



## INFORMATION ABOUT AGENCY REVIEW

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Utah Department of Commerce  
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Salt Lake City, UT 84114-6701  
[mmedcalf@utah.gov](mailto:mmedcalf@utah.gov)

If you have been denied a license, received disciplinary action on your license, lost a citation hearing, or have otherwise been adversely impacted by a decision from one of the Divisions at the Utah Department of Commerce, you may request agency review of that decision by the Department's Executive Director. The Executive Director could uphold, reverse, or modify the Division's decision, or might return the case to the Division for further consideration.

### If you choose to file a request for agency review, please keep in mind all of the following:

- The Utah Administrative Procedures Act (UAPA), Utah Code Ann. Sections 63G-4-101 *et seq.*, and the Department's UAPA Rule, Utah Admin. Code R151-4-101 *et seq.*, govern requests for agency review. **You must review and comply with these procedures.** Nothing contained in this document supersedes the referenced statutes and rules. You may access the applicable provisions on the Department of Commerce website: <https://www.commerce.utah.gov/agencyrev.html>.
- Your request for agency review ("Request") must be received **no later than 30 days** from the date of the Division order that you wish reviewed. The Request must be in writing and must be addressed to the **Executive Director, Utah Department of Commerce**, at the above address.
- **If you email** your Request, you must **also hand-deliver or mail a hard copy** of your Request to the Executive Director **on the same day you email the Request**.
- You must include with your Request a **copy of the letter or order you wish reviewed**.
- If a hearing was held in your case, and you are challenging the order on the grounds that the evidence presented at the hearing did not support the order, you must, at your expense, order a **transcript of the hearing** and file it with the Executive Director. You must also file your certification verifying that you have ordered a transcript of the proceeding and stating the date by which you expect to file the transcript with the Executive Director - "**Certification Regarding Transcript**" form: <https://www.commerce.utah.gov/agencyrev.html>. For instructions on how to order a transcript, you may contact the hearing officer or administrative law judge who conducted the hearing. However if the hearing involved a DOPL Citation, contact Kim Lesh ([kimlesh@utah.gov](mailto:kimlesh@utah.gov) or (801) 530-6088); if the hearing was before the Division of Real Estate, contact Maelynn Valentine ([mvalentine@utah.gov](mailto:mvalentine@utah.gov) or (801) 530-6750); if the hearing was before the Division of Consumer Protection, contact the Division at [dcplegal@utah.gov](mailto:dcplegal@utah.gov) or 801-530-6601.
- Your Request must establish by **written factual and legal arguments** (also known as a **memorandum**) that the Division erred in its decision against you. You must show that you were substantially prejudiced as a result of any of the grounds identified in Section 63G-4-403. If a hearing transcript is required as part of your Request, you will have 15 days after you file the completed transcript to submit a memorandum in support of your Request. If no hearing transcript is required, you must submit your factual and legal arguments at the time that you first file your Request. The Division has 30 days to respond to your Request. You may file a **final reply memorandum** no later than 10 days after service of the Division's response.
- You must provide the Division or its Counsel copies of documents that you file with the Executive Director.
- You may be represented by legal counsel on agency review, and you are encouraged to seek legal advice from an attorney if you have questions about how to proceed. You may contact Masuda Medcalf, Administrative Law Judge, at (801) 530-7663, with any technical or procedural questions, but the merits of the case cannot be discussed.