

53B-14-105 Designation of hearing examiner -- Representation at hearing -- Findings and order of examiner -- Continuance of hearing.

- (1) The hearing under Section 53B-14-104 is held before a hearing examiner designated by the college, university, or board.
- (2) The examiner may not be an officer or employee of the division or office of the college, university, or board responsible for collecting or administering student loans.
- (3) The borrower and college, university, or board may be represented at the hearing by an attorney or other person, and may present evidence, exhibits, testimony, witnesses, and other material regarding the student loan, payments, and default as are relevant.
- (4) The hearing examiner shall make specific written findings on the student loan, payments, default, and the balance due and shall enter a written order.
- (5) If the hearing examiner finds the borrower has defaulted, the order shall state the fact of default and the balance due on the loan including interest. If the examiner finds no default, the order shall dismiss the claim.
- (6) The findings and order of the hearing examiner are filed with the college, university, or board and copies mailed to the borrower within 10 days after conclusion of the hearing.
- (7) The hearing may be continued by agreement of the parties and approval of the hearing examiner or upon order of the hearing examiner.

Enacted by Chapter 167, 1987 General Session