

621—3.5 (20) Answer to complaint.

3.5(1) *Filing and service.* Within ten days of service of a complaint, the respondent(s) shall file with the agency an answer to the complaint. The answer shall be signed by the respondent(s) or its designated representative. The answer shall be served through the electronic document management system unless the respondent is exempted from electronic filing in the proceeding, in which case service shall be in accordance with 621—subrules 2.15(2) and 2.15(3), and upon the person who signed the complaint being answered.

3.5(2) *Extension of time to answer.* The parties may agree to an extension of the time to answer and shall inform the agency of their agreement, or the board may, upon application and good cause shown, extend the time to answer.

3.5(3) *Contents of answer.* The answer shall specifically admit or deny each allegation of the complaint and may set forth additional facts deemed to constitute a defense. If the respondent is without knowledge sufficient to make an admission or denial concerning an allegation, the answer shall so state and such statement shall operate as a denial. Admissions or denials may be made to all or part of an allegation but shall fairly meet the substance of the allegation. Additional facts set forth in the answer shall be deemed denied by the complainant.

3.5(4) *Admission by failure to answer.* If the respondent fails to file a timely answer, such failure may be deemed by the board to constitute an admission of the material facts alleged in the complaint and a waiver of a hearing.

[ARC 1773C, IAB 12/10/14, effective 1/14/15]