



Jay

Steven W. Troxler  
Commissioner

North Carolina Department of Agriculture  
and Consumer Services  
*Veterinary Division*

David T. Marshall, DVM  
State Veterinarian

July 13, 2012

Dogs Hope Rescue  
Judith Van Noate  
10503 Robert Bost Road  
Midland, NC 28107

**NOTICE OF DENIAL OF APPLICATION FOR ANIMAL SHELTER REGISTRATION**

Dear Ms. Van Noate,

Pursuant to the North Carolina General Statutes (NCGS 19A-30) this letter is notice of the Department's decision to deny your application for registration of your animal shelter, for the facility listed as addressee.

Your animal shelter, Dogs Hope Rescue, has failed inspections conducted by this NCDA&CS on:

December 8, 2011, March 20, 2012 and June 7, 2012

You had been provided with the NC Animal Welfare and Act and the rules establishing facility standards there under with your certification application. Because your facility has failed inspection, as shown by the inspection report we provided at the most recent inspection, and for the reasons set forth in that last inspection report, your application for certification of registration shelter is hereby **DENIED** for failure to comply with the requirements set forth in N.C. Gen. Stat. § 19A-30(3). You may contest this decision by filing a petition under the North Carolina Administrative Procedure Act, N.C. Gen. Stat. § 150B-23, within five (5) days of your receipt of this Order. Please find enclosed information on filing said petition.

Please note that anyone who has held a licensee and whose license has been revoked under the Animal Welfare Act shall not be eligible to apply for a new license to operate a boarding kennel or animal shelter until one year has elapsed from the date of this order revoking the license or if an appeal is taken from this order of revocation, one year from the date of the order or final judgment sustaining said revocation.

Any person who has been an officer, agent, or employee of a licensee whose license has been revoked or suspended and who is responsible for or participated in the violation upon which the order of suspension or revocation was based, shall not be licensed within the period during which the order of suspension or revocation is in effect.

Within 30 days from the date of receipt, you must do one of the following:

1. Close your facility: or
2. File a written petition for a contested case hearing in the Office of Administrative Hearings (OAH) appealing the denial of your license renewal application.

If you believe that your facility is in compliance with the Animal Welfare Act and the rules promulgated thereunder, you may contact the Animal Welfare Section and request reinspection. However, your request does not entitle you to operate an animal shelter without a license and the Animal Welfare Section is not obligated to grant your request for inspection.

Additionally information about your options is provided below:

### APPEAL

If you file a contested case petition, it must be in writing and in the form prescribed by GS 150B-23. File the petition and one copy with:

Office of Administrative Hearings  
6714 Mail Service Center  
Raleigh, NC 27699

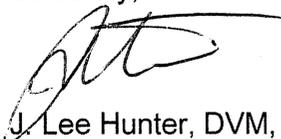
Any questions about filing a petition may be directed to the Clerk of OAH by telephone – (919) 431-3000. You must serve NCDA&CS by mailing a copy of the petition to:

Mr. Ray Starling  
General Counsel  
North Carolina Department of Agriculture and Consumer Services  
1001 Mail Service Center  
Raleigh, NC 27699-1001

Please note that the Office of Administrative Hearings now charges a filing fee of \$20.00 for petitions filed against the NCDA&CS. Further, NCDA&CS reserves the right to assess a civil penalty in the future or take other enforcement action against you if it finds that you have not filed a petition and have continued to operate an unregistered animal shelter past the 30 days specified above.

Your attention to this matter is appreciated.

Sincerely,



J. Lee Hunter, DVM, MPH  
Director of Animal Welfare Section

BHB/mwb

cc: Barry H Bloch, Assistant Attorney General  
David T. Marshall, DVM, State Veterinarian, NCDA&CS  
Jay Blatche, Animal Health Technician, NCDA&CS