

(ii) The administrative law judge's written decision may:

1. affirm or reject [the initial findings and recommendations] **ALL OR PART OF THE STATEMENT OF CHARGES; OR**
2. substitute different findings [or] **AND** recommend appropriate remedies[; or
3. continue the hearing and return the case to the Commission for further investigation and findings and to report to the administrative law judge on the results of the investigation within the time frame the administrative law judge may specify].

(4) The administrative law judge's written decision shall be solely based on a preponderance of the evidence contained in the record of the contested case hearing and shall reflect the evidentiary basis for its findings.

(5) AN ADMINISTRATIVE LAW JUDGE MAY CONSIDER ANY EVIDENCE REGARDING THE FACTORS DESCRIBED IN § 19-108(A) OF THIS TITLE WHEN DETERMINING WHETHER TO SUSTAIN AN ALLEGATION PRESENTED IN A STATEMENT OF CHARGES.

(e) Notwithstanding any contrary provision in this title, unless the administrative law judge finds that one or more allegations giving rise to the Commission's findings or the business entity's challenge to the findings were frivolous or knowingly false when made, each party shall bear the cost of its own legal representation and expert witness fees.

(f) If the administrative law judge finds that one or more allegations giving rise to the Commission's findings or the business entity's challenge to the findings was frivolous or knowingly false when made, the administrative law judge may require the party who made the frivolous or knowingly false allegations to bear all or a portion of the other party's legal fees and expert witness fees.

(g) The business entity, the Commission, and the complainant shall cooperate in good faith to have the contested case hearing concluded within 180 days after the business entity issues its notice for a contested case hearing.

(h) If the Commission determines that one or more allegations are **KNOWINGLY** false or frivolous, the complainant making the allegations shall be entitled to a contested case hearing on the allegations that are determined to be **KNOWINGLY** false or frivolous in accordance with the procedures set forth in this section, except that all references to the business entity with respect to matters of contested case hearing rules and procedure shall apply to the complainant.