

24 NCAC 03 .0503 FAILURE TO APPEAR

(a) Subject to the provisions of Paragraph (c) of this Rule, the failure of a party to appear at a hearing shall be deemed to be a waiver of all rights to participate and be heard in the hearing. Unjustifiable failure to appear may result in a declaration of default and a decision against the defaulting party in accordance with Rule .0309(a) of this Chapter. Such parties shall be served with a copy of the decision of the Board.

(b) Requests for rehearing based on justifiable failure to appear must be made, in the absence of extraordinary circumstances, within five days after the scheduled hearing date.

(c) The Board or the hearing examiner, upon a timely showing of good cause, may excuse such failure to appear. In such event, the hearing may be re-scheduled.

*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.*