

4501-45-07

**Penalties for failure to timely file an annual report and/or pay the annual report fee.**

- (A) The director ~~shall~~may charge a penalty against a manufacturer who fails to timely file an accurate annual report and/or pay the total annual report fee due, within the time period set forth in paragraph (F) of rule 4501-45-03 of the Administrative Code. The director shall charge a separate penalty against the manufacturer for each violation.
- (1) A manufacturer who fails to timely file an accurate annual report shall be charged a penalty in an amount not exceeding the greater of fifty dollars or ten per cent of the total annual report fee due. If the manufacturer fails to file an accurate annual report within sixty days following the date the annual report was due, the manufacturer may be subject to an assessment set forth in rule 4501-45-08 of the Administrative Code.
- (2) A manufacturer who fails to timely pay the total annual report fee due shall be charged a penalty in an amount not exceeding the greater of fifty dollars or ten percent of the total annual report fee due. If the manufacturer fails to pay its total annual report fee within sixty days following the date the annual report fee was due, the manufacturer may be subject to an assessment set forth in rule 4501-45-08 of the Administrative Code.
- (B) The director shall serve the notice of penalty(s) upon a manufacturer by certified mail, return receipt, at the address stated in the manufacturer's application for licensing. In the notice, the director shall state the basis and the amount of the penalty(s). Penalty(s) shall be paid in full within sixty days of the date of notice.
- (C) Any portion of the penalty(s) not paid in full by a manufacturer within sixty days of the date of notice, shall accrue interest at the rate per annum prescribed by section 5703.47 of the Revised Code, until the penalty(s) is/are paid in full. The director may take any action under Ohio law necessary to secure a judgment against the manufacturer for all outstanding monies owed.

Effective:

Five Year Review (FYR) Dates: 01/15/2016

---

Certification

---

Date

Promulgated Under: 119.03  
Statutory Authority: 4510.45  
Rule Amplifies: 4510.45  
Prior Effective Dates: 9/6/88(Emer.), 7/22/90, 8/24/03, 12/31/10