

495—26.6(17A,97B) Notice of hearing.

26.6(1) *Delivery.* Delivery of the notice of hearing by the department of inspections and appeals constitutes the commencement of the contested case proceeding. Delivery may be executed by:

- a.* Personal service as provided in the Iowa Rules of Civil Procedure; or
- b.* Certified mail, return receipt requested; or
- c.* First-class mail; or
- d.* Publication, as provided in the Iowa Rules of Civil Procedure.

26.6(2) *Contents.* The notice of hearing shall contain the following information:

- a.* A statement of the time, place, and nature of the hearing;
- b.* A statement of the legal authority and jurisdiction under which the hearing is to be held;
- c.* A reference to the particular sections of the statutes and rules involved;
- d.* A short and plain statement of the matters asserted. If the agency or other party is unable to state the matters in detail at the time the notice is served, the initial notice may be limited to a statement of the issues involved. Thereafter, upon application, a more definite and detailed statement shall be furnished;
- e.* Identification of all parties including the name, address and telephone number of the person who will act as advocate for the agency or the state and of parties' counsel where known;
- f.* Reference to the procedural rules governing conduct of the contested case proceeding;
- g.* Identification of the presiding officer, if known. If not known, a description of who will serve as presiding officer; and
- h.* Notification of the time period in which a party may request, pursuant to Iowa Code section 17A.11(1) and rule 26.7(17A,97B), that the presiding officer be an administrative law judge.