**Section 100.200 Burden of Proof**

a) The burden of proof rests with the Department in all cases except as provided in subsection (b) or as otherwise provided by law.

b) The burden of proof rests with the Petitioner in the following circumstances, unless otherwise provided by law:

1) When an Applicant, if permitted to do so under the Applicable Act, files a Petition for Hearing after they have been denied a license, charter, certificate, permit, or similar permission pursuant to an Applicable Act;

2) When a third-party person or entity that is not the subject of an Administrative Decision of the Secretary or Director, if permitted to do so under the Applicable Act, files a Petition for Hearing related to such Administrative Decision.