

**The California Association of Code Enforcement Officers
(CACEO) Administrative Regulations**

**Adopted by the CACEO Board of Directors pursuant to the
Code Enforcement Officer Standards Act (CEOSA),
Chaptered in Chapter 20 of Division 20 of the
California Health & Safety Code (HSC),
commencing at Section 26205**

Effective January 1, 2017

Amended January 19, 2017

CACEO Administrative Regulations carry out the official business of CACEO, its inherent authority as a California Corporation, and its authority under the CEOSA.

Application and interpretation of CACEO Administrative Regulations are solely and exclusively reserved to the CACEO Board of Directors, which is empowered to delegate this responsibility, as well as the responsibility to administer the same to its Executive Director, its officers, committees, commissions, or any other designee or delegatee whenever it sees fit pursuant to these regulations and Board Bylaws.

Table of Contents

The hierarchy of the organization of the Regulations is as follows: Title, Part, Article, Section, and Subsection.

Title: The California Association of Code Enforcement Officers (CACEO) Administrative Regulations

Part 1. CACEO Board of Directors (Board)

- 1.1 Board Bylaws
- 1.2 Board authority under the CEOSA
 - 1.2.1 Limited authority to relieve specific requirements when justified
- 1.3 Channels of Board Communications

Part 2. CACEO Administrative Regulations (“Regulations”)

- 2.1 Definitions
- 2.2 Scope and Authority
- 2.3 Professional Standard Setting
 - 2.3.1 Establishment of the CACEO Professional Standards Commission
- 2.4 Administrative rule-making process
- 2.5 Emergency regulations
- 2.6 Annual review of program and standards
- 2.7 Field trial of CACEO administrative forms, procedures, or fees**
 - 2.7.1 Submittal process for field trial**
 - 2.7.2 Feedback/revision**
 - 2.7.3 Caption**
 - 2.7.4 Period**
 - 2.7.5 Formal adoption**

Part 3. Certified Code Enforcement Officers (“CCEO”s)

- 3.1 CCEO defined
 - 3.1.1 CCEO education requirements

- 3.1.2 CCEO experience requirements
- 3.1.3 Alternate qualifying experience
- 3.1.4 Disqualifying criteria
- 3.2 CCEO certification process
 - 3.2.1 CCEO Attainment Requirements
 - 3.2.2 Initial Registration
 - 3.2.2.1 Ongoing duty to update registration
 - 3.2.3 CCEO Application
 - 3.2.3.1 CCEO Certification Timing
 - 3.2.3.2 CCEO Status Reporting
 - 3.2.4 CCEO Application Review and Suitability Determination
 - 3.2.4.1 Confidentiality of Proceedings
 - 3.2.5 Investigative procedures
 - 3.2.6 CCEO Module Exam Qualification Requirements and Procedures
 - 3.2.7 Exam specifications
 - 3.2.7.1 The Module 1 (“M1”) exam specs
 - 3.2.7.2 The Module 2 (“M1”) exam specs
 - 3.2.7.3 The Module 2 (“M1”) exam specs
 - 3.2.7.4 Substituted Service exception
 - 3.2.8 Issuance of Exam Completion Certificate
 - 3.2.8.1 Module Recognition from non-CACEO educators
 - 3.2.9 Completion of CCEO Certification Process
 - 3.2.10 Replacement certificate
 - 3.2.11 Name Change
- 3.3 CCEO Continuing Requirements
 - 3.3.1 CCEO CEU Requirements
 - 3.3.1.1 Continuing education activity criteria
 - 3.3.2 CCEOs seeking CEU credit provided by other agencies
 - 3.3.3 CCEOs called to active military service
- 3.4 CCEO Renewal/Recertification/Redemption
 - 3.4.1 CCEO Certificate Renewal
 - 3.4.2 CCEO Redemption

- 3.5 Treatment of CACEO Certified CEOs on 12/31/2016
 - 3.5.1 Thirty-Six month CCEO Term
 - 3.5.2 Registration Requirements
- 3.6 CACEO Lifetime CEOs
 - 3.6.1 Lifetime CCEO rights, privileges, and expectations
- 3.7. Certifying CEOs with credentials from other existing agencies
 - 3.7.1 Other existing agency fee
 - 3.7.2 Certifying CEOs with credentials from predecessor agencies
- 3.8 CACEO Certificant/Registrant Records
- 3.9 Limitation on use of the term CCEO

Part 4. CACEO Education

- 4.1 Educational Standards
- 4.2 CACEO Instructors
 - 4.2.1 CCEO Instructor Teaching Credit
- 4.3 The CACEO academy system
- 4.4 Fixed academy locations
 - 4.4.1 Irvine Valley College
- 4.5 Mobile academies
 - 4.5.1 Basic (Module 1 or “M1”)
 - 4.5.2 Intermediate (Module 2 or “M2”)
 - 4.5.3 Advanced (Module 3 or “M3”)
- 4.6 CACEO continuing education
 - 4.6.1 CACEO Annual Conference
 - 4.6.2 CACEO regional training
 - 4.6.2.1 CACEO courses
 - 4.6.2.2 CACEO webinars
 - 4.6.2.3 CACEO Roundtables

Part 5. Third Party Education Program Providers (“3PEPP”)

- 5.1 Accreditation of 3PEPPs
 - 5.1.1 3PEPP Application Status Reporting
 - 5.1.2 Limited time to respond to Notice
- 5.2 Classes of 3PEPPs

- 5.2.1 Module equivalent providers
 - 5.2.2 Specialty education providers
 - 5.2.3 Limited Offering Providers
 - 5.3 3PEPP application forms
 - 5.4 3PEPP course proposals
 - 5.5 3PPEP fees
 - 5.6 3PPEP licensing
- Part 6. Violations, Complaints, Investigations and Disciplinary Actions, and Required Procedures to Ensure Fairness**
- 6.1 Grounds for Denial, Suspension or Revocation of a license, certificate, or registration
 - 6.2 Required procedures to ensure fairness
 - 6.2.1 Request for Review of Action or Decision
 - 6.2.2 Results of the Review
 - 6.2.3 Challenging a CACEO Final Administrative Order or Decision.
 - 6.3 Certificate Fee reimbursement
 - 6.3.1 Fee Appeal.
 - 6.4 Filing complaints.
 - 6.5 Denial, suspension, or revocation of application, certification, or license.
 - 6.5.1 Discipline
 - 6.5.2 Hearing Requests
 - 6.5.2.1 Closed Hearings
 - 6.5.3 Waiver of Hearing
 - 6.5.4 Default Action
 - 6.5.5 Hearing and Notification
 - 6.5.5.1 Show Cause Order
 - 6.5.5.2 Hearing Notice fairness
 - 6.5.5.3 Hearings to be held in contestant's home Region

6.5.5.4 Hearing date, time, and location notification

6.5.5.5 In absentia review

6.5.5.6 Hearings, generally

6.5.5.7 Conduct and Order of Hearings

6.6 Effective date of discipline

6.7 Judicial Review

Part 1. CACEO Board of Directors (“Board”)

Article 1.1 Board Bylaws

CACEO is formed as a California Nonprofit Mutual Benefit Corporation and operates under duly adopted Bylaws to conduct its business. The Bylaws state the organization’s purpose, powers, authority, and specifies how its board members and officers are to be selected. Any actions taken by the Board that violate the provisions of AB2228 are null and void.

1.2 Board authority under the CEOSA

Under the Code Enforcement Officer Standards Act (CEOSA), the CACEO Board has sole, absolute, and exclusive authority to set standards for CEO certification and registration, including:

1. Minimum requirements for education, testing, and suitability determination criteria for CCEO applicants,
2. Minimum standards, curriculum, certification, registration, or licensing requirements for Third Party Education Program Providers,
3. Evaluation of third party education provider applicants and courses for the suitability of the education programs offered towards CACEO certification,
4. Review, consideration, and evaluation of other education programs for the purposes of awarding CACEO CEUs for qualifying courses, and
5. Every other thing described in these regulations as it relates to the CEOSA.

1.2.1 Limited authority to relieve specific requirements when justified

CACEO may elect to modify or suspend all or a portion of the specific requirements of these Regulations as it sees fit whenever the practicality or doing so is justified because not doing so is determined by CACEO to be onerous, unnecessary, or unduly burdensome in consideration of all factors considered. However, Articles 3.1, 3.2, 3.3, and Parts 5 and 6 shall never be waived.

1.3 Channels of Board communications

The CACEO Board is composed of members that are selected pursuant to Part 1.1. It acts as a deliberative body at duly convened meetings, and uses an executive director to help transact official business as it sees fit. Official communications to the Board are acceptable in either of the following methods: 1) by writing to the CACEO Executive director, or 2) through the Secretary of the Board. Communications may be made via telephone to (insert phone #), via email to info@caceo.us, via U.S. Mail or other courier service delivered to CACEO at the mailing address shown at www.caceo.us.

Part 2. CACEO Administrative Regulations

Article 2.1 Definitions:

The following words and terms, when used in these Regulations, shall have the following meanings unless the context clearly indicates otherwise.

Act – Code Enforcement Officer Standards Act of 2017 (Chapter 20 of Division 20 of the California Health & Safety Code (“HSC”), commencing at Section 26205).

Applicant – A person or entity who applies for registration, certification, or licensing under these Regulations.

Board – The Board of Directors of the California Association of Code Enforcement Officers (CACEO) as provided in its Bylaws referenced in Article 1.1.

CACEO – The California Association of Code Enforcement Officers, a registered California Corporation.

CACEO Academies – Designated collectives of specified educational material, instructors, and participants that are structured to deliver the knowledge, skills, and abilities to participants to better perform duties of code enforcement officers, and which may lead to the attainment of CCEO status under these Regulations.

CACEO Fee Resolution or “Fee Resolution” or “fee resolution” – A resolution of the CACEO Board pursuant to its Bylaws that states the monetary value required by applicants, registrants, or certificants for the acts and services described in these Regulations. Every duly adopted CACEO Fee Resolution shall supersede every other previously executed CACEO Fee Resolution for any specific act or service. Any CACEO Fee Resolution that does not identify a fee for any specific act or service shall be deemed to have been an intentional omission, intending for the previously effective CACEO Fee Resolution to be operative for fee determination for that specific act or service. The terms “Fee Schedule” or “fee schedule” shall be synonymous with “CACEO Fee Resolution.”

CACEO Form – A paper document or electronic fill-in form prepared and approved by CACEO and provided on the CACEO website and for the purposes described in these Regulations.

CACEO member – A person or entity who is registered with CACEO as a member according to its current practices to admit members at the time in accordance with the CACEO Bylaws, is current in payment of all dues as required by the CACEO Fee Schedule, is not delinquent in any payment to CACEO as shown in CACEO’s accounting records, and has not been removed by any action of the Board. Registrants, Certificants, and Licensees as defined by this Chapter are also CACEO Members.

CACEO Mobile Module – CACEO Modules as described below that are provided intermittently at ad hoc locations, rather than at fixed, recurring locations.

CACEO Module – The required education course and/or associated written examination as adopted by CACEO as part of its tiered CCEO certification process, which shall consist of a minimum of three progressive modules, named as “Module 1” or “M1,” “Module 2” or “M2,” and “Module 3” or “M3.” CACEO may add additional modules at any time that it sees fit for any purpose. Any new module must be developed and approved pursuant to the CACEO rule-making process defined these Regulations.

CCEO – Defined in Article 3.1 of these Regulations.

CEO – Same as “Code enforcement officer” (below)

CEOSA – Same as “Act” (above)

Certificant – A person certified as a CACEO CCEO or holding any other valid and current certificate issued by CACEO.

Certification – The procedure by which CACEO accepts, reviews, processes, and either approves or disapproves applications for a person to be classified as a CCEO under these Regulations.

Certified – A person certified by CACEO under Part 3 of these Regulations.

Code enforcement – The enforcement of public health, safety, and general welfare regulations by a person who has authorization from a public agency to issue citations or file formal complaints.

Code enforcement officer – Any person who is not described in Chapter 4.5 of the California Penal Code (commencing with Section 829.5) and who is employed by any governmental subdivision, public or quasi-public corporation, public agency, public service corporation, any town, city, county, or municipal corporation, whether incorporated or chartered, who has enforcement authority for health, safety, and welfare requirements, and whose duties include enforcement of any statute, rule, regulation, or standard, including those who are authorized to issue citations, or file formal complaints. It is inconsequential whether the person is employed directly by a public agency, or indirectly through a contract or contractor providing code enforcement services under an official public agency agreement or contract for services.

Committee – A composition of persons, which may, but need not be Board members, appointed by the CACEO President to perform specific delegated duties within CACEO’s scope of authority. Unless expressed otherwise in these Regulations, all Committee functions, outcomes, and decisions are deemed advisory, and not binding on any person or entity.

Continuing Education Unit (“CEU”) – Educational hours, or credits, or continuing education that is CACEO approved to apply towards meeting a CCEO’s ongoing educational requirements for CCEOs.

Documentable – Acceptable to the Board or its designee

Education Chair – The person who is classified as the “First Vice President” and serving as the Chairperson of the Education Committee of CACEO under the provisions of its Bylaws referenced in Article 1.1.

Education Program Provider – Same as “Third Party Education Program Provider”

Good Standing – A person or entity who is either a CACEO member, registrant, certificante, or licensee who has completed the necessary applicable forms, paid all required fees, and has not had any final disciplinary action initiated against the person or entity.

HSC – California Health & Safety Code

Journeyman – A person who has more than five (5) years of documentable full-time work experience exclusively performing code enforcement work. For the purposes of this definition, a “year” shall consist of at least 1,664 work hours in any consecutive fifty-two week period (1664 hours/2080 hours = 80% of a typical work year). However, no 52-week periods may overlap for the purposes of counting years of service.

Licensee – Any person, organization, or entity of any kind, except CACEO, who has been approved by CACEO as any type of Education Program Provider within the meaning of the Act, and is currently credentialed, licensed, or certified under Part 5 of these Regulations.

Period – Shall mean any range of time, beginning on the first day of the period, and ending on the last. The first and last days are included in the period counting. A thirty-six month period beginning on 4/14/2017 shall end on 4/13/2020, and the period shall include both of those days.

President – The person who is classified as the “President” and serving as the chief executive officer of CACEO under the provisions of its Bylaws referenced in Article 1.1.

Registrant – Any person, organization, or entity of any kind, except CACEO, who has submitted an application for any level of certification or approval under any of CACEO’s programs under these Regulations. All Registrants remain Registrants and are subject to the ongoing duties and obligations of Registrants under these Regulations even if and after receiving any associated credential, license, or certificate.

Stakeholder – Certificants, Registrants, Licensees, and CACEO members in good standing as defined by these regulations.

Third Party Education Program Provider (“3PEPP”) – A person, entity, or organization who is recognized, approved, and licensed under Part 5 of these Regulations to provide code enforcement education that is qualified to provide instruction to persons as anticipated by Section 26207(b) of the California Health and Safety Code. If pre-approved by CACEO, the instruction may be recognized as meeting required academy or CEU completion. Only entities that meet the requirements of Section 3.3.1.1 of these regulations shall be eligible for consideration as a Third Party Education Program Provider.

Unfounded – The outcome of a diligent investigation that does not verify the alleged complaint.

2.2 Scope and Authority.

State law mandates the CACEO Board to develop administrative rules for the purposes of carrying out the CEOSA. These administrative regulations shall serve as the administrative rules for this purpose. However, the Board is not limited to exercising the authority expressed in the CEOSA; it may additionally exercise any authority that it has under any legitimate source. These Regulations are meant to codify and guide any CACEO function that the Board desires that is consistent with its authority under the CEOSA and/or CACEO Bylaws.

2.3 Professional Standard Setting

The Board shall set minimum standards for CEO certification as follows. The Education Chair shall propose an outline and present it to the Board no later than December 1 of each calendar year. The “CEO Certification Subject Area Outline” or “CSAO” outline shall include a list of the subject areas that 1) are required to be taught at CACEO academies, and 2), are subject to being tested on CACEO certification exams. The Board outlines approved for the various academies or modules shall serve as the standard, and shall be incorporated by reference into these Regulations.

No other subject or material may be tested on CACEO certification exams except the following: CACEO may include test questions that it desires to serve as ‘experimental’ that are outside of the approved outline. The purpose of experimental questions is limited to consideration of including new or expanded subject matter or questions to be considered for inclusion in future exams. The performance results of experimental questions/answers shall not be used in calculating exam performance.

2.4 Administrative rulemaking process

Effective January 1, 2017, CACEO will promulgate and implement a set of administrative rules which shall serve as the regulations for the CACEO organization, and shall serve as administrative law pursuant to HSC Sections 26207 (a & b), 26208, 26210, 26211, and 26216 (a & b).

After January 1, 2017, the Board will call for and receive comments on its regulations and standards (“Rules”) in an annual twelve-month rule-adoption cycle, which shall run from April 16 of each year, to April 15 of the following year. Comments are required to be transmitted as specified in each annual call for comments, unless an exception is approved by the Board to receive a comment received outside of the specification. The Board shall develop regulations setting forth the procedures and timelines for rule adoption, and publish the proposed rules on its website at least forty-five days prior to adoption, specifying the procedure to receive public comment. The Rules shall be adopted at duly-convened Board meetings by majority vote of the Board, pursuant to its

Bylaws. Certificants, Registrants, Licensees, and CACEO members are invited to attend and participate as members of the public, and are considered integral to the rule-making process.

The regulations, procedures, and practices shall ensure all of the following

- Adequate Stakeholder participation in the development of CACEO rules and standards prior to submittal to the Board for adoption and approval
- Adequate publication of the proposed rules, regulations, or standards, along with their justification on the CACEO Website.
- Adequate legal review of proposed rules, regulations, or standards, and accompanying justifications.
- Adequate time for review of recommendations by advisory bodies prior to action by the Board.

Except for emergency rulemaking procedures as provided for in Part 2 of these Regulations, expediency shall always yield to transparency and Stakeholder participation in the CACEO rule-making process.

2.5 Emergency regulations

Whenever any Board member calls for emergency regulations, he or she shall follow the CACEO Bylaw provisions intended for calling special Board meetings. The moving Board member shall submit a staff report and proposal for consideration no closer than seventy-two (72) hours prior to the scheduled Board meeting, which shall be delivered to each Board member via email to each member's address of record. All emergency regulations that are approved by a majority vote of the Board shall be listed and described on the CACEO website under the Certification tab on the CACEO home page, clearly indicating it is linked to new regulations, and shall be published for no less than ten calendar days before taking effect. There shall be no ex-post facto application of the CACEO rules and administrative regulations. They shall operate only prospectively.

2.6 Annual review of program and standards

Part 3 of these Regulations shall be placed on the agenda at each annual Board meeting and planning session, typically held in January of each year. This will be accomplished by the Board's Administrative Committee reviewing the Regulations and all comments received two months prior to the January meeting, and presenting its findings and recommendations to the Board at the January planning session. The recommendations and adoptions shall be consistent with the goal of keeping the Regulations current, accurate, and as effective as practical for achieving the purposes of the CEOSA.

2.7 Field trial of CACEO administrative forms, procedures, or fees

In order to carry out the provisions of this Act in an efficient manner, the Board authorizes for the field trial of proposed administrative forms, procedures, and fees.

Whenever a CACEO Board member or employee finds the need to develop or amend a form, procedure, or fee for the purpose of carrying out the Act or some associated, enabling or assistive mechanism, he or she may develop or amend the item to the best of his or her ability, and submit it for approval for a field trial as provided in this Article.
Feedback/revision

2.7.1 Submittal process for field trial

The Board member or employee described in Article 2.7 may develop a draft of the form, procedure, or fee and submit it to all of the following: the Administrative Committee, the Board Chairperson with authority over the subject area, and the CACEO Executive Director for review. The submittal will be via email, and shall contain the following text on every page of the proposed document's footer:

“CACEO draft document and proposal for field trial purposes.”

2.7.2 Feedback/revision

1. The reviewing parties shall respond to the requestor within 72 hours of the date/time stamp of the original email containing the proposal. Any reviewing party may delegate his or her review and comment to any CACEO Board member. Any party's failure to respond to the requested review within 72 hours shall be deemed as consent and approval of the original proposal.
2. The proposing party shall consider all feedback from this process. Any differences of opinion shall be worked out by the differing parties, and shall be resolved at this level.
3. The proposing party shall substantially incorporate all final recommendations into the proposal, then submit the revised proposal to the full Board for review and comment.
4. All Board members shall respond to the requestor within 72 hours of the date/time stamp of the email containing the revised proposal. No Board member may delegate his or her review and comment prerogative to any other party at this stage. Any Board member's failure to respond to the requested review without 72 hours shall be deemed as consent and approval of the revised proposal.
5. Any differences of opinion shall be worked out by the differing parties if possible. If they reach an impasse after a good faith effort, the requestor shall substantially incorporate all Board recommendations into the proposal except what he or she was not able to resolve, then submit the proposal to the Administrative Committee for final review and approval. Any unresolved matters stemming from the above process will also be communicated (by the requestor) along with the recommendation in sufficient detail for the Administrative Committee to fairly understand both sides.

6. The Administrative Committee may consult the disagreeing Board member(s) without the requestor being present or privy for the purposes of seeking additional information.
7. The Administrative Committee is the final arbiter, and shall amend the proposal in line with the differing Board member's direction if it sees fit to do so. However, since the Administrative Committee has already had a chance to review and comment in their roles as general Board members, the Administrative Committee may not revise the proposal any further than requested by the requestor and/or the disagreeing Board member at this point.
8. The Administrative Committee shall revise and/or finalize the procedure as appropriate, and hand down the approved documents to the requestor with a cc to all Board members and the Executive Director.

2.7.3 Caption

All items approved for field trial shall contain the following text in the footer of each page:

"This provisional process, document, or fee is CACEO approved for field trial and feedback purposes as authorized by Part 2 of the CACEO Administrative Regulations".

2.7.4 Period

All items approved for field trial may be used for one year.

2.7.5 Formal adoption

At the expiration of one year, items approved for field trial shall lapse, unless approved under Article 2.4. Within the one year field trial it is incumbent on the Executive Director to place the item on a CACEO regular meeting agenda for final and formal adoption. The Annual Planning meeting where the Administrative Rules are annually reviewed is a logical time and place to agendaize all Administrative Rule-related material.

Part 3. Certified Code Enforcement Officers (CCEOs)

3.1. Certified Code Enforcement Officer (CCEO) defined:

A "Certified Code Enforcement Officer" or "CCEO" is a natural person and a code enforcement officer as defined in in Section 2.1 of these regulations, who is a CACEO member in good standing, and:

1. Has successfully satisfied the requirements of Articles 3.1 through 3.3 of these Regulations, and
2. Has passed any and all required exams to be qualified as described in this Part, and

3. Is registered with CACEO as a CCEO, and

4. Whose CCEO certification has not expired or lapsed according to CACEOs official records within the definition of these regulations, and
5. Has not had a CCEO certification or registration revoked or suspended for any reason, and
6. Has not had any disciplinary action taken pursuant to Part 6 of these Regulations that has been upheld and deemed as final, with all administrative appeal opportunities having been exhausted.

3.1.1 CCEO education requirements

A CCEO first time applicant's minimum education requirements for a CCEO shall be deemed to have been satisfied through successfully passing CACEO's Educational Modules 1, 2, and 3 as described in these Regulations. Thereafter, CCEO's are required to complete the minimum educational requirements pursuant to Section 3.3.1. Exception: Successfully satisfying Section 3.2.7.4 of these Regulations, is deemed be an acceptable alternative to successfully passing Modules 1, 2, and 3.

3.1.2 CCEO Experience Requirements

A CCEO must demonstrate the completion of at least one year of documentable full-time work experience exclusively performing code enforcement work in order to apply for CCEO Certification. This is in addition to any other requirements of Part 3. Exception: Successfully satisfying Section 3.1.3 of these Regulations is deemed be an acceptable alternative.

3.1.3 Alternate qualifying experience

A person seeking to be considered for any designation under Part 3 but who may not meet the specified technical requirements may petition the CACEO education Chair with a request to be considered under 'alternate qualifying experience.' All requests must sufficiently describe and detail the alternate qualifying experience asserted. The CACEO Education Chair or designee shall review the submittal, and either approve, deny, or approve the request in part. All responses shall be within thirty (30) days of receipt. All requests that are not granted full credit as requested shall be accompanied by a written explanation describing why the credit requested was not granted, and contain instructions for the applicant to either provide additional information, or to challenge the determination pursuant to Part 6. The request must be on a CACEO Form.

3.1.4 Disqualifying criteria

An application for a certification shall be disapproved if the person has:

- Not met the requirements for certification or licensing as stated by these Regulations (Unless excepted under the provisions of Section 3.1.3).

- Failed to pass any required exam pursuant to these Regulations.
- Failed or refused to properly complete or submit any application form, document, or fee or has presented false information in any manner to CACEO related to these Regulations;
- Been disqualified from any office or employment as described in Section 1029 of the California Government Code;
- Been convicted of a felony or any misdemeanor involving moral turpitude, fraud, deceit, misrepresentation, or material omission;
- Had prior certification to engage in code enforcement or a related profession revoked by any licensing or certification entity;
- Been found to have committed fraud or deceit in obtaining a certificate including:
 - Presenting false information to CACEO on any application or other document;
 - Presenting false information to CACEO in any investigation or disciplinary proceeding, including making deceptive, false, or misleading statements concerning professional qualifications or credentials, or knowingly aiding, abetting, facilitating, or actively encouraging any other person to claim the title “Certified Code Enforcement Officer” or “CCEO” in when that person is not a CCEO as defined by the CEOSA.

3.2 Certification Process and Procedures

Applicants for CCEO status must first satisfy the requirements of Section 3.2.2 (Initial Registration Requirements)

3.2.1 CCEO Attainment Requirements

A Person may attain CCEO status in two ways:

- By completing the required experience, education, testing, applications, and passing the suitability determination requirements of Sections 3.1.1 through 3.2.9 of these Regulations, or
- By being a journeyman CEO (five years or more full-time work experience as a CEO), passing the required CACEO exams as described in these Regulations, and satisfying the requirements of Articles 3.2 and 3.3 as provided for in these Regulations.

In addition, CCEOs must:

- apply on a CACEO Form accompanied by the required fee per the Fee Resolution, and
- have all information in the application verified by CACEO, and

- successfully pass a background investigation if CACEO elects to have one performed, and
- not be disqualified pursuant to the criteria set forth in Section 1029 of the California Government Code, and
- have an appropriate CCEO suitability determination executed by CACEO.

3.2.2 Initial Registration Requirements

Initial and continued registration with CACEO are required and essential for all parties seeking any entitlement pursuant to these Regulations. All Certificants must be registered prior to becoming certified and must maintain current registration as a continuing condition of certification. Registrants who attain CCEO status may update their registration and apply for certification at the same time, but are still required to independently update their registration information pursuant to Section 3.2.2.1 as applicable. Expired registration will result in the loss of CCEO status. CCEOs have an ongoing duty to update their registration information and keep their application current with CACEO as a condition of ongoing certification pursuant to Section 3.2.2.1. All applicants or persons seeking to become or be recognized as a CCEO shall complete the following in order to be registered.

1. Submit a completed CCEO registration application.
2. Remit valid payment of the application fee as stated on the application instructions. The fee shall be as shown on the CACEO Fee Resolution. The Resolution shall be readily and easily available to the public and to applicants on the CACEO website.
3. If there is any discrepancy between the fees published on the application instructions and the CACEO website, the latter shall prevail, unless the CACEO Treasurer determines the Website was published in error. In this case, the CACEO Treasurer shall email the applicant stating the proper fee based on the CACEO Fee Resolution, and either issue a refund or request for the balance to be paid within thirty calendar days in order to continue application processing.
4. All fees shall be submitted:
 - Via valid credit card, or
 - By checks issued by banks insured by the FDIC, or
 - By certified checks for guaranteed funds, or
 - Money orders drawn from any FDIC insured bank, or
 - Checks from state agencies, municipalities, counties, or other political subdivisions of the state. All checks must be made payable to CACEO and clearly indicate for whom the payment is being submitted.
 - By credit card as acceptable to CACEO at the time of submittal.

5. Any applicant seeking recognition of their certification or any other qualification from any certifying agency other than CACEO shall complete the “Addendum to CCEO application based on other qualifying factors” form that is provided by CACEO, and return the completed and attested form along with the CCEO registration and certificate applications.

3.2.2.1 Ongoing duty to update registration

1. All CCEOs shall keep their business address provided on the original CCEO application current with CACEO. Any change of business address shall be provided to CACEO either by submitting it on a CACEO Form, or by entering the data directly on the CACEO website, provided this option is available at the time.
2. All CCEOs shall keep their criminal conviction information as provided on the original CCEO registration or application current with CACEO. Any change of criminal conviction information shall be provided to CACEO either by submitting it on a CACEO Form, or by entering the data directly on the CACEO website provided this option is available at the time.
3. All CCEOs shall keep their name information as provided on the original CCEO application current with CACEO. Any change of name information shall be provided to CACEO by submitting it on a form provided by CACEO that is available on its website.

3.2.3 CCEO Certification Application:

A person seeking CCEO certification must complete and submit a “CCEO Application” to CACEO. The form is downloadable at the CACEO website, www.caceo.us. The form may be submitted through the CACEO website, or through any of the approved submission channels described or provided on the CACEO website. Applications deemed incomplete will not be processed, and such applicants will be notified of the incomplete status at the contact information provided on the application.

CCEO Applications shall contain at minimum the following information:

- The name, residence, date of birth, and driver’s license number (including state or country of origin) of the applicant.
- The name and address of the employer or business of the applicant.
- The date of the application.
- The education and experience qualifications of the applicant.
- Consent to disclosure of background information and release of liability.
- A statement that the applicant has read Section 1029 of the California Government Code and this chapter and consents to proactively and voluntarily notify CACEO if the person falls within any of the criteria that may disqualify

him or her from any office or employment as described in Section 1029 of the California Government Code, accompanied by the surrender of the certificate or license.

- A statement that the applicant understands that materials submitted in the certification process become the property of the CACEO and are not returnable;
- A statement that the information in the application is truthful and that the applicant understands that providing false and misleading information on items which are material in determining the applicant's qualifications may result in the voiding of the application, the failure to be granted any certification, or the revocation of any license or certificate, or other disciplinary action that may be rationally related to address the infraction.
- Signature of the applicant, signed under penalty of perjury.

3.2.3.1 CCEO Certification Timing

Completed, submitted applications will be acted on within thirty (30) days.

3.2.3.2 CCEO Certification Status Reporting

CACEO will reply back via email to the applicant with any of the following information, as applicable:

1. Notice of CCEO attainment*
2. Notice of deficiency of qualifications
3. Notice of deficiency of payment
4. Notice of a problem in the record
5. Notice that more time is needed to process
6. Any other Notice that CACEO develops to facilitate the process

* Attainment may only occur after the application review and suitability determination process

3.2.4 CCEO Application Review and Suitability Determination

CACEO, in its sole discretion, may investigate any applicant's, registrant's, certificant's, or licensee's background for the purposes of determining their suitability for the license, certificate, or qualification sought. The scope of any background investigation will always depend upon an analysis of the information contained in an application, and/or on other relevant information provided to CACEO that directly relates to a suitability determination. The appropriate scope of a background investigation will vary depending upon several factors including:

- The license, certificate, or qualification sought

- The applicant’s related qualifications, experience, and education
- The extent of the person’s or entity’s involvement with any activity that may run counter to the goals or specifications of the CEOSA.

Completed applications will be reviewed by CACEO’s designee against the minimum qualifications stated in these Regulations. The review may also include a check of public records, other databases, personal contacts of listed or developed references, or other criteria that CACEO develops or implements to verify candidate suitability for certification under these Regulations.

Candidates will be notified of any disqualifying or potentially disqualifying information discovered within thirty-days of CACEO’s receipt of application, and be allowed the opportunity to explain, justify, or refute the information pursuant to Part 6 . CACEO’s notification shall include sufficient detail for the applicant to be able to reasonably identify and understand the alleged circumstance in order to be able to reply to the allegation. Vague or ambiguous allegations shall be dismissed and shall not be acted on. However, CACEO may investigate vague or ambiguous information to be able to determine if the circumstance may be sufficient cause to find the applicant unsuitable under these regulations. In the event that CACEO develops such reasonable suspicion to warrant applicant disqualification, it will notify the candidate as stated in this section, and commence the process to deny, suspend, or revoke per Part 6, as appropriate.

If an applicant has been found to not meet the minimum qualifications, he or she will be provided with a response that particularly describes the missing qualification(s), and will be allowed thirty (30) days to cure the deficiency. Deficiencies shall not be deemed as cured unless and until the affected party has effectively communicated clear and convincing information to CACEO that the deficiency has actually been cured in a sufficient manner, as determined by CACEO. Any failure to completely satisfy the deficiency within those thirty days will result in the applicant being found unsuitable for CCEO certification.

CACEO will execute a Suitability Determination form for each applicant within the thirty-day application window following receipt of application, unless the candidate is provided a “Notice that more time is needed to process” under Article 3.2. The form shall be checked as either “Qualified” or “Unqualified” based on standards, requirements, prohibitions, and fitness criteria of Sections 3.1.1 through 3.1.4. Any applicant dissatisfied with the results or notification may exercise his or her right to challenge the action pursuant to Part 6 of these Regulations.

3.2.4.1 Confidentiality of Proceedings

CACEO will maintain the action in its records, which shall be treated as “confidential,” and shall not be distributed or disclosed to any party except for 1) the Notice to the applicant per Section 3.2.4, 2) the applicant by written request on a CACEO Form, and 3) upon a valid subpoena from any competent court making such request. Information requests or subpoenas from executive or administrative agencies seeking information pursuant to this Article shall be dishonored. Any determination of missing qualification shall not prejudice the applicant in any way other than as stated in the communication, and applicants shall be encouraged to complete the missing or deficient requirement and reapply.

3.2.5 Investigative procedures

Information will be obtained through the application process. CCEO applications must include, at a minimum, the information contained in Section 3.2.3. Each background investigation will begin with an initial verification of the information contained in the application.

To aid in the investigative process, applicants may be required to provide documentation to verify the information contained in their application. Information may also be verified with any relevant source by letter, telephone call, email, or personal visit. Where appropriate for the investigation, CACEO will also gather as much information as possible through the use of public records.

Each application must contain a signed release form which will enable the investigator to obtain information that may not be obtained through public records. The form shall be worded to protect the requestor and the entity from which the information is requested from legal repercussions.

3.2.6 CCEO Module Exam Qualification Requirements and Procedures

Only applicants who have met the following prerequisites will be admitted to sit for any CACEO Certification Exam.

- Must be a current CACEO member in good standing or attending a CACEO Academy
- Must be registered with CACEO pursuant to Section 3.2.2. Note: Applicants may register contemporaneously with applying for the CCEO Exam.
- Must show proof of either having met the experience requirements of Section 3.1.2. (or the alternative requirements provided for in Section 3.1.3).
- CACEO must receive all required application materials at least fifteen (15) days prior to a scheduled exam date.

- An application not completed within thirty (30) days after the date of any notice of deficiency may be voided.

3.2.7 CACEO Exam specifications

- All exams shall only be administered in the United States English Language.
- All exams shall be supervised by a duly authorized CACEO representative.
- All exams must be scored as showing 75% correct answers to qualify as passing.
- No incorrect exam answer shall be summarily corrected after the end of calling the end of the exam time by the proctor.
- Failed exams may be taken at the next available scheduled date.
- All scores less than 75% shall be classified as failing.
- All requests for special accommodations must be made on the exam application and allow sufficient time for reasonable accommodation.
- All exams shall be ‘open book, open notes.’

3.2.7.1 The Module 1 (“M1”) exam

The Module 1 (or “M1”) exam shall contain 120 questions in 20 subject areas, and must be completed within 2.5 hours in one sitting. Applicants must have a minimum of one (1) year experience working in code enforcement* to qualify to be admitted to the Module 1 exam.

3.2.7.2 The Module 2 (“M2”) exam

The Module 2 (or “M2”) exam shall contain 120 questions in 26 subject areas, and must be completed in 2.5 hours in one sitting. Applicants must have a minimum of two (2) years of code enforcement experience* to qualify to be admitted to the Module 2 exam, and shall have passed the Module 1 exam.

3.2.7.3 The Module 3 (“M3”) exam

The Module 3 (or “M3”) exam contains 120 questions in 30 subject areas and must be completed in 2.5 hours in one sitting. Applicants must have a minimum of five (5) years of Code Enforcement Experience* to be admitted to the Module 3 certification exam, and shall have passed both the Module 1 and 2 exams.

*Exception: Participants in Academy classes are not required to have completed the stated years of Code Enforcement Experience to be admitted to the respective examinations.

3.2.7.4 Substituted Service as an exception to passing full series of exams

Any Journeyman CEO that has over five (5) years of documentable experience performing code enforcement related duties as defined by these Regulations, is a current CACEO member in good standing, and is a registered CCEO applicant, may elect take the Module 3 Certification exam without having passed Modules 1 and Module 2. Any person who successfully passes the Module 3 Exam under this Section shall be eligible to apply for CCEO status. Passing any exam alone does not automatically qualify a person as a CCEO. CCEO status must be requested on a separate and distinct CACEO application pursuant to the applicable provisions of this Part.

3.2.8 Issuance of CCEO Exam Completion Certificates.

CACEO will send each registered applicant who passes a certification exam an appropriate certificate of achievement. All certificates shall clearly indicate the level of exam passed, and shall contain the applicants CACEO registration number. Certificates of completion shall not contain the terms “Certified Code Enforcement Officer” or “CCEO.”

3.2.8.1 Module Recognition from non-CACEO educators

Any registrant who seeks CACEO recognition for completing any CACEO Modules and/or passing any exam provided by any provider other than a California College or Mobile Module Course as listed in Article 4.3 must submit a completed request for CACEO recognition accompanied by the required fee on a CACEO form. CACEO will evaluate all such requests and reply with the determination of the status within thirty (30) days. If found suitable, CACEO shall provide a Certificate of Education Module Recognition.

3.2.9 Completion of CCEO Certification Process

If the applicant has met all CCEO requirements and has not violated any CCEO prohibitions pursuant to Sections 3.1.1 through 3.1.4, he or she will have attained CCEO status and a CCEO certificate will be sent via U.S. First Class mail to the mailing address on the application. The Certificate will contain all of the following:

- The Certificant’ s full name
- The Certificant’ s unique certificate number, which shall be the same as his or her registration number, but shall be preceded by a “C”
- The date the certificate was awarded.
- The date of certificate expiration, which shall be thirty-six (36) months from the date of issuance

- A statement that future certificate renewal is contingent on the certificant meeting all of CACEO's requirements, not violating or committing any of its prohibitions or disqualifying criteria, and successfully completing forty-eight (48) CEUs as recognized by CACEO prior to the expiration date.

3.2.10 Replacement certificate.

CACEO will replace a lost, damaged, or destroyed certificate upon written request from a certificant upon receipt of the appropriate CACEO Form and payment of required fee based on CACEO Fee Resolution.

3.2.11 Name change.

Any registrant or certificant requiring a new certificate to be issued due to a change of personal name must submit the appropriate CACEO Form and fee based on the CACEO Fee Resolution, and must additionally include a duly executed affidavit and notarized or certified copy of a marriage certificate, court decree evidencing such change, or a copy of a social security card bearing the new name.

3.3 CCEO Continuing Requirements

All CCEO certificates shall expire and lapse on their stated expiration date, subject to redemption pursuant to Section 3.4.2, unless they comply with the requirements of this Article.

3.3.1 CCEO CEU requirements

Any CCEO who wishes to become recertified under this Article shall provide evidence of successful completion of at least forty-eight (48) hours (or credits) ("CEUs") of CACEO-approved ongoing education within each 36-month certification period.

The failure to report this achievement will result in the CCEO certification lapsing upon the last day of the thirty-six (36) month certification period.

CEU credit will be given as published by CACEO for all CACEO ongoing education activities, such as the Annual CACEO Conference, CACEO Academies, and CACEO individual courses, or as otherwise described in this Article.

Any CCEO seeing CACEO credit for attendance at any pre-approved event must submit the request to CACEO on a completed, approved CACEO Form. The requestor must sign the request under penalty of perjury. CACEO may verify the requestor's attendance.

Any inconsistency between the requestor's statement and the trainer's records constitutes a basis for CACEO to initiate disciplinary procedures pursuant to Part 6.

3.3.1.1 Continuing education activity criteria

In order to qualify for credit as an educational offering under these Regulations, the curriculum of an approved activity must benefit code enforcement officers' knowledge, skills, or abilities. Courses that benefit code enforcement supervision or management abilities, or is calculated to help the attendee advance the code enforcement profession may qualify.

The activity must be conducted by an organization which is:

- an accredited college or university,
- a governmental agency, including local, state or federal agencies,
- an association that is a registered nonprofit mutual benefit corporation in the state of California, or
- a registered nonprofit educational provider

The activity must have a recordkeeping procedure which includes a roster of attendees and the number of continuing education units earned;

The organization must implement procedures for verifying a participant's attendance;

The activity must be at least sixty (60) minutes in length of actual instruction time. Round table discussions and more than one speaker for the total of sixty (60) minutes per activity are permissible.

No credit will be given for time used for other non-relevant activities.

The activity must be conducted in compliance with all applicable federal and state laws, including the Americans with Disabilities Act (ADA) requirements for access to activities.

All continuing education courses, providers, or organizations, curriculum, and testing must be preapproved by CACEO, following the procedures of these Regulations.

All new courses submitted for approval must complete all information contained in the application.

All previously approved courses that deliver identical content need not repeat the pre-approval application step, and only need to comply with the advance notice and recordkeeping requirements described in this Article. Exception: California colleges recognized and approved by CACEO pursuant to Article 4.4 need not notify CACEO of individual course offerings.

All educational providers seeking CACEO accreditation shall notify CACEO of upcoming continuing education events or offerings via email or U.S. Mail on a completed CACEO Form at least thirty (30) days prior to the event which includes the:

- date(s) of the continuing education activity,
- time of the continuing education activity,
- location of the continuing education activity,
- title of the activity, and

- name and qualifications of the instructor(s).

No 3PPEP shall represent any course as “CACEO approved” unless and until such approval is granted by CACEO in writing.

Documentation of continuing education activity shall be maintained by the organization for five (5) years, including an Attendance Roster which shall include the following:

- name, address, phone number, email address, CCEO certification number, and signature of the applicant; and
- number of continuing education hours earned by each individual;
- a copy of the notification and description of method transmitted to CACEO as required by this section, and
- copies of all program materials sufficient to demonstrate compliance with this section.

At the conclusion of the activity, the education provider shall distribute to attending code enforcement officers who have successfully completed the activity a certificate of completion which shall include: the name of the applicant; the name of the organization providing the training; the title of the activity; the date and location of the activity; and the continuing education hours earned.

Each certified code enforcement officer shall collect and keep certificates of completion of approved courses. These certificates of completion will be used to document the attendance of a certified code enforcement officer at approved courses. CACEO will conduct random audits for compliance with this requirement.

CACEO may deny credit or recognition of 3PPEP for courses if the education provider organization fails to file a timely notice of upcoming continuing education, fails to retain documentation related to the activity as required by this section, or fails to comply with any other requirements that were a basis for approval or other requirement of these Regulations.

3.3.2 CCEOs seeking CEU credit provided by other agencies

CACEO may accept up to twenty-four (24) hours of CEU’s within a three-year period from either Third Party Education Program Providers who have qualified under Part 5 of these Regulations, or from non-approved providers subject to the regulations described below. The remainder of the balance of a CCEOs triennial forty-eight (48)-hour CEU requirement must be through CACEO, and not by other agencies.

CCEOs desiring to receive CACEO recognition for education provided by any organization other than CACEO or any of its approved Third Party Education Program Providers must complete and submit the CACEO form provided for the consideration along with the fee required by the CACEO Fee Schedule. The application must contain

sufficient course information and description for the CACEO Education Chair to be able to evaluate the content for suitability for CACEO purposes. All information indicated as “required” on the application must be submitted, including the supplemental documentation as indicated. No request for recognition will be considered if it is deemed incomplete by the Education Chair or its designee.

The Education Chair or its designee shall reply back to the applicant by email within ten (10) business days, with a ‘cc’ to the CACEO Executive Director, along with an education course suitability determination. All suitability determinations that award less credit hours than requested shall be accompanied by a written explanation describing why the full amount requested was not granted, and contain instructions for the applicant to either provide additional information, or to challenge the determination pursuant to Part 6.

Summary of options to obtain CEU credit from providers other than CACEO. Credit may be given for -

1. Courses provided by other education providers as described in Article 3.3.
2. Successfully attending and completing courses that have been pre-approved by CACEO for CEU credit, even though the provider is not a CACEO-approved 3PPEP. Since these courses will have been pre-approved, it shall not require the payment of a fee by the individual CCEO.
3. Courses offered by CACEO approved Third Party Education Providers that CACEO has previously approved as a specific course eligible for CCEO CEUs. Since these courses will have been pre-approved, it shall not require the payment of a fee by the individual CCEO.
4. Courses offered by CACEO approved Third Party Education Providers that CACEO has NOT previously approved as a specific course eligible for CCEO CEUs, even though the provider is a licensed 3PPEP. Due to the time and effort required to individual review each application, each individual CCEO requesting the CEU credit is required to pay the fee according to the CACEO Fee Resolution. The application and review fee payment is required whether the CEU credit is actually granted or not.
5. For all other courses not mentioned above, CACEO will consider and evaluate the courses for CEU credit approval upon application and payment of accompanying fee according to the CACEO Fee Resolution. The application and review fee payment is required whether the CEU credit is actually granted or not.

3.3.3 CCEOs called to active military service

If an applicant fails to timely renew his or her certification because the applicant is or was on active duty with the armed forces of the United States serving outside the State of California, the applicant may renew the certification in accordance with this subsection.

- Renewal of the certification may be requested by the applicant, the applicant's spouse, or an individual having power of attorney from the applicant. The renewal form shall include a current address, telephone number, and email address of the requestor.
- Renewal may be requested before or after the expiration of the certification. For expired certificate holders, the renewal period will be extended to 120 days after return from active military service. CACEO, in its discretion, may extend this expiration period for good cause.
- A copy of the official orders or other official military documentation showing that the applicant is or was on active duty serving outside the State of California shall be filed with CACEO along with the renewal form.
- A copy of the power of attorney from the applicant shall be filed with CACEO along with the renewal form if the individual having the power of attorney executes any of the documents required in this subsection.
- An applicant renewing under this subsection shall pay the applicable renewal fee.

3.4 CCEO Renewal/Recertification/Redemption

3.4.1 CCEO Certificate Renewal

CACEO may, but need not, send notification of the need for parties to renew their licenses, certificates, or registration forms prior to their expiration dates. Any lack of notification from CACEO shall not excuse any person's duty to file for prompt renewal of any certificate, license, or renewal prior to its expiration.

CACEO will not renew the certification or licensing of any applicant who is not qualified pursuant to the criteria of Section 3.1.4 at time of application.

The timelines and procedures for application, approval, disapproval, or other notification shall be in accordance with Article 3.2, except the application for renewal shall be titled "CACEO Application for CCEO Renewal."

All Renewal Application shall be submitted with the renewal application fee as stated in the CACEO Fee Resolution.

3.4.2 CCEO Redemption

CCEOs are required to apply to renew their certification prior to expiration. Any CCEO Certificate that expires without being timely renewed prior to expiration shall lapse on the last day of the certification period. However, it may be redeemed within one (1) year following the expiration, and will require the payment of both the Renewal and Reinstatement Fees as stated in the CACEO Fee Resolution.

3.5 Treatment of CACEO Certified CEOs on January 1, 2017

All persons who are CACEO Certified Code Enforcement Officers whose:

- certification status has not expired, and
- are CACEO members in good standing as defined in these regulations, and
- with all fees due to CACEO paid in full,
- with no aged receivable amounts shown in the CACEO accounting records,

are hereby are automatically converted and recognized as CACEO CCEOs within the meaning of the CEOSA (Chaptered in Chapter 20 of Division 20 of the California Health & Safety Code (HSC), commencing at Section 26205) effective January 1, 2017.

3.5.1 Thirty-six month CCEO Term

The date for the CCEO expiration shall be thirty-six (36) months from when the certificate was last issued, and is subject to the continuing educational requirements of Article 3.3.

3.5.2 Registration Requirements.

All CCEOs under this Article, upon the expiration of their certificate, shall be subject to the registration requirements of Sections 3.2.2 through 3.2.2.1. No CCEO subject to this Article is allowed to renew their certificate unless the registration requirements are fully satisfied.

3.6 CACEO lifetime CCEOs

Any CCEO who retires from the code enforcement profession and

- is a CCEO under these regulations, and
- whose CCEO certification has not lapsed or expired, and
- is a CACEO member in good standing, and
- does not have any unpaid fees due to CACEO, and
- does not have any aged receivable amounts shown in the CACEO accounting records

is eligible to apply for certification as a “Lifetime CCEO.” However, anytime a Lifetime CCEO returns to work in the code enforcement profession, the Lifetime CCEO certification shall terminate, and shall automatically be reclassified as a CCEO for the following twelve months from the date of re-entering the profession. The member is then only subject to the registration requirements of a CCEO pursuant to Section 3.2.2.1.

3.6.1 Lifetime CCEO rights, privileges, and expectations.

Lifetime CCEOs:

- May claim to be CACEO certified code enforcement officers.
- May display the term “CCEO” after their name.
- Will individually be listed as registered as a “Lifetime CCEO” on the CACEO website.
- Are entitled to the privilege of use of CACEO forums and electronic discussion boards.
- Are not required to pay any annual dues or membership fees.
- Are entitled to free attendance at all CACEO single day education events.
- Are entitled to a 50% discount at all CACEO annual conferences.
- Are encouraged to keep current with code enforcement laws, trends, technology, and advancements in the field.
- Are encouraged to be mentors in CACEO’s Mentorship program.
- Are encouraged to apply to serve as instructors for CACEO education programs.
- Are encouraged to volunteer to assist CACEO on committees.
- Are encouraged to volunteer to assist CACEO with administrative tasks.
- Are encouraged to help the CACEO Board, Legislative, and Marketing Committees with outreach and development efforts.
- Are encouraged to create forums and think tanks with other Lifetime CCEOs for the purpose of advancing and improving the code enforcement discipline, and publish or report accomplishments to the CACEO membership.

3.7 Certifying CEOs with credentials from other agencies

Code enforcement officers bearing current and good certification from AACE, ICC, or any other widely-recognized professional code enforcement association or agency may apply to CACEO for CACEO CCEO certification. Any request for this lateral recognition as a CCEO under this Part must show the requestor has California specific code enforcement training as acceptable to the CACEO Education Chair or its designee. Such certification is subject to applicable provisions of these Regulations.

3.71 Fee

The fee to apply recognition under this Article shall be as stated in the CACEO Fee Resolution. The resolution shall be readily and easily available to the public and to applicants on the CACEO website.

The requestors must register with CACEO pursuant to Section 3.2.2, and apply for CCEO lateral recognition on a CACEO Form. The CACEO Education Chair or its designee will

evaluate the requestor's certification, personal history, and the scope/nature of the certificate offered for consideration under this section. The certificate offered will be screened against CACEO's criteria for CCEO education standards. If the candidate has demonstrated completing substantially the same subject areas, and if both the certificate offered and requestor's background and history are found suitable, a CCEO certificate will be issued, and will be subject to the continuing educational requirements of Section 3.3.1. If any of the material or information is deficient or found unsuitable, CACEO will reply and inform the requestor with a response that particularly describes the missing qualification(s), and will be allowed thirty (30) days to cure the deficiency. Any failure to completely satisfy the deficiency within those thirty (30) days will result in the applicant being found unsuitable for CCEO certification. Deficiencies shall not be deemed as cured unless and until the affected party has effectively communicated clear and convincing information to CACEO that the deficiency has actually been cured in a sufficient manner, as determined by CACEO.

CACEO shall reply to all applicants within thirty (30) days of receipt of application with a determination on the request for certification. The reply shall be one of the following:

- Award of lateral equivalency recognition
- Denial of lateral equivalency recognition, or a
- Request for more information.

Any denial or request shall contain specific information stating the basis for the actions in sufficient detail for the applicant may understand what specific actions may be required to cure the shortage or deficiency of qualification.

All applicants under this Section are further required to successfully pass CACEO's "Advanced" or "Module 3" exam as a mandatory and non-waivable requirement.

3.7.2 CEOs with credentials from CACEO predecessor agencies

CACEO was preceded by multiple agencies that were similarly formed by California code enforcement officers for similar purposes to CACEO, such as CACE, CCEC, and SCACEO, and in most cases, is the same continuing California Corporation. Upon the creation of CACEO, all code enforcement officers certified under the predecessors were given the opportunity to apply for CACEO CCEO status upon application.

Since all certified CEOs from predecessor agencies were invited and given ample opportunity to become CACEO CCEOs and that deadline has now been expired by several years, any affected person who did not become a CACEO CCEO by December 31, 2016 must apply under these Regulations as a new applicant.

3.8 CACEO Certificant/Registrant Records

The Board shall maintain a register of all CCEOs, registrants, and 3PPEPs pursuant to HSC Section 26209 which shall contain at least all of the following information:

- Registrant's full name
- Summary status as to individual disciplinary conduct
- Active/inactive status
- Date of active CCEO expiration
- Business address (unless it is a residential address)

3.9 Limitation on use of the term CCEO

Under the authority of HSC Section 26214, no person may not hold himself or herself out to be a Certified Code Enforcement Officer, or use the title “Certified Code Enforcement Officer” or “CCEO” in California, unless the person holds a certificate of registration pursuant the CEOSA.

All persons currently certified as CCEOs pursuant to Part 3 are free and encouraged to claim to be a Certified Code Enforcement Officer, or use the title “Certified Code Enforcement Officer” or “CCEO” and to display the professional title “CCEO” after their name on all professional business correspondence. CACEO will enthusiastically verify and validate any inquiry into the appropriateness of the use of this term in this manner, citing relevant State law authorizing this use of the term.

Any person holding himself or herself out to be a Certified Code Enforcement Officer, or use the title “Certified Code Enforcement Officer” or “CCEO” in California, unless the person holds a certificate of registration pursuant the CEOSA, is unlawful, and may be prosecuted under applicable State statutes, or may be found liable for civil damages.

CACEO or any other party suffering damages may prosecute or initiate a lawsuit against any unauthorized instances of a person holding himself or herself out to be a Certified Code Enforcement Officer, or use the title “Certified Code Enforcement Officer” or “CCEO” using any available remedy at law. Any such instance or use, or any person who instigates, is an accessory or an accomplice to such activity, shall constitute grounds to initiate a suspension or revocation of that person’s license or certification under this Article, and shall further constitute a basis for finding the applicant(s) unsuitable for registration, certification, or licensure under these Regulations.

Part 4. CACEO Education

CACEO is California’s premier code enforcement education and training entity, and is the provider of code enforcement training which leads to the official CCEO designation. The CACEO Training Institute (system) exists to train persons in the art and practice of code enforcement. The CACEO Training Institute consists of

CACEO Academies

California College Courses

Mobile Module Courses
Annual Conference Courses
Individual Courses
Webinars

4.1 Educational Standards

Attaining CCEO Certification requires demonstration of competence in specific key areas. The CACEO Board defines these subject areas and sets the training and testing standards for CEOs to complete and pass to attain CCEO status. These standards are reviewed and may be revised annually pursuant to Article 2.3. The resulting approved outlines serve as the basis for all CACEO Academy and California College Curriculum. Educational programming leading to CCEO Certification may contain additional material, but must not contain less than that as shown in the approved outlines.

Educational courses shall include additional material to adequately cover emerging and hot topics in order to provide attendees with the latest and best information to professionally and fairly enforce codes and/or or lead their organizations in formation of policies to address the issues. These emerging topics shall be reviewed by the Board's Administrative Committee pursuant to Article 2.6 to be considered for inclusion in the subject area outlines.

While educational providers and institutions, including CACEO and its academies, prepare and deliver course curriculum, the CACEO Board set subject area outlines, which detail descriptions of topics that are required components of any tiered CCEO educational program, academy, or module. In order to qualify for recognition towards CCEO status, any code enforcement training or education offered or received must be delivered pursuant to Part 4 of these Regulations.

4.2 CACEO Instructors

Only qualified instructors, as determined in CACEO's sole discretion, shall provide instruction through the CACEO Training Institute. Instructors may be qualified in any of the following manners:

- Hold a CCEO Certificate and have five (5) years' full time paid professional experience as a CEO as defined in these Regulations
- Hold an International Codes Council (ICC) Certificate in the subject area and have five (5) years' full time paid professional experience in the area of instruction.
- Have a Juris Doctor (J.D.) degree or be licensed as a California attorney and have at least five (5) years' time paid professional experience in the legal profession with an emphasis on enforcing codes for government agencies.

- Be designated or appointed as a qualified instructor in any California Community College in the subject area of code enforcement.
- Be California Peace Officers Standards and Training (POST) Certified to teach in the area of instruction offered.
- Working as a professional trainer/consultant in a bona fide training/consulting agency, has at least five (5) years full-time, paid, professional experience in the subject area of the education offered, and is registered as a business with the local city or county in which instruction is being offered. Exceptions: 1) Business tax registration is not required if education is offered purely pro bono and the instructor receives no compensation for the instructional service, or 2) the affected city or county does not require business tax registration for the service being offered.

4.2.1 CCEO Instructor Teaching Credit

Any CCEO who qualifies and serves as an instructor for a CACEO or CACEO-approved course will be awarded double the amount of CEUs for the hours that he or she is providing approved instruction. For instance, an instructor that provides instruction for two hours of a six-hour course, but attends the entire session, is eligible to earn 8 CEU ($4 + [2 \times 2] = 8$). If the same instructor is only present for his or her 2-hour presentation then are only eligible to earn 4 hours (2×2). This double credit shall be limited to one instance per twelve-month period per course or subject. Providing instruction at multiple and different courses is eligible to earn cumulative double credit without regard to the previously described 12-month restriction.

4.3 The CACEO academy system

CACEO offers education through a system of three Modules that qualifies for CCEO designation through California College Courses and Mobile Module Courses.

4.4 Anti-discrimination

Admission and attendance to any CACEO approved, sponsored, or otherwise sanctioned event shall comply with all state and federal anti-discrimination laws. Exception: Employers who offer on-the-job training to their employees are in full control of their selection of attendees.

California colleges and universities that offer courses that are equivalent to the education contents of Modules 1, 2, and 3 will be evaluated against CACEO's criteria for CCEO certification. Applicants who demonstrate that they have successfully completed a code enforcement education program that meets CACEO's specified criteria will be treated as if they have completed Modules 1 through 3 and will be issued a "CEO proficiency certificate" which will allow the person to apply for full CCEO certification. However,

the full requirements of Part 3, including its ‘experience requirements’ must still be met unless excepted.

The CACEO Education Committee, with ratification by the CACEO Board, will approve the college locations where the curriculum will be taught. Facility locations will be established based on population density and proximity to other locations where the curriculum is offered, or as otherwise determined by the CACEO Board.

Each Module will consist of forty (40) hours of lecture including a final exam at the end of each Module. The minimum passing score is 75%. Attendees who miss more than four (4) hours or more (10%) of class will be disqualified from taking the Module exam.

4.5 Fixed Academy locations

4.5.1 Fixed Academy locations may be modified from time to time by the CACEO Board.

4.6 Mobile academies

- Mobile academies will be offered in regions, as determined by the CACEO Board. Each Module will have forty (40) hours of lecture including a final exam. Attendees must pass the final exam with a score of at least 75%.
- Attendees who miss more than four (4) hours (10%) of class will be disqualified from taking the Module exam.

4.61 The CACEO Module 1 (“M1”) Academy (formerly known as ‘Basic Academy’)

The M1 Academy shall offer instruction and testing on the CEO Certification Subject Area Outline” or “CSAO” outline as approved by CACEO under Article 2.3, and shall be tested pursuant to Section 3.2.7.1.

4.62 The CACEO Module 2 (“M2”) Academy (formerly known as ‘Intermediate Academy’)

The M2 Academy shall offer instruction and testing on the CEO Certification Subject Area Outline” or “CSAO” outline as approved by CACEO under Article 2.3, and shall be tested pursuant to Section 3.2.7.2.

4.63 The CACEO Module 3 (“M3”) Academy (formerly known as ‘Advanced Academy’)

The M3 Academy shall offer instruction and testing on the CEO Certification Subject Area Outline” or “CSAO” outline as approved by CACEO under Article 2.3 and shall be tested pursuant to Section 3.2.7.3.

4.7 CACEO ongoing education

4.7.1 CACEO annual conference

CACEO shall sponsor and host an annual seminar that offers code enforcement training and certification opportunities. The credits for attendance shall qualify as CEUs pursuant to Section 3.2.6. The conference shall be developed so that any certificant attending every annual conference during any three-year certification period shall have his or her continuing CEU requirements satisfied.

4.7.2 CACEO regional training

CACEO Regional Training is a critical code enforcement education service. CACEO maintains an inventory of predesigned courses that may be delivered with programming and instruction to a city or county agency that requests the opportunity and serve as host.

A member in any CACEO designated region of California can request that training be held in their area if they have a site available and are willing to provide two members of their department to facilitate the event. The class training is provided to those two members at no cost to the jurisdiction. Please note that the complimentary registrants must be CACEO members. Site requirements are:

1. A Facility with adequate space for registered attendees.
2. Ability to provide audiovisual equipment
3. The Facility must have ability to provide plentiful parking at no or low cost to attendees
4. The Facility should be adjacent to eateries for ease of attendees, at their cost.

CACEO will arrange for all printed, handout material to be copied at a local printer with host jurisdiction responsible for pickup (typically a local Kinko's or other facility).

The responsibility of the host jurisdiction is to provide three employees to facilitate check-in and collection of paperwork or payments; distribution of handouts; provide assistance to instructor (if necessary); ensure that all audiovisual equipment is available and working; provide directions or information to attendees; checkout of attendees and secure facility. Hosts are asked to provide refreshments, not to exceed \$5.00 inclusive per person per day, with a maximum of 4 days reimbursed for week-long training.

If CACEO does not receive enough paid attendees for an event, it may cancel the event, at least one (1) week in advance, and attempt to reschedule. The host is asked to contact as many local Code Enforcement Officers, Building Inspectors, or any other related personnel to attend.

The advantage of regional training is that they can serve any part of the state. In addition to the established inventory of course, the format is nimble enough to develop new or ad hoc training based on any new or emerging trend or need. Note: All Regional Training courses must cover all of CACEOs expenses of offering the course. Failure to attract sufficient course attendees to cover costs will result in course cancellation.

4.7.2.2 CACEO Webinars

CACEO shall make a concentrated effort at delivering educational courses via Webinar format. The CACEO president shall appoint a committee to develop Webinar courses including the content, logistics, marketing, and auditing functions. The committee shall develop and issue a report of its efforts annual, no later than September 30 of each year. Webinars shall be eligible to award CEU credits pursuant to Section 3.3.1.

Part 5. Third Party Education Program Providers

This Part contains the requirements for an entity to apply and qualify for Third Party Education Program Provider status pursuant to HSC Section 26207(b).

5.1 Accreditation of Third Party Education Program Providers ("3PPEP")

Any code enforcement education provider who meet the requirements of 3.3.1.1 of these regulations may apply to CACEO to become a 3PPEP on a CACEO Form intended for this purpose. Upon receipt of a completed application (containing no material omissions), the CACEO Education Chairperson, or its designee, will oversee appropriate evaluation of the application for suitability for approval under the minimum criterial for 3PPEP approval. Elements of the evaluation will include a review of program content, hours of instruction, teaching method(s) employed, learning objectives, methods of student learning evaluation, and methods of exam security. (Ad hoc organizations are not qualified.) CACEO will notify all applicants within thirty days of receipt of application of any of the following:

5.1.1 3PEPP Application Status Reporting

CACEO will reply back via email to the applicant within thirty (30) days with any of the following information, as applicable:

1. Notice of grant of licensing as 3PEPP, noting class of license and stating conditions*
2. Notice of deficiency of required information
3. Notice of deficiency of payment

4. Notice of a problem in the record
 5. Notice that more time is needed to process
 6. Any other Notice that CACEO develops to facilitate the process
- * All 3PEPP licenses are subject to ongoing conditions (i.e. reporting and recordkeeping requirements) that must be continually satisfied.

5.1.2 Limited time to respond to Notice

Any failure to satisfactorily provide the additional information requested in any of the above notices within those thirty (30) days will result in the application being presumed to be abandoned and shall be terminated unless a reasonable extension is requested and granted by CACEO. Any applicant then seeking licensing following abandonment must apply as a new applicant.

All educational courses offered by CACEO 3PPEPs are subject to the provisions of Section 3.3.1.1 (Continuing education activity criteria).

* Approval is subject to proper follow-through of performance and subject to ongoing recordkeeping and reporting requirements.

5.2 Classes of 3PPEP s

5.2.1 Module equivalent providers

Module equivalent providers shall be approved to offer CACEO Module 1, 2, and 3 certification. However, only CACEO may issue a “Certified Code Enforcement Officer” or “CCEO” certificate and status upon a CACEO registrant’s application for CCEO certification, even if all modules were completed through the provider.

5.2.2 Specialty education providers

Specialty education providers are those who offer stand-alone education courses not intended to fulfill the complete curriculum requirements of any module. Examples are: Dangerous building enforcement, mold awareness/remediation, or self-defense. Education providers who seek recognition and approval for CEU purposes are specialty education providers within this class.

5.2.3 Limited Offering Providers

This class is for employers who provide their own ‘in-house’ training to their employees only. Many public agencies have effective professional code enforcement in-house training either in place or under development. Any public agency may apply to CACEO pursuant to Article 5.1 to be considered for 3PPEP designation for the approved limited offerings. Once approved, shall be approved for all identical course offerings within three (3) years from the date of approval.

5.3 3PPEP application forms

Educational providers may apply for 3PPEP on a CACEO Form for this purpose. All CACEO Forms shall be available on the CACEO Website. The form shall contain fields for the applicant to describe information required for evaluation of provider and curriculum.

5.4 3PPEP course offerings

Each application shall describe the scope of the educational offering, and indicate whether it proposes to offer limited, or academy course offerings.

5.5 3PPEP fees

All 3PPEP applicants shall submit an application fee as published in the Fee Resolution.

5.6 3PPEP licensing

All 3PPEPs approved application shall constitute a ‘special license’ by CACEO for the course described in the approved application. All entities with an approved 3PPEP application may advertise and claim “Licensed CACEO Education Program Provider for this course” on all specific courses advertising, marketing, and course material. 3PPEPs are prohibited from expanding these licensing terms. No licensing privilege or component is transferrable, assignable, or delegable. Any violation of these provisions shall result in CACEO summarily suspending or revoking the license. Any such revocation or suspension shall not be eligible for appeal within these regulations, or otherwise.

Part 6. Violations, Complaints, Investigations and Disciplinary Actions, and Required Procedures to Ensure Fairness

Any time CACEO discovers any deficiency or delinquency of payment of any type due to CACEO from any of its certificants, or notices a problem in a certificant’s record, or reasonably believes a person to be out of compliance with these Regulations, it shall promptly notify the affected person and provide a reasonable opportunity to correct.

Anytime CACEO discovers that any applicant may have provided false or misleading information on any CACEO application for any recognition, certification, or licensure, CACEO shall notify the applicant of the issues, commence with further investigation, and provide a reasonable and fair opportunity for the affected person to rectify the suspicion or allegation.

Any time CACEO has reasonable grounds to believe an applicant, registrant, certificant, or licensee may be disqualified pursuant to Section 3.1.4, it shall investigate the suspicion, and initiate action to suspend or revoke the application, registration, certification, or license. CACEO retains discretion to execute any of these processes in the order that it sees fit for the purposes of carrying out the CEOSA. Any intended or actual disciplinary action resulting from this section shall be subject to the required procedures to ensure fairness as described in this article.

6.1 Grounds for denial, suspension or revocation

Only unlawful acts or violations of these Administrative Regulations may be grounds for denial, suspension or revocation of a license, certificate, or registration.

A CCEO Certificate and/or certification status may be suspended or revoked for any of the following reasons:

- Becoming or being found to be disqualified from any holding any office or employment position as described in Section 1029 of the California Government Code,
- Committing or participating in any act of fraud or deceit in obtaining a certificate including:
- Presenting false information to CACEO on any application or other document,
- Presenting false information to CACEO in any investigation or disciplinary proceeding, including:
 - Making deceptive, false, or misleading statements concerning professional qualifications or credentials,
 - Knowingly aiding, abetting, facilitating, or actively encouraging any other person to claim the title “Certified Code Enforcement Officer” or “CCEO” in when that person is not a CCEO as defined by the CEOSA.

6.2 Required procedures to ensure fairness

Any Applicant, registrant, or certificant may challenge a revocation, suspension, or other disciplinary or administrative action against that person by CACEO within ten (10) calendar days of the challenged action. Such person shall first attempt to resolve the matter with the CACEO Executive Director.

6.2.1 Request for Review of Action or Decision

Any applicant, registrant or certificant still dissatisfied with the outcome of the process in Section 6.2 may, within ten (10) calendar days of the conclusion that that process, submit a “Request for Review of Action or Decision” on a CACEO Form, describing the basis for the requested review, with sufficient detail of all facts and circumstances raised for

consideration. The requestor shall check the box indicating whether he or she requests the review to occur without the requestor's participation (in absentia), in person, via telephone, or video teleconference. The form shall be readily available and easy to find on the CACEO website, and it shall be acceptable to return the completed form and associated documents either by U.S. Mail, through CACEO website submission, or via email to an email address shown on the form. The CACEO Administrative Committee Chairperson will reply back to the requestor within ten (10) workdays to coordinate a meeting opportunity, or in the case of an 'in absentia' request, to acknowledge receipt of the request.

6.2.2 Results of the Review

After the meeting and/or review, CACEO will communicate its findings and results to the requestor within ten calendar days. All orders after hearing shall be deemed final, and shall be classified and titled as a "Final Administrative Order or Decision".

6.2.3 Challenging a CACEO Final Administrative Order or Decision.

Any applicant, registration or certificant who is dissatisfied with the Final Administrative Order or Decision after hearing may seek judicial review as provided for in Sections 1094.5 and 1094.6 of the California Code of Civil Procedure. This review is outside the scope of these Regulations and CACEO's authority. The decision being appealed shall not be stayed during the pendency of any judicial review.

6.3 Certificate Fee reimbursement

A person may request application fee reimbursement if

- CACEO has exceeded the stated time allowed to review or complete a process pursuant to these Regulations,
- is dissatisfied with the excessive time consumed without completion of the stated step,
- elects to terminate the purpose of the process,
- and has not caused or contributed to any delay in any manner.

Application for reimbursement shall be on a CACEO Form. If CACEO does not

- agree that the time period has been violated,
- finds that good cause existed for exceeding the time period, or
- finds that person caused or contributed to the delay,

then the request will be denied.

Good cause for exceeding the time period is considered to exist if

- the number of applications for certification and certification renewal exceeds, by 15% or more,
- the number of applications processed in the same calendar quarter the preceding year,
- another public or private entity relied upon by CACEO in the application process caused the delay, or
- any other condition exists that reasonably justifies any delay or exceeds any stated period.

6.3.2 Fee Appeal.

If the request for reimbursement is denied, the applicant may appeal the decision following the timelines and procedures in Article 6.1.

6.4 Filing complaints.

Any person may complain to CACEO alleging that a code enforcement officer or another person has violated the Act or these Regulations. Such complaint may be received pursuant to Article 1.3.

Upon receipt of a complaint, CACEO shall send the complainant an acknowledgment letter and CACEO's complaint form, which must be completed and returned to CACEO before further action can be taken. Delivery may be in any manner that the parties agree upon.

Parties reporting a complaint need not identify themselves.

If CACEO determines that the complaint does not come within CACEO's jurisdiction, CACEO shall refer the complainant to the appropriate governmental agency

If after an investigation, CACEO determines the complaint is unfounded, it shall close the investigative file as 'unfounded' and notify the affected party who was subject to the inquiry.

If CACEO determines that there are sufficient grounds to support the complaint and the subject matter is within Section 3.1.4., CACEO shall schedule a disciplinary hearing to consider denying, suspending, revoking, or not renewing a certification or license.

6.5 Denial, suspension, or revocation of application, certification, or license.

6.5.1 Discipline

CACEO may deny, suspend, or revoke ("discipline") any application, certification, or license. Prior to discipline, CACEO shall give written notice ("Notice") of the facts or conduct alleged to warrant denial, revocation, or suspension to the affected party, who

shall be given an opportunity to show cause why such proposed action should not be commenced. Such procedures shall be pursuant to this Article.

6.5.2 Hearing Requests

If the affected party desires to oppose such action or challenge such determination, he or she must request, in writing, a formal hearing within 20 days of the date of the Notice. The notice shall state the basis for the proposed action.

6.5.2.1 Closed Hearings

Hearings pursuant to Article 6.1 shall be closed to public attendance and participation, except for witnesses, representatives, or assistants called to either testify or be present by either party. Any party may be represented by any party of his or her choosing, unless that representation presents a conflict of interest.

6.5.3 Waiver of Hearing

If no timely request for a hearing is received, the applicant or certificate holder is deemed to have waived the hearing, and any rights to appeal. In such case, a decision by CACEO shall be deemed to be final and conclusive.

6.5.4 Default Action

If the affected party does not file a hearing request to oppose the proposed action, as described above, it shall take effect on the twenty-first day following the Notice.

6.5.5 Hearing and Notification

If a hearing is timely and properly requested, CACEO shall schedule a meeting to hear the matter which shall be titled as a “Show Cause Hearing.”

6.5.5.1 Any notice calling for a hearing (“Hearing Notice”) pursuant to Section 6.5.5 shall use the following language: “You are hereby ordered to appear at a hearing scheduled on (date) located at (location) to show cause why the CACEO Board should not find that you (insert allegation, suspicion, or other basis of proposed action).”

6.5.5.2 All Hearing Notices issued under this Article shall be reasonably calculated by way of content and delivery, to place the affected person under actual notice of the allegations, suspicions, and potential disciplinary action that may be taken against him or her. Mailing by certified mail, return receipt requested, to the last address known to CACEO shall suffice.

6.5.5.3 All Hearings pursuant to this Article shall be held in the CACEO Region where the affected person either resides or is employed, at his or her option.

6.5.5.4 The Notice shall clearly describe the hearing date, time, and location, and shall also contain a box for the applicant to check indicating “in absentia review requested.” If checked, the hearing shall commence as communicated in the absence of the requestor, except CACEO may then unilaterally elect to move the hearing to any alternate location or CACEO region and/or to any date/time that it chooses, provided the move does not cause or contribute to any excessive delay nor adversely impact the contestant in any way other than the fact of the person not being present at the hearing. In the case of an 'in absentia' hearing request, any written material provided by the requestor shall be considered at the hearing, and shall be given the same weight and importance as if the requestor was physically present at the hearing.

6.5.5.5 In absentia review

Any applicant, registrant or certificant, or licensee failing to appear or be represented at the scheduled hearing, shall be deemed to have waived any further hearing opportunity, and any appeals.

6.5.5.6 Hearings, generally

The CACEO Board or its hearing officer's determination shall be made on the preponderance of evidence standard. Formal rules of process, procedure, and/or technical rules of evidence, such as are applied in criminal or civil court, are not used in CACEO hearings or proceedings.

- **Witnesses:** Witnesses at hearings shall be sworn in. Each witness will be admonished that he or she is required to tell the truth under penalty of perjury.
- **Information:** Pertinent records, exhibits, and written statements may be accepted as information for consideration by the CACEO Board or its hearing officer.
- **Burdens of Proof:** CACEO Board or its hearing officer shall determine whether it is more likely than not that the contestant violated or breached these Regulations by a preponderance of evidence.
- **Recordation of hearings:** All hearings shall be digitally recorded by CACEO. The recording will serve to supplement the record of the proceedings and shall be the property of the CACEO. No other recordings are permitted. Deliberations shall not be recorded. Any failure to record any part of any hearing shall not invalidate the case, decision, or action.

6.5.5.7 Conduct and Order of Hearings

The conduct and order of the hearings shall be as shown below. However, the Board or Hearing Officer may change the order as appropriate based on the circumstances. The Board or Hearing Officer may question any party or witness directly.

1. Inform all parties in attendance that the audio portion of the hearing will be recorded by CACEO in order to help facilitate its decision-making.
2. Begin recording the hearing.
3. Call the hearing to order
4. Review of the hearing procedures
5. Opening statement and presentation of evidence by the CACEO Representative bringing forward the charges, followed by the opening statement and presentation of evidence by the contestant.
6. Questioning of CACEO witnesses, followed by the questioning of contestant's witnesses. All questions shall be directed to the presiding CACEO Board appointee or hearing officer who will question the witnesses.
7. Questions directed to the contestant by the CACEO Board appointee or Hearing Officer.
8. Closing statement by the CACEO, followed by the closing statement of the contestant.
9. Deliberation by the Board or Hearing Officer (not digitally recorded).
10. Decision and recommendation of discipline by the Board or Hearing Officer.

The CACEO Board representative or Hearing Officer will find the contestant "Responsible" or "Not Responsible" for each of the alleged violations listed on the Notice. If the Board or Hearing Officer cannot reach a finding of "Responsible" or "Not Responsible" to a charge within a reasonable time period based on the complexity of the case, the finding or matter shall be deemed as "Unfounded."

If the contestant fails to appear at the scheduled hearing (after proper notice), unless the contestant has filed for an "in absentia" hearing, the Board representative or Hearing Officer will review the case and make a decision without the contestant. Consideration will be given for non-appearance due to extenuating circumstances. All written materials submitted for "in absentia" hearing requests shall be given the same weight as if the contestant was personally present providing testimony. In the case of "in absentia" hearings, the contestant assumes the risk that not being present and available to answer questions may impact the outcome of the case.

At the conclusion of any hearing, the Board or its designated hearing officer shall consider the matter, and thereafter issue a decision to uphold, dismiss, or modify the proposed disciplinary action.

All results of Show Cause hearings shall be delivered to the affected party on a document titled "Order After Hearing." All Orders may specify their own terms.

All Board or hearing officer decisions under this Article shall be communicated to the affected party to the email and postal address contained in the party's CACEO registration database, unless the affected party indicated otherwise on the written request for hearing. The notification shall be dispatched to the contestant and unless otherwise specified, the discipline shall be effective within ten business days of the conclusion of the hearing.

The notification shall be titled "CACEO Order after Hearing"

All written decisions and notifications under this article shall contain a statement that CACEO considers the matter as 'final' and that the party may appeal the decision to a California court pursuant to Sections 1094.5 and 1094.6 of the Code of Civil Procedure.

6.6 Effective date of discipline

Once the Show Cause hearing has been completed, the discipline shall take effect on the date stated in the written communication to the contestant, notwithstanding any other appeal rights available in the California court system. If no date is stated, the discipline shall take effect on the tenth day following the date of hearing. Any party's failure to actually receive any notice after hearing shall not invalidate or otherwise affect the imposed disciplinary action.

6.7 Judicial Review

Any disciplined party who prevails in an action pursuant to Sections 1094.5 and 1094.6 of the Code of Civil Procedure that is contrary to a CACEO decision under these regulations may present documentation from the courts and petition the Board for reconsideration of its action pursuant to §6.1.1. No party shall be entitled to attorneys' fees or costs in any action pursuant to Code of Civil Procedure Sections 1094.5, or 1094.6.