

21 NCAC 23 .0208 COMPLAINT PROCESS

(a) An individual who wishes to make a complaint alleging violation of G.S. 89G or the Board's rules shall submit a complaint form online through the Board's website (<http://www.nciclb.org>) or by printing the form from the Board's website and mailing it to the Board office at P.O. Box 41421 Raleigh, N.C. 27629. The following information shall be included in the complaint form:

- (1) date of complaint;
- (2) complainant name;
- (3) complainant mailing address;
- (4) complainant contact number;
- (5) alleged violator name;
- (6) location of violation site, including city;
- (7) date alleged violation was noted;
- (8) how complainant became aware of alleged violation;
- (9) description of the work being performed; and
- (10) statement that the information provided by the complainant is true and accurate to the best of his or her knowledge.

(b) The Board shall not respond to or investigate anonymous complaints or inquiries.

(c) The Board office shall administratively close any complaint that:

- (1) is anonymously submitted;
- (2) is withdrawn by the complainant at any stage of the investigation; or
- (3) is submitted more than two years after the irrigation system was completed by a licensee of the Board.

(d) If the complaint is not administratively closed pursuant to Paragraph (c) of this Rule, the Board's Investigative Committee shall determine whether further investigation is necessary to resolve the complaint based on the type and nature of the complaint. If further investigation is necessary, the Investigative Committee shall refer the matter to the Board's investigator.

(e) Upon completion of the investigation into the complaint, the Investigative Committee shall:

- (1) find that there is probable cause to believe a violation occurred and send the respondent a notice of violation; or
- (2) find that there is no probable cause to believe a violation occurred and send the respondent and complainant notification of the same.

(f) If the Investigative Committee finds that there is probable cause to believe a violation occurred, then the complaint shall be resolved in the following manner:

- (1) settlement agreement; or
- (2) hearing in accordance with the rules of this Section and as required by G.S. 150B, Article 3A.

*History Note: Authority G.S. 89G-2; 89G-5; 89G-11; 89G-12; 150B;
Eff. November 1, 2016;
Amended Eff. July 1, 2018.*