

ADMINISTRATIVE HEARING PROCESS - INFORMATION SHEET

STEP #1 - What is an Administrative Review?

An Administrative Review provides the opportunity for individuals to contest a parking ticket with the Administrative Hearing Officer. If you **do not agree** with the results of the Administrative Review, you may request an Administrative Hearing.

STEP #2 - What is Administrative Hearing?

An Administrative Hearing allows an individual to appeal the Administrative Review decision before a Mediation Hearing Officer, either by mail or in person.

By Mail - (*This means you elect **not to be present** at the hearing*):

- 1) Administrative Hearing requests **must be submitted within 21 days** of the mailing date of the Administrative Review findings.
- 2) Send the original citation **and a check for the amount of penalty**; along with a written explanation as to why you feel the parking ticket is unwarranted.
 - If you “admit with an explanation” to the parking ticket – describe the circumstances when you received the parking ticket.
 - If you “deny” the parking ticket – you must provide factual evidence to support your position.

In Person - (*This means you elect to **be present** at the hearing*):

- 1) Administrative Hearing requests for a personal appearance **must be submitted within 21 days** of the mailing date of the Administrative Review findings. **You must include a check for the full amount of penalty due.** You will be notified of the appearance date by return mail.
- 2) At your personal appearance, you may:
 - “Admit” with an explanation” to the parking ticket – describe the circumstances when you received the parking ticket.
 - “Deny” the parking ticket – you must provide factual evidence to support your position.

If you prevail and the parking ticket is suspended, your money deposit is refunded to you. If you are found liable for the parking ticket, the fine is paid. However, you may appeal the decision through the court system.

STEP #3 - What is a Court Review?

It is ***your responsibility*** to request a court review, within **30 days of mailing** of the Administrative Hearing Officer’s decision. File a request for review with the small claims court in Marina, Marina Municipal Court, 3180 Del Monte Blvd., Marina, CA., (831) 884-1953.

A court review involves filing of a \$25.00 court fee, along with a request for Court Review of the parking ticket. This is a “de novo” review. This means the court will review the parking ticket and either sustain it or suspend it. ***Pacific Grove P.D. needs to be notified of the court date.***

If the court finds in your favor, the fees you paid will be refunded to you by the City of Pacific Grove. However if it upholds the citation, the court will keep the court fees paid and the deposit paid by you will be applied to the penalty.

A FINAL NOTE: There are no provisions in the Vehicle Code, nor is the issuing agency required to conduct an Administrative Review or schedule an Administrative Hearing if the violator does not follow the mandated time limits.

(over)

PACIFIC GROVE POLICE DEPARTMENT

CITATION # _____

It is recommended that you use the attached checklist, to make sure all the required paperwork is completed in a timely manner to expedite the Administrative Hearing process.

You may return this checklist with the paperwork.

Administrative Hearing Check List:

- Submitted by the 21st day following the mailing date of the results of the Administrative Review.
- Attach original citation (*or copy of cite if it has already been sent in*).
- Submit a check for the full amount of penalty due.
- Written explanation as to why you feel the parking ticket is unwarranted.

You must specify if you want hearing by mail or in person (check below).

- Hearing by mail - (***means you do not have to be present?***)
(or)
- Hearing in person - (***means you have to be present?***)

Please make sure your name, mailing address and phone number is clearly written on your request.

Thank you.