

875—150.10(91C) Citations/penalties and appeal hearings.

150.10(1) Citations. The commissioner shall issue a citation to a contractor where an investigation reveals the contractor has violated:

- a.* The requirement that the contractor be registered;
- b.* The requirement that the contractor's registration information be substantially complete and accurate; or
- c.* The requirement that an out-of-state contractor file a bond with the division.

150.10(2) Penalties. If a citation is issued, the commissioner shall notify the contractor by certified mail of the proposed administrative penalty, if any. The administrative penalties shall be not more than \$500 in the case of the first violation and not more than \$5,000 per violation in the case of a second or subsequent violation. In proposing a penalty, due consideration will be given to knowledge of the alleged violation, knowledge of requirements of the law, and nature and extent of the alleged violation.

150.10(3) Appeal. The contractor shall have 15 working days within which to file a notice of contest of the citation or proposed penalty. The notice of contest shall be filed with the commissioner who shall forward it to the employment appeal board.

150.10(4) Appeal procedures. The rules of procedure of the employment appeal board shall apply to administrative hearings on citations and penalties.