer may be submitted in lieu of a personal appearance at the hearing. If the respondent desires to file an answer in lieu of appearance, he must designate such on the face of the answer.

(b) Answers shall respond to each allegation of the petition, and may contain defenses, assertions of fact, and citations to applicable laws, rules and procedures. Failure to respond thoroughly to a timely and valid petition shall be grounds for admission of facts contained in the petition. The validity and timeliness of the petition may be contested in the answer.

History Note: Authority G.S. 143B-10; 143B-138; 143B-181.1; 42 U.S.C., Sec. 3027(a)(5);
45 C.F.R., Part 1321; 45 C.F.R., Part 74, Appendix G;
Eff. October 1, 1988;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 23, 2015.