**Section 14.340 Failure to Appear**

If the household member or representative cannot be located or fails to appear at the scheduled hearing without good cause, the hearing shall be conducted without the household member represented. Even though the household member is not represented, the hearing officer is required to consider the evidence and determine if an intentional violation of the program was committed based on clear and convincing evidence. If a determination of intentional violation of the program is made, and no proof of receipt of the scheduling notice has been obtained, the household member has 30 days after the date of the written notice of the hearing decision to request a new hearing based on a showing of non-receipt of the scheduling notice. In all other instances, the household member has 10 days after the date of the scheduled hearing to present reasons showing good cause for failure to appear. (See Section 14.60(e) for definition of good cause.) The Bureau of Assistance Hearings shall determine if the household member had good cause for not appearing and make a determination as to whether a new hearing should be scheduled.

(Source: Amended at 25 Ill. Reg. 15253, effective October 31, 2001)