**Section 166.255 Burden of Proof**

a) The proponent of any matter asserted shall have the burden of proof to establish by a preponderance of evidence that the matter asserted is more probably true then not true.

b) When a party has the burden of proof and establishes the matter asserted by the quantum of evidence required in Section 166.255(a) of this Subpart, the party has made a prima facie case, and the burden of disproving the matter asserted goes to the opposing party; by the same quantum required in Section 166.255(a).