

701—24.14(272D) District court hearing. For purposes of this rule, “notice of intent” means a licensing agency’s notice to a person of its intent to suspend, revoke, or deny renewal or issuance of a license under the provisions of 2008 Iowa Acts, Senate File 2428, sections 7 to 15.

24.14(1) *Actions that may be reviewed.* A person may file an application for review with the district court following:

- a. The issuance of a written decision and certificate of noncompliance by the unit; or
- b. The provision of a notice of intent by a licensing authority.

24.14(2) *Application.* A person may seek review of the actions listed in subrule 153.14(1) and request a hearing before the district court by filing an application with the district court in the county in which the majority of the liability was incurred. The person must send a copy of the application to the unit by regular mail. The application must be filed no later than 30 days after the unit issues a written decision and certificate of noncompliance or the licensing authority issues its notice of intent.

24.14(3) *Stay.* The filing of an application for review and hearing before the district court will automatically stay any action by the licensing authority as outlined in the licensing authority’s notice of intent.

24.14(4) *Scheduling.* The clerk of the district court shall schedule a hearing and mail a copy of the scheduling order to the person, the unit, and the licensing authority.

24.14(5) *Certification prior to hearing.* Upon receipt from the clerk of court of a copy of a scheduling order and prior to the hearing, the unit shall certify to the court a copy of its written decision and certificate of noncompliance indicating the date of issuance, and the licensing authority shall certify to the court a copy of its notice of intent.

24.14(6) *Hearing.* The hearing on the person’s application shall be scheduled and held within 30 days of the application’s being filed. However, if the person fails to appear at the scheduled hearing, the stay shall be lifted and the licensing authority shall continue its procedures pursuant to its notice of intent.

24.14(7) *Scope of review.* The district court’s review shall be limited to demonstration of the amount of the liability owed or the identity of the person.

24.14(8) *Findings.* If the court finds the unit was in error either in issuing a certificate of noncompliance or in its failure to issue a withdrawal of certificate of noncompliance, the unit shall issue a withdrawal of certificate of noncompliance to the appropriate licensing authority. If the court finds the unit was justified in issuing of a certificate of noncompliance or in not issuing a withdrawal of certificate of noncompliance, a stay imposed under subrule 153.14(3) shall be lifted and the licensing authority shall proceed with action as outlined in its notice of intent.

[Editorial change: IAC Supplement 11/2/22]