

**24 NCAC 03 .0309            FAILURE TO OBEY RULES**

(a) Sanctions. Failure to file or serve any pleading or otherwise proceed as provided by these Rules, may result in a declaration of default and a decision against the defaulting party. The declaration and decision may be initiated by the hearing examiner or Review Board or result from the motion of a party to the hearing examiner, Review Board, or Review Board Chairman. If the decision is made by a hearing examiner or the Review Board Chairman, the decision will become the decision of the Review Board unless review is initiated by any Review Board member or by the appeal of the defaulting party.

(b) Review. Review of a decision against a defaulting party, whether made by the hearing examiner or Review Board Chairman, must be directed by a Review Board member or sought by a party within 30 days of the filing date of the decision.

*History Note:        Authority G.S. 95-135;  
                          Temporary Rule Eff. October 2, 1991 For a Period of 180 Days to Expire on March 30, 1992;  
                          Eff. February 3, 1992;  
                          Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 16,  
                          2014.*