

21 NCAC 21 .0607 EXTENSION OF TIME; NOTIFICATION OF FINAL DECISION

(a) An extension of time to take any action required by these Rules may be granted by the Board after considering the following circumstances:

- (1) the age of the case;
- (2) whether the circumstances necessitating the extension are outside of the control of the moving parties;
- (3) whether the moving parties have previously received an extension of time;
- (4) the potential prejudice, inconvenience, or other harm to any party; and
- (5) the likelihood that an extension will delay the ultimate resolution of the matter.

(b) A final agency decision shall be made within the time limits of G.S. 150B-44, and the parties may receive notice of the decision by telephone, electronic mail, facsimile, or any other method deemed by the Board to be helpful in assuring prompt notification of the parties. The written final decision shall be filed at the Board's office and served on all parties by certified mail, return receipt requested at the last address given by the party. Service on other persons receiving notice of the final decision shall be made by first class mail. The Board shall maintain the records of all contested cases in accordance with its records disposition schedule.

*History Note: Authority G.S. 89E-5; 89E-20; 150B-38; 150B-40; 150B-44;
Eff. April 1, 2003;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 16, 2014.*