

Rule 8: Answer.

8.01 **Time of Filing Answer.** A respondent against whom a complaint has been issued and on whom a notice of hearing and copy of such complaint has been served shall file a written answer not later than three weeks from the date of service of such complaint or three days prior to the date of hearing, whichever is earlier.

8.02 **Place and Manner of Filing.** The answer must be filed in triplicate at the office of the Commission and a copy thereof served upon the Commission attorney, if any, and upon all other parties. The filing shall be by personal delivery, or by registered or certified mail, return receipt requested.

8.03 **Extension of Time.** Upon application, the Commission for good cause shown may extend the time within which the answer may be filed.

8.04 **Form of Answer.** The answer shall be in writing and shall contain the address of the respondent, and if he or she is represented by an attorney, the name, address and telephone number of said attorney. The answer shall contain a general or specific denial of each and every allegation of the complaint controverted by the respondent, or a denial of any knowledge or information sufficient to form a belief concerning such allegations, and a statement of any matter constituting a defense. Any allegation in the complaint which is not denied or admitted in the answer, unless respondent shall state in the answer that the respondent after due investigation is without knowledge or information sufficient to form a belief on the allegation, shall be deemed admitted. An affirmative defense not first set forth by answer may not be raised at hearing on a complaint unless the Commission in its discretion decides otherwise. Any allegation of new matter contained in an answer shall be deemed denied without the necessity of a reply.

8.05 **Amendment to Answer.** The respondent may amend his or her answer at any time before ten (10) days prior to the first hearing on the complaint, as a matter of right, and thereafter at the discretion of the Commission or the person or persons conducting the hearing, on application duly made and for good cause shown. Whenever a complaint is amended, the respondent shall file an amended answer thereto in the same manner as the original answer was filed.

8.06 **Failure to File Answer.** A respondent who has not filed an answer, as provided in Rules 8.01 through 8.05 of the Commission Rules and Regulations shall be deemed in default and the hearing shall proceed on the evidence in support of the complaint. Such default may be set aside by the Commission or the hearing examiner upon good cause shown.