§ 3393. Formal hearings procedure. 1. The commissioner or any person designated by him for this purpose, shall have the power to administer oaths, compel the attendance of witnesses and the production of books, records and documents and to take proof and testimony concerning all matters within the jurisdiction of the department.

2. Notice of hearing shall be served at least fifteen days prior to the date of the hearing, provided, however, whenever the commissioner has made a preliminary order suspending a license or directing the cessation of any activity pending the hearing, the commissioner shall provide the person affected thereby with an opportunity to be heard within five days.

3. At a hearing any person who is a party thereto may appear personally, shall have the right of counsel, and may cross-examine witnesses and produce evidence and witnesses in his own behalf.

4. Following a hearing, the commissioner shall make appropriate findings of fact and determinations and shall issue an order in accordance therewith.

5. The person conducting the hearing shall not be bound by the rules of evidence but any determination must be founded upon sufficient legal evidence to sustain it.

6. The commissioner may adopt such rules and regulations governing the procedures to be followed with respect to the hearings as may be consistent with the fair and effective administration of this article.

7. Any notice, application, order or other paper required to be served upon any party to a proceeding hereunder may be served in person, by registered mail or by certified mail upon either the party or an attorney who has appeared on his behalf.