

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

**4101:16-1-05      Investigations.**

- (A) A specialty section or its designee may conduct investigations to determine violations of Chapter 4740. of the Revised Code upon the receipt of a complaint alleging any violation of Chapter 4740. of the Revised Code or the rules ~~enacted~~adopted thereunder. A person who wishes to make a complaint against an individual who holds a license or a person who is not licensed but acting as or claiming to be licensed pursuant to Chapter 4740. of the Revised Code ~~shall~~may submit a ~~signed~~ complaint ~~in writing~~ to the appropriate specialty section, in accordance with section 4740.10 of the Revised Code.
- (B) The appropriate section or its designee shall determine whether a complaint against an individual is of a sufficient nature to warrant an investigation. If after review and investigation, a majority of the members of the appropriate section determine that the complaint presents an event or action that may result in disciplinary action or any other appropriate action against the individual, the section shall direct the board secretary to ~~issue an order~~ give notice to the individual, pursuant to section 119.07 of the Revised Code, of the board's intent to take action against the individual and the right of the individual to a hearing~~pursuant to section 119.06 of the Revised Code.~~
- (C) If, after review and investigation, a majority of the members of the appropriate section determine that a violation of ~~Chapter~~section 4740.13 of the Revised Code has occurred, the section may request the attorney general to file a civil action for appropriate relief, including, but not limited to, a temporary restraining order or permanent injunction, in the ~~appropriate county~~ court of common pleas of the county where the individual resides or where the individual is acting as or claiming to be licensed pursuant to Chapter 4740. of the Revised Code ~~a contractor for a temporary restraining order or permanent injunction or other appropriate equitable relief~~ to enjoin the individual from violating Chaptersection 4740.13 of the Revised Code ~~and the rules promulgated thereunder.~~
- ~~(D) After a review and investigation, the appropriate section or its designee may file a complaint against an individual with the appropriate municipal prosecutor for criminal charges pursuant to section 4740.99 of the Revised Code.~~