**Section 123.210 Motions**

a) Motions will be made in writing, unless otherwise allowed by the Board, hearing officer or Office, during the course of a hearing. Written motions are limited to the following:

1) To request dismissal of a Complaint, for failure to state facts which, if true, would form a sufficient basis for discipline.

2) To request sanctions in accordance with Section 123.90 of this Part dealing with Representation.

3) To request sanctions in accordance with Section 123.130 of this Part dealing with Discovery.

4) To request dismissal of a Petition for Hearing for failure to comply with the Section 123.30 of this Part dealing with Initiation of a Contested Case by a Petitioner.

5) To request dismissal of a Complaint where the Office's case has been concluded without sufficient evidence having been presented to form a basis for discipline.

6) To request a continuance, or extension of time, to comply with any provision of this Part.

7) To request an order granting a rehearing or additional hearings.

8) To request an order that a Board or hearing officer reconsider its Findings of Fact, Conclusions of Law or Recommendation or to request a new hearing or additional hearings.

9) To request that a Board or hearing officer deem a failure to file an Answer to be an admission of the truth of the allegations contained in the Complaint.

10) To request employment of a hearing officer.

11) To request that a member of the Board be excluded from the hearing or deliberations for prejudice.

12) To request that an Order be vacated or modified.

13) To request a prehearing conference.

14) To request separation of cases joined by the Office.

b) When any motion is filed, the Board or hearing officer may allow oral argument if this is deemed necessary to a fuller understanding of the issues presented. Where facts are alleged as a basis for the request, which are not a part of the record in the case, an affidavit will be attached to the motion setting forth such facts.