

*****DRAFT - NOT FOR FILING*****

4781-11-14 Complaint procedure and investigation initiation.

- (A) Any person who believes that a manufactured housing dealer or a manufactured housing broker, ~~or a~~ manufactured housing salesperson, or any unlicensed person has violated any provision of Chapter 4781. of the Revised Code or the ~~commission~~ superintendent of real estate and professional licensing rules, may file a ~~verified or unverified~~ written complaint with the division ~~commission~~.
- (B) The superintendent may, upon the superintendent's own motion, investigate any license holder or unlicensed person for alleged violations of Chapter 4781. of the Revised Code or the division rules. Upon receipt of a written complaint, the commission or its designee shall follow the following procedure or upon the superintendent's own motion, the division shall:
- (~~2~~) The executive director of the commission or his or her designee shall Review the complaint; to determine jurisdiction and if further information or investigation is needed. ~~However, if the written complaint is verified, there shall be an investigation.~~
- (~~4~~) If the division has jurisdiction of the alleged violation, sSend an acknowledgement letter to the complainant and the licensee respondent requesting the licensee- respondent to respond to the petition provide a response to the complaint and may request submit any additional information if the respondent believes relevant and/or necessary.
- (~~2~~) ~~The executive director of the commission or his or her designee shall review~~ Investigate the complaint, to determine if a charge for violating Chapter 4781. of the Revised Code or the division rules meets the division's burden of proof. ~~further information or investigation is needed. However, if the written complaint is verified, there shall be an investigation.~~
- (~~3~~) Provide t~~The executive director~~ superintendent or his or her designee superintendent's designee with an investigative ~~shall report to the commission~~ detailing the facts of the complaint and investigation. ~~review of the complaint.~~ The ~~commission superintendent~~ may take the following action:
- (a) Close with no further action;
- (b) ~~Refer~~return for further investigation;
- (c) Issue an advisory letter; ~~or~~
- (~~ed~~) ~~Refer for~~ Order disciplinary action against a licensee; ~~or~~
- (e) Order a civil penalty against an unlicensed person.
- (4) ~~The commission superintendent, or its designee~~ on the superintendent's own motion, may initiate an investigation inspection of a licensee ~~on its own motion~~ to determine whether the licensee is in compliance with Chapter 4781. of the Revised Code and the rules promulgated thereunder.