

11 NCAC 08 .0820 DEFINITIONS

The definitions contained in G.S. 150B-2, including subsequent amendments, are incorporated herein by reference. In addition to the definitions in 11 NCAC 8 .0801(a), the following definitions apply to this Section:

- (1) "File or filing" means to place the paper or item to be filed into the care and custody of the hearing officer, and acceptance thereof by him, except that the Board may permit the papers to be filed with the Board, in which event the Board shall note thereon the filing date. All documents filed with the hearing officer or the Board, except exhibits, shall be duplicate in letter size 8" by 11".
- (2) "Hearing officer" means the presiding officer specified in 11 NCAC 8 .0805.
- (3) "Party" means the Board, the official, or an intervenor who qualifies under 11 NCAC 8 .0831. "Party" does not include a complainant unless the complainant is allowed to intervene under 11 NCAC 8 .0831.
- (4) "Service or serve" means personal delivery or, unless otherwise provided by law or rule, delivery by first class United States Postal Service mail or a licensed overnight express mail service, addressed to the person to be served at his or her last known address. A Certificate of Service by the person making the service shall be appended to every document requiring service under these Rules. Service by mail or licensed overnight express mail is complete upon addressing, enveloping, and placing the item to be served, in an official depository of the United State Postal Service or delivering the item to an agent of an overnight express mail service.

History Note: *Authority G.S. 143-151.12(1); 143-151.17; 150B-38(h);
Temporary Adoption Eff. March 3, 1992 For a Period of 169 Days to expire on August 21, 1992;
Eff. June 1, 1992;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018.*