

31 C.F.R. § 27.7

Final Notice of Assessment.

- (a) In making a final determination whether to impose a penalty, the assessing official shall take into consideration all available information in the administrative record on the matter, including all information provided in or with a written response timely filed by the respondent and any additional information provided pursuant to § 27.5(e)(2). The assessing official will determine whether:
- (1) The facts warrant a conclusion that no violation has occurred; or
 - (2) The facts warrant a conclusion that one or more violations have occurred; and
 - (3) The facts and violations found justify the conclusion that a civil penalty should be imposed.
- (b) If the assessing official determines that no violation has occurred, the official shall promptly send a letter indicating that determination to the person served with an Initial Notice of Assessment and to any designated representative of such person.

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