

3701-16-05

Issuance, renewal, and denial of license.

- (A) The director shall issue a license to a community alternative home if, after completing review of the application pursuant to rule 3701-16-04 of the Administrative Code, he or she determines that the home meets the requirements of Chapter 3724 of the Revised Code and the requirements of Chapter 3701-16 of the Administrative Code.
- (B) Any license issued to a community alternative home:
 - (1) Shall contain the name and address of the home for which it is issued, the date of expiration of the license, and the maximum number of residents that may be accommodated by the home;
 - (2) Is valid only for the residence or facility specified on the license and for a period of two years after the date of issuance unless revoked or suspended pursuant to Chapter 119. of the Revised Code; and
 - (3) Is not transferable to any other location.
- (C) No single residence or facility may be licensed to operate as more than one community alternative home.
- (D) The director shall renew a license for a two-year period if, after completing review of the application for renewal pursuant to rule 3701-16-04 of the Administrative Code, he or she determines that the home continues to comply with the requirements of Chapter 3724. of the Revised Code and the requirements of Chapter 3701-16 of Administrative Code.
- (E) If any community alternative home fails to comply with any requirements of Chapter 3724. of the Revised Code or with any requirements of Chapter 3701-16 of the Administrative Code, the director may do any one or all of the following:
 - (1) In accordance with Chapter 119. of the Revised Code, deny, revoke, or refuse to issue or renew the license of the home;
 - (2) Determine whether an emergency exists that requires immediate action to protect the health or safety of the public or residents of the home, and issue an emergency order which complies with the provisions of division (B) of section 3724.04 of the Revised Code and paragraph (B) of rule 3701-16-08 of the Administrative Code;
 - (3) Request the attorney general to bring an action for injunctive relief against the home in the court of common pleas in the county in which the home is located if the director determines that the operation of the home constitutes a real and present danger to the health and safety of any of the residents or if the director determines that the home is operating without a license;
 - (4) Request the attorney general to bring an action in the court of common pleas of the county in which a violation of Chapter 3724. of the Revised Code and Chapter 3701-16 of the Administrative Code has occurred or is occurring for

civil penalties in an amount not greater than one thousand dollars for each day a violation continues;

- (5) Pursue other available remedies under federal or state law or municipal ordinance.

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Certification

01/09/2009
Date

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