

Licensing Application Flowchart

October 22, 2019

Application is filed with Bureau. [B&P §§ 19864 & 19865]
B&P § 19872 and CCR § 12012 Ex Parte Rules apply.

Green Box = Start of Application Process
Blue Arrow = Advance of Normal Application Process
Red Box = End of Application Process
Blue Box = Commission Staff Ministerial Work
Orange Box = Bureau Ministerial Work
Purple Box = Commission Review
Dotted Blue Arrow = Return application to earlier stage
Black Box = Commissioner or Administrative Law Judge APA Decision
B&P = California Business and Professions Code
CCR = California Code of Regulation

Bureau commences investigation.
[B&P §§ 19826(a) and 19868]

If denial will be recommended, Bureau conducts pre-denial meeting.
[B&P § 19868(a)(1)]

Bureau Report is prepared with or without a recommendation.
[B&P §§ 19826(a) and 19868]

Bureau Report is provided to the applicant. [CCR § 12050]

Bureau Report filed with the Commission. [B&P § 19868(b)(2)]

Applicant may request withdrawal at any time prior to a Bureau Report. [CCR § 12015]

An application may be abandoned by the Chief of the Bureau based on an applicant not responding to investigation. [CCR § 12017]

Commission Meeting
Application can be approved, scheduled as an Open Item or scheduled for an Evidentiary Hearing. "Bagley-Keene Open Meeting"
[CCR § 12054]

- Commission may re-schedule meeting provided no expiration problem. Application considered at subsequent Commission Meeting. [CCR § 12054(a)(3)]

Commission Staff provides the applicant notice of Commission meeting type.
[CCR § 12052(b)]

If Bureau issued no recommendation, or recommended approval; Executive Director may deem application abandoned based on certain information; no right to a hearing if abandoned.
[CCR § 12017]

ED may schedule certain matters for a GCA hearing.
[CCR § 12060(a)]

Applicant receives Notice of Defense.
[CCR § 12052(c)(2)]

Commission Meeting: Open Item:
Applicant may speak and provide documents. "Bagley-Keene Open Meeting"
[CCR § 12054]

- Commission may re-schedule meeting provided no expiration problem. Application considered at subsequent Commission Meeting. [CCR § 12054(a)(3)]
- For Renewals where the Bureau has filed an accusatory pleading under B&P § 19930, the Commission may act on the application as normal, or issue an interim license for the duration of the hearing process. [CCR § 12054(a)(7)]
- Commission Hearing Referral; Identifies items for Discussion at Hearing. [CCR § 12054(a)(2)]

Applicant receives a license or other approval.
[CCR § 12054(a)(1)]

GCA Hearing. Decision is issued. B&P §§ 19870 & 19871 "Meeting"
[CCR §§ 12060 & 12062]
APA Ex Parte Rules apply.
• Commission may redirect to APA or Open Item. [CCR § 12060(a)]

Commission may consider default if no Notice of Defense Returned or if Notice of Defense is withdrawn.
[CCR § 12052(c)(2)(F)]

Application receives Default Decision.
[CCR § 12052(b)(3)(E)]

The Commission denies withdrawal request.
[B&P § 19869 and CCR §§ 12015 & 12054(a)(5)]

The Commission approves the withdrawal request with or without Prejudice.
[B&P § 19869 and CCR §§ 12015 & 12054(a)(5)]

APA Hearing. Gov. Code § 11500 et seq. applies.
Decision is issued.
[CCR § 12058]
APA Ex Parte Rules apply.

If denial or restrictions are determined at the Evidentiary hearing, reconsideration can be requested by applicant. [CCR § 12064]

An application may be deemed abandoned by the Commission depending on Bureau recommendation. Applicant has no right to an evidentiary hearing after abandonment.
[CCR §§ 12017 & 12054(a)(6)]

Commission serves decision [CCR 12062]; Supplies additional instructions and documents to applicant.

Applicant receives a license or other approval.
[CCR § 12054(a)(1)]

Application is approved with restrictions or denied.
[CCR § 12066]