

## N.J.A.C. 19:66-17.1

This file includes all Regulations adopted and published through the New Jersey Register, Vol. 50 No. 1, January 2, 2018

***New Jersey Administrative Code > TITLE 19K. CASINO CONTROL COMMISSION/CASINO REINVESTMENT DEVELOPMENT AUTHORITY > CHAPTER 66. CASINO REINVESTMENT DEVELOPMENT AUTHORITY TOURISM DISTRICT LAND DEVELOPMENT RULES > SUBCHAPTER 17. APPEALS***

### **§ 19:66-17.1 Administrative appeals**

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- (a) Any person aggrieved by any decision, determination, interpretation, order, failure to act, or refusal based on or made in the administration or enforcement by the Authority official so charged with the administration or enforcement of this chapter, other than for applications for development requiring a hearing in accordance with N.J.A.C. 19:66-14.1 or penalty enforcement actions pursuant to N.J.A.C. 19:66-16.4, may file an administrative appeal with the Authority, which shall be determined by the hearing officer so designated by the Executive Director of the Authority.
- (b) The person appealing the Authority's decision shall submit, by certified and electronic mail to the Authority, within 10 calendar days from the date of the Authority's action, a written notice of appeal containing a statement of all facts alleged to be at issue and the relevance of the facts to the Authority's decision. The hearing officer may request any additional information necessary to properly adjudicate the administrative appeal.
- (c) A hearing on the administrative appeal shall be conducted in accordance with procedures as may be established by the Authority, which procedures may include the taking of live testimony, oral argument, or adjudicating the administrative appeal based on the applicant's written submission. Within 60 days of the conclusion of the hearing, the hearing officer shall issue a summary of his or her findings of fact and conclusions of law thereon, which shall constitute final agency action with respect to the administrative appeal.
- (d) Administrative appeals under this provision are not contested cases subject to the requirements of the Administrative Procedure Act, N.J.S.A. 52:14B-1 et seq., and 52:14F-1 et seq., or the Uniform Administrative Procedure Rules, N.J.A.C. 1:1.

Annotations

### **Notes**

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Chapter Notes

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## **N.J.A.C. 19:66-17.2**

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### **§ 19:66-17.2 Appeals of final agency action**

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(a) Decisions of the Authority or hearing officer in accordance with this chapter are final agency actions, and shall be appealed by way of direct judicial review of such final agency action cognizable before the Superior Court of New Jersey, Appellate Division pursuant to the Rules Governing the Courts of the State of New Jersey. Any recommendation of the hearing officer shall not be subject to appeal.

(b) Appeals under this provision are not contested cases subject to the requirements of the Administrative Procedure Act, N.J.S.A. 52:14B-1 et seq., and 52:14F-1 et seq., or the Uniform Administrative Procedure Rules, N.J.A.C. 1:1.

Annotations

### **Notes**

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