

*****DRAFT - NOT FOR FILING*****

4101:16-1-05 Investigations.

- (A) A specialty section or its designee may conduct investigations to determine violations of Chapter 4740. of the Revised Code upon the receipt of a complaint alleging any violation of Chapter 4740. of the Revised Code or the rules enacted thereunder. A person who wishes to make a complaint against an individual who holds a license or a person who is not licensed but acting as or claiming to be licensed pursuant to Chapter 4740. of the Revised Code shall submit a signed complaint in writing to the appropriate specialty section, in accordance with section 4740.10 of the Revised Code.
- (B) The appropriate section ~~o~~for its designee shall determine whether a complaint against an individual is of sufficient nature to warrant an investigation. If after review and investigation, a majority of the members of the appropriate section determine that the complaint presents an event or action that may result in disciplinary action or any other appropriate action against the individual, the section shall direct the secretary to issue an order pursuant to section 119.06 of the Revised Code.
- (C) If, after review and investigation, a majority of the members of the appropriate section determine that a violation of Chapter 4740. of the Revised Code has occurred, the section may request the attorney general to file a civil action in the appropriate county court of common pleas where the individual resides or where the individual is acting as a contractor for a temporary restraining order or permanent ~~injuction~~injunction or other appropriate equitable relief to enjoin the individual from violating Chapter 4740. of the Revised Code and the rules promulgated thereunder.
- (D) After a review and investigation, the appropriate section or its designee may file a complaint against an individual with the appropriate municipal prosecutor for criminal charges pursuant to section 4740.99 of the Revised Code.