

## **Frequently Asked Questions about Hollister Administrative Citations**

### **How do I contest this citation?**

To contest this citation, you must file a request for hearing **within 30 days of receiving your citation and** you must either make an advance deposit of the penalty or obtain a waiver of the advance deposit based on your financial hardship.

### **Where do I file the request for hearing and pay the advance deposit?**

The City has prepared forms for you to complete and sign. You can get the request for hearing form from the Code Enforcement Division, 90 Skylane #101, Hollister, CA 95023 or from the City's website ([www.hollister.ca.gov](http://www.hollister.ca.gov)). The form must be filed with the Code Enforcement Division at 90 Skylane #101, Hollister, CA within 30 days of your receiving your citation.

### **When will the hearing be scheduled?**

The hearing will be scheduled not less than fifteen (15) days and not more than sixty (60) days from the date you filed the request for hearing. You will receive notice of the time and place of the hearing at least ten (10) days before the hearing date.

### **What will happen at the hearing?**

The hearing will be conducted by an impartial, unbiased hearing officer. At the hearing you will have the chance to testify and present any evidence concerning the administrative citation. Before the hearing you will be given a copy of any written report that the enforcement officer will present to the hearing officer. The hearing officer may continue the hearing and request additional information from you or the enforcement officer before preparing the written decision. The decision to uphold or to cancel the administrative citation will include reasons for the decision. You will be given a copy of the written decision of the hearing officer, and that decision is final.

### **What happens if I win?**

If the hearing officer decides that the administrative citation should be cancelled, the City will promptly refund to you the full amount of the advance deposit.

### **What happens if I lose?**

If the hearing officer decides that the administrative citation should be upheld, a penalty will be imposed. If you paid the advance deposit, the City will retain that amount as the penalty. If you received a waiver of payment of the advance deposit, the hearing officer will establish an order for payment of the penalty and a payment schedule.

In addition, the hearing officer may charge you administrative costs (costs to investigate, costs to serve the administrative citation and process the appeal) if the violation is outstanding. Failure to pay the administrative penalties and costs by the deadline imposed by the hearing officer is a violation of the City Code punishable as an infraction or misdemeanor and will incur collection and late charges.

**What can I do if I don't agree with the hearing officer's decision?**

You can seek review of the hearing officer's decision by filing an appeal in the Superior Court of San Benito County according to the deadlines and provisions found in Government Code section 53069.4 which is attached.