**Section 1800.615 Requests for Hearing**

a) If the Board finds that an applicant is not suitable for licensure, it shall issue the applicant a notice of denial.

b) The Board shall serve notice on the applicant by e-mail pursuant to Section 1800.140, personal service, or U.S. certified mail to the last known address of the applicant. Service is complete upon transmission of the e-mail or four days after mailing.

c) Should an applicant wish to contest the action the Board has taken regarding an application, the applicant must submit a request for hearing to the Board.

d) All requests for hearing shall be in writing. If a request for hearing is mailed, it shall include an original and one copy. The request shall contain the following:

1) The name, current address and current telephone number of the petitioner (the applicant);

2) Detailed reasons why and the facts upon which the petitioner will rely to show that the petitioner is suitable for licensure, including specific responses to any facts enumerated in the Board's notice of denial;

3) A signature of the petitioner;

4) A verification of the petition in the following form:

"The undersigned certifies that the statements set forth in this request are true and correct, except as to matters therein stated to be on information and belief. As to such matters, the undersigned certifies as aforesaid that he/she verily believes the same to be true."; and

5) The request must be notarized.

e) A request for hearing must be made within 10 days after receipt of notice of denial from the Board. A request shall be deemed filed on the date the e-mail was transmitted or on which it is postmarked.

f) If a request for hearing is not filed within 10 days after the receipt of notice from the Board, then the notice of denial becomes the final order of the Board denying the applicant's license application.

g) A request for hearing shall be deemed granted unless denied. The Board may deny a request for hearing if the statement of the reasons and facts that it contains does not establish a prima facie case or fails to comply with any of the other requirements of this Section. The Board's denial of a request for hearing is a final decision and the denial of licensure becomes a final order on the date the Board denies the request for hearing.

h) A request for hearing may not be withdrawn or voluntarily dismissed if the Board determines that withdrawal or voluntary dismissal is not in the best interests of the public and the video gaming industry. If the Board allows a petitioner to withdraw a hearing request, the initial notice of denial becomes a final Board order on the date leave to withdraw is granted. If the petitioner does not prosecute his/her case after 21 days, the Board may move for entry of default judgment. Failure to prosecute shall result in entry of default judgment against the petitioner.

i) The petitioner may submit a request for hearing by:

1) personal delivery;

2) certified mail, postage prepaid;

3) overnight express mail, postage prepaid; or

4) e-mail to an e-mail address specified in the notice of denial.

j) All requests for hearing must be submitted to the Administrator at the Board's offices in Chicago.

k) If a request is granted, an Administrative Law Judge will be appointed to conduct a hearing.

(Source: Amended at 44 Ill. Reg. 16454, effective September 25, 2020)