

5065 Decision

(a)

The administrative law judge shall promptly issue the decision, and the agency shall promptly serve it.

(b)

The decision shall set forth the issue, the findings of facts, the reasons for decision, the decision, and the date served.

(c)

The findings of facts shall be based exclusively on the evidence of record in the proceeding and on matters officially noticed in the proceeding.

(d)

If a factual determination is based substantially on the credibility of a witness, the reasons for the decision shall identify any specific evidence of the observed demeanor, manner, or attitude of the witness that supports the determination.

(e)

A penalty may not be based on a guideline, criterion, bulletin, manual, instruction, order, standard of general application, or other rule subject to Chapter 3.5, commencing with section 11340, of Part 1 of Division 3 of Title 2 of the Government Code, unless it has been adopted as a regulation pursuant to that chapter.