



1.3.213 CONTESTED CASES, EMERGENCY SUSPENSION OF A LICENSE

- Sample Form 213a: Notice of Immediate Suspension or Revocation of a License

In the matter of [type of license and) NOTICE OF [action taken - for ex:
name of holder (for example: Insurance) SUSPENSION OF PRODUCER'S
Producer's License of John Doe)]) LICENSE] AND HEARING FOR
) [SUSPENSION OR REVOCATION]
) OF [TYPE OF LICENSE]

At [time, date], at [room, building, address], a hearing will be held for the [suspension or revocation] of the [type of license] of [name of license holder].

The [agency] will make reasonable accommodations for persons with disabilities who wish to participate in this hearing or need an alternative accessible format of this notice. If you require an accommodation, contact [agency] no later than 5:00 p.m. on [date - no requirement specified in MAPA], to advise of the nature of the accommodation that is needed. Please contact [name, address, telephone, TTD number, fax, e-mail].

This hearing is held under the authority of [Section _____, MCA]. Violation of [MCA section or agency regulation] is alleged.

Pending the hearing, the [type of license] of [name of license holder] is [suspended or revoked] as of the date of this notice. This [suspension or revocation] is based on - for example: Option 1: misappropriation to his own use money belonging to a policyholder, specifically the sum of \$500 from Mary Smith on or about the 1st day of March, 2008; or Option 2: misappropriation to his own use money belonging to a policyholder. A more definite and detailed statement of the allegation may be obtained by applying to [name, address].

The [agency] finds that the public welfare imperatively requires emergency action, in that [finding of fact - for example: John Doe has notified the commissioner that he intends to continue the practice of retaining for his own use initial payments received by him from his clients].

You are entitled to attend the hearing and present evidence and arguments on whether the [suspension or revocation] should be made permanent. You have a right to be represented by counsel at the hearing. If you wish to contest [suspension or revocation], or if you desire to waive formal proceedings under 2-4-603, MCA, you must notify [name, address] in writing within [number of days which provides a reasonable opportunity to prepare] days of service of this notice on you. Failure to notify [name] of your contest of this action will result in [suspension or revocation] on the date of this hearing.

Dated this _____ day of _____, 20____.

(must be signed by:)
By _____
[authorized person's signature]

Authorizing statute(s): 2-4-202, MCA

Implementing statute(s): 2-4-202, MCA

History: Eff. 12/31/72; AMD, 1977 MAR p. 1192, Eff. 12/24/77; AMD, 1979 MAR p. 1228, Eff. 10/12/79; AMD, 1992 MAR p. 1242, Eff. 6/12/92; AMD, 2008 MAR p. 1700, Eff. 8/15/08.