IREC receives consumer complaint/other information indicating License Law violation

Enforcement Department investigates allegations; completes investigative report and recommendations

Executive Director determines whether formal disciplinary action will be pursued

Pursue disciplinary action
Executive Director submits written report to Commissioners requesting authorization to pursue formal disciplinary action

Commissioners consider report to determine whether facts are sufficient to proceed with a formal disciplinary action

Commissioners find facts sufficient to proceed with formal action

Authorizes filing of formal proceedings

Respondent/licensee sent letter reviewing staff's findings; stating staff's position regarding discipline sought; and outlining options for resolution

Commissioners find facts insufficient to pursue formal action

No action taken
Letter sent to complainant with copy to respondent

Case Closed

Respondent's Options

Mitigation Hearing

Stipulation
Stipulates to violation(s) not discipline

Hearing Penalty
Parties/attorneys present respective positions before Commission decides to discipline

FINAL ORDER ISSUED
Subject to reconsideration Subject to judicial review

Ex Parte Hearing

Stipulation
Stipulates to violation(s) and discipline

Ex Parte Hearing
Before Commission - Chief Investigator Presents Stipulation - Commission approves/rejects

FINAL ORDER ISSUED
Appeal rights waived

Formal Hearing

No Stipulation
Administrative Complaint filed
Hearing Officer (Atty) appointed
Discovery rights triggered

Formal Hearing before Hearing Officer
Parties/attorneys present; evidence & argument
Hearing Officer issues written Findings of Fact, Conclusions of Law & Recommended Order

Commission reviews Hearing Officer's Findings & Conclusions, along with any objections or argument from parties

FINAL ORDER ISSUED
Subject to final reconsideration Subject to judicial review