§ 9038.5 Petitions for rehearing; stays of repayment determinations.

(a) Petitions for rehearing. (1) Following the Commission’s final determination under 11 CFR part 9033.10 or 9034.5(g) or the Commission’s repayment determination under 11 CFR part 9038.2(c), the candidate may file a petition for rehearing setting forth the relief desired and the legal and factual basis in support. To be considered by the Commission, petitions for rehearing must:

(i) Be filed within 20 calendar days after service of the Commission’s final determination or repayment determination;

(ii) Raise new questions of law or fact that would materially alter the Commission’s final determination or repayment determination; and

(iii) Set forth clear and convincing grounds why such questions were not and could not have been presented during the original determination process.

(2) If a candidate files a timely petition under this section challenging a Commission repayment determination, the time for repayment of the amount at issue will be suspended until the