



STATE OF MAINE
DEPARTMENT OF ADMINISTRATIVE & FINANCIAL SERVICES
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SERVING THE PUBLIC AND DELIVERING ESSENTIAL SERVICES TO STATE GOVERNMENT

JANET T. MILLS
GOVERNOR

KIRSTEN LC FIGUEROA
COMMISSIONER

October 13, 2023

Mr. Tjanqi Hou
201 Norridgewock Road
Fairfield, ME 04937
VIA USPS Certified Mail

Re: Final agency decision re: dismissal of the administrative appeal of Tjanqi Hou of the revocation of the appellant's registry identification card

Mr. Hou:

I, Kirsten Figueroa, Commissioner of the Department of Administrative and Financial Services (Department), do hereby adopt the findings of fact and accept the enclosed recommended Order of Dismissal of Rebekah Smith, Esq. dated September 18, 2023; and further adopt the decision of the Department, through its Office of Cannabis Policy (OCP), to revoke your registry identification card as described in OCP's Notice of Revocation of Registry Identification Cards dated May 5, 2023.

This decision constitutes a final agency action of the Department regarding the revocation of your registry identification card. If you wish to appeal this decision, you must do so by filing an appeal with the appropriate Superior Court within 30 days after receipt of this decision, in accordance with the Maine Administrative Procedures Act, 5 M.R.S.A. Sections 11001 et seq., and Maine Rules of Civil Procedure, Rule 80C.

DATED: October 13, 2023

SIGNED: Kirsten LC Figueroa
Kirsten LC Figueroa, Commissioner
Department of Administrative and Financial Services

Encl.

cc: Deanna White, Esq., Assistant Attorney General
Vernon Malloch, Deputy Director of Operations, Office of Cannabis Policy

**STATE OF MAINE
DEPARTMENT OF ADMINISTRATIVE AND FINANCIAL SERVICES
OFFICE OF CANNABIS POLICY**

In re Tjanqi Hou)	
)	
v.)	RECOMMENDED ORDER
)	OF DISMISSAL
Appeal of Revocation of Registry Identification Card)	
)	

A Notice of Hearing was issued on May 11, 2023, setting June 16, 2023, as the hearing in the appeal of Tjanqi Hou (“Registrant”) from the notice of revocation of his registration card in the Maine Medical Use of Cannabis Program. A prehearing conference was convened on May 26, 2023, attended by the Registrant and Assistant Attorney General Deanna White, Esq., representing Board Staff. A Conference Order was issued explaining the hearing process, setting deadlines for the submission of information prior to hearing, and rescheduling the hearing to June 23, 2023.

On June 13, 2023, by email, the Registrant provided information about his witnesses. On June 14, 2023, by email, the Registrant requested to postpone the hearing date due to his spouse’s illness. On June 15, 2023, the Registrant’s request to continue the hearing was granted without objection. The hearing was rescheduled for July 27, 2023.

On July 18, 2023, the Registrant requested further continuance of the hearing date due to his spouse’s ongoing illness. On August 2, 2023, the new hearing date was confirmed as September 13, 2023.

On September 13, 2023, the Registrant did not appear for hearing. Board Staff, represented by AAG White, was present. Board Staff requested the issuance of an order of dismissal of the Registrant’s appeal. Board Staff had received information through informal channels that the Registrant had moved out of state and wished to withdraw his appeal.

Pursuant to the Standard Operating Procedure for the Conduct of Administrative Hearings for the Adult Use Cannabis Program or the Maine Medical Use of Cannabis Program (“Standard Operating Procedure”), Section VI.D.1, if a party who requests a hearing fails to appear at the hearing, the Hearing Officer will notify the party that the request for a hearing will be dismissed because of the failure to appear and the revocation will take effect. Within 10 days, the Registrant may submit information demonstrating good cause for the failure to appear, which would cause the hearing process to be reinstated and the hearing to be rescheduled.

The Standard Operating Procedure at Section VI.D.3 identifies the following circumstances constituting good cause:


- a. A death or serious illness in the family;
- b. A personal injury or illness which reasonably prevents the party from attending the hearing;

- c. An emergency or unforeseen event which reasonably prevents the party from attending the hearing;
- d. An obligation or responsibility which a reasonable person in the conduct of their affairs could reasonably conclude takes precedence over attending the hearing;
- e. Lack of receipt of adequate or timely notice;
- f. Excusable neglect, excusable inadvertence, or excusable mistake.

Absent submission of information within 10 days of the date of this order regarding a good cause reason that he did not attend the hearing on September 13, 2023, the hearing in this matter will be dismissed by the Commissioner of the Department of Administrative and Financial Services and the Notice of Revocation issued on May 5, 2023, will become a final determination.

Submissions. All submissions may be filed with Vernon Malloch, Deputy Director of Operations, at Vernon.Malloch@maine.gov. All submissions must also be copied to the opposing party and the Hearing Officer.

Dated: September 18, 2023



Rebekah Smith, Esq.
Administrative Hearing Officer