

(1) SERVED PERSONALLY ON THE INDIVIDUAL; OR

(2) MAILED TO THE LAST KNOWN ADDRESS OF THE INDIVIDUAL.

(D) RIGHT TO COUNSEL.

THE INDIVIDUAL MAY BE REPRESENTED AT THE HEARING BY COUNSEL.

(E) FAILURE OR REFUSAL TO APPEAR.

IF, AFTER DUE NOTICE, THE INDIVIDUAL AGAINST WHOM THE ACTION IS CONTEMPLATED FAILS OR REFUSES TO APPEAR, NEVERTHELESS THE BOARD MAY HEAR AND DETERMINE THE MATTER.

REVISOR'S NOTE: Subsections (a) and (c) through (e) of this section are new language derived without substantive change from the second and third sentences and the second clause of the first sentence of former Art. 56, § 473(d) and, as it limited the time for hearings, (c).

Subsection (b) of this section is standard language added to demonstrate clearly the intended application of the referenced subtitle to administrative hearings under this section.

In subsections (a)(1), (c), (d), and (e) of this section, the word "individual" is substituted for the former words "registrant" and "person", since § 3-311 of this subtitle contemplates action against applicants for licenses as well as licensees but only individuals may apply for or hold licenses.

The introductory language of subsection (a)(1) of this section, "[e]xcept as otherwise provided in Title 10, Subtitle 4 of the State Government Article," is added to clarify that the Board may act summarily under certain circumstances. See SG § 10-405(b).

In subsection (a)(2) of this section, the former requirement that the hearing be conducted "in accordance with ... regulations adopted by the Board" is deleted as unnecessary in light of SG § 10-204, which specifically requires adoption of regulations to govern hearings.

Subsection (c) of this section includes only those provisions of the former law that seemed to add to the provisions of Title 10, Subtitle 2 of the State Government Article. Thus, the former references to the rights to appear in person, to cross-examine