

481—11.3(17A,724) Notice of hearing. The division shall prepare and serve the notice of hearing.

11.3(1) In addition to the information set forth in Iowa Code section 17A.12(2), the notice of hearing shall contain the following information:

- a. Identification of the parties;
- b. Reference to the procedural rules governing the contested case proceeding;
- c. Identification of the administrative law judge, including the judge's contact information;
- d. Requirements for the filing and service of a witness list and a copy of any exhibit(s) the party intends to introduce into evidence during the contested case proceeding;
- e. Notification that failure to appear and participate in the contested case proceeding may result in the entry of a default judgment;
- f. Notification that the applicant or permittee shall be required to pay the agency's reasonable attorney fees and court costs if the agency's decision is affirmed in the contested case proceeding or in subsequent judicial review of the proceeding, or if the applicant or permittee withdraws or dismisses the contested case proceeding or subsequent judicial review action; and
- g. Notification that the agency shall be required to pay the applicant's or permittee's reasonable attorney fees and court costs if it is determined in the contested case proceeding or in subsequent judicial review of the proceeding that the applicant or permittee is eligible to be issued or to possess the permit that was denied, suspended, or revoked.

11.3(2) Service of the notice of hearing shall be accomplished by first-class mail.

[**ARC 9299B**, IAB 12/29/10, effective 1/1/11; **ARC 9400B**, IAB 3/9/11, effective 4/13/11; **ARC 3217C**, IAB 7/19/17, effective 8/23/17; **ARC 6861C**, IAB 2/8/23, effective 3/15/23]